



# 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, June 10, 2014 - 2:00 PM

## Regular Meeting

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

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at [www.sfbos.org](http://www.sfbos.org)

## BOARD COMMITTEES

### Committee Membership

**Budget and Finance Committee**  
Supervisors Farrell, Mar, Avalos, Breed, Wiener

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

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

**Government Audit and Oversight Committee**  
Supervisors Breed, Tang, Chiu

**Land Use and Economic Development Committee**  
Supervisors Wiener, Kim, Cohen

**Neighborhood Services and Safety Committee**  
Supervisors Campos, Mar, Yee

**Rules Committee**  
Supervisors Yee, Tang, Campos

### Meeting Days

Wednesday  
1:00 PM

Wednesday  
10:00 AM

4th Thursday  
3:30 PM

2nd and 4th Thursday  
10:30 AM

Monday  
1:30 PM

1st and 3rd Thursday  
10:00 AM

1st and 3rd Thursday  
2:00 PM

## **Agenda Item Information**

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk.

## **Meeting Procedures**

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

**IMPORTANT INFORMATION:** The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

**LAPTOP COMPUTER FOR PRESENTATIONS:** Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

**AGENDA PACKET:** Available for review in Clerk's Office, Room 244, City Hall, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

**LANGUAGE INTERPRETERS:** Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. **AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702.

**翻譯 必須在會議前最少四十八小時提出要求**  
**請電 (415) 554-7719**

### **Disability Access**

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

### **Know Your Rights Under The Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>

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

## **AGENDA CHANGES**

## **APPROVAL OF MEETING MINUTES**

Approval of the [May 6, 2014](#), Board Meeting Minutes.

## **COMMUNICATIONS**

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

*Pursuant to Charter Section 3.100(7), the Mayor shall appear, in person, at one regularly scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board. This item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.*

*By supermajority vote of the Board of Supervisors (8 votes), the Board may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.*

*There were no questions submitted from Supervisors representing even districts. The Mayor may address the Board for up to five 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 11

#### Recommendations of the Budget and Finance Committee

*Present: Supervisors Farrell, Mar, Avalos, Breed, Wiener*

1. [140151](#) **[Administrative Code - Local Hire and Prevailing Wages for Construction Projects on City-Owned Property Pursuant to California Law]**  
**Sponsors: Avalos; Breed, Campos, Chiu, Kim, Mar, Wiener, Yee, Farrell and Cohen**  
Ordinance amending the Administrative Code to provide that the City's Local Hiring Policy apply to construction projects on property owned by the City and payment of Prevailing Wages pursuant to California law.  
  
06/03/2014; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
2. [140383](#) **[Administrative Code - Prevailing Wage for Special Event or Trade Show Work on City Property]**  
**Sponsors: Wiener; Chiu and Cohen**  
Ordinance amending the Administrative Code to require that prevailing wages be paid for work involving the on-site installation, set-up, assembly, and dismantling of temporary exhibits, displays, booths, modular systems, signage, drapery, specialty furniture, floor coverings, and decorative materials in connection with trade shows, conventions, expositions, and other special events on City property.  
  
06/03/2014; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

## **Recommendations of the Rules Committee**

*Present: Supervisors Yee, Tang*

3. [140315](#) **[Settlement of Claim - American Airlines, Inc. - Assumption of Lease Obligations and Allocation of Relocation Reimbursement Credits]**  
Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco against American Airlines, Inc., and its affiliated entities in In re: American Airlines, Inc., et al., Case No. 11-15463 SHS, United States Bankruptcy Court for the Southern District of New York, pursuant to a Cure Stipulation; the Cure Stipulation resolves the claim filed by the City and provides for American's assumption of its leases, permits, and related agreement related to American's operations at San Francisco International Airport; under the Cure Stipulation, the Airport will apply certain credits owed by Airport related to American's interim relocation from Terminal 3 Boarding Area E to Terminal 2 Boarding Area D to the amounts owed by American under its leases, permits, and related obligations; further, the Airport will apply the remaining amount of the relocation related credits to American's future obligations; the Cure Stipulation further provides for American's assumption of an agreement related to environmental clean-up and monitoring costs at the Airport. (City Attorney)  
  
06/03/2014; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
4. [140368](#) **[Settlement of Lawsuit - Jacqueline Ortega - \$221,175]**  
Ordinance authorizing settlement of the lawsuit filed by Jacqueline Ortega against the City and County of San Francisco for \$221,175; the lawsuit was filed on November 15, 2012, San Francisco Superior Court, Case No. CGC-12-526188; entitled Jacqueline Ortega, et al. v. City and County of San Francisco, et al. (City Attorney)  
  
06/03/2014; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
5. [140369](#) **[Settlement of Lawsuit - Patricia MacDonald - \$125,000]**  
Ordinance authorizing settlement of the lawsuit filed by Patricia MacDonald against the City and County of San Francisco for \$125,000; the lawsuit was filed on July 16, 2010, in San Francisco Superior Court, Case No. CGC-10-501646; entitled Patricia MacDonald v. City and County of San Francisco, et al.  
  
06/03/2014; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
6. [140370](#) **[Settlement of Lawsuit - Iva Johnson - \$105,000]**  
Ordinance authorizing settlement of the lawsuit filed by Iva Johnson against the City and County of San Francisco for \$105,000; the lawsuit was filed on May 2, 2012, in San Francisco Superior Court, Case No. CGC-12-520470; entitled Iva Johnson v. City and County of San Francisco.  
  
06/03/2014; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

7. [140402](#) **[Settlement of Lawsuit - Jon Gatto - \$26,000]**  
Ordinance authorizing settlement of the lawsuit filed by Jon Gatto against the City and County of San Francisco for \$26,000; the lawsuit was filed on December 10, 2012, in San Francisco Superior Court, Case No. CGC-12-518200; entitled Jon Gatto v. City and County of San Francisco. (City Attorney)  
  
06/03/2014; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
8. [140403](#) **[Settlement of Lawsuit - Jameson Ashley - \$150,000]**  
Ordinance authorizing settlement of the lawsuit filed by Jameson Ashley against the City and County of San Francisco for \$150,000; the lawsuit was filed on January 26, 2012, in the United States District Court for the Northern District of California, Case No. C-12-0045-JST; entitled Jameson Ashley v. City and County of San Francisco, et al. (City Attorney)  
  
06/03/2014; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
9. [140404](#) **[Settlement of Lawsuit - Stantec Consulting Services, Inc. - City to Receive \$15,285,000]**  
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Stantec Consulting Services, Inc., and Stantec Architecture, Inc., for \$15,285,000; the lawsuit was filed on December 12, 2011, in Alameda County Superior Court, Case No. RG13679711; entitled City and County of San Francisco v. Stantec Consulting Services Inc., et al. (City Attorney)  
  
06/03/2014; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
10. [140405](#) **[Settlement of Lawsuit - Chris Escher - \$40,000]**  
Ordinance authorizing settlement of the lawsuit filed by Chris Escher against the City and County of San Francisco for \$40,000; the lawsuit was filed on August 14, 2012, in San Francisco Superior Court, Case No. CGC-12-523236; entitled Chris Escher v. City and County of San Francisco, et al. (City Attorney)  
  
06/03/2014; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
11. [140406](#) **[Settlement of Lawsuit - LaVaughan Butler-Moore - \$43,000]**  
Ordinance authorizing settlement of the lawsuit filed by LaVaughan Butler-Moore against the City and County of San Francisco for \$43,000; the lawsuit was filed on April 2, 2009, in San Francisco Superior Court, Case No. CGC-09-486869; entitled LaVaughan Butler-Moore v. City and County of San Francisco, et al. (City Attorney)  
  
06/03/2014; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Board

12. [140453](#) **[Street Vacation - Quint Street Railroad Crossing Improvement Project - Quint Street, McKinnon Ave, and Newcomb Ave]**

**Sponsor: Cohen**

Ordinance ordering the vacation of portions of Quint Street, McKinnon Avenue and Newcomb Avenue as part of the Quint Street Railroad Crossing Improvement Project; approving a quitclaim of the City's interest in the vacation areas to the Peninsula Corridor Joint Powers Board (JPB), subject to specified conditions; reserving easement rights for the benefit of the City for its utilities and the JPB; accepting a Department of Public Works Order concerning the street vacation; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

06/03/2014; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

06/03/2014; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

## NEW BUSINESS

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

*Present: Supervisors Farrell, Mar, Avalos*

13. [140311](#) **[Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]**

Resolution approving the acquisition of 28 Avigation Easements from various property owners in San Mateo County required for the San Francisco International Airport's Noise Insulation Program (Project); adopting findings that the Project is categorically exempt from environmental review under the California Environmental Quality Act Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property and Mayor to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

(Fiscal Impact)

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



Present: Supervisors Farrell, Avalos

14. [140333](#) **[Airport Lease Modification - Continental Airlines, Inc. - Early Termination of Lease]**  
Resolution approving and authorizing the execution of Modification No. 2 to Lease L10-0275 with Continental Airlines, Inc., at San Francisco International Airport to grant early termination of the Lease.  
**Question: Shall this Resolution be ADOPTED?**
15. [140334](#) **[Contract Amendment - Bridgestone Americas Tire Operations, LLC - \$11,750,000]**  
Resolution authorizing the Office of Contract Administration to enter into the Sixth Amendment between the City and County of San Francisco and Bridgestone Americas Tire Operations, LLC, for the rental of bus tires, in which the amendment shall increase the contract limit from \$9,950,000 to \$11,750,000. (Office of Contract Administration)  
  
(Fiscal Impact)  
**Question: Shall this Resolution be ADOPTED?**
16. [140376](#) **[Professional Services Agreement - FSP PPM Management, LLC - Curbside Management Program - Not to Exceed \$16,938,693]**  
Resolution approving Amendment No. 2 to Professional Services Agreement, Airport Contract No. 8994, to manage and staff the Curbside Management Program between FSP PPM Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$16,938,693 pursuant to San Francisco Charter, Section 9.118(b), for a term commencing July 1, 2014, through June 30, 2015.  
**Question: Shall this Resolution be ADOPTED?**
17. [140450](#) **[Real Property Lease Amendment - Spectrum Realty, L.P. - 833 Mission Street]**  
**Sponsor: Kim**  
Resolution retroactively authorizing the Municipal Transportation Agency to execute the lease amendment (Third Amendment) to the retail lease dated February 18, 2004, with Sprint Spectrum Realty, L.P., (Tenant) for 2,152 sq. ft. retail space at the Fifth and Mission/Yerba Buena Garage, located at 833 Mission Street; said amendment to extend the retail lease for an additional five years beginning June 1, 2014, and provide additional rent of \$689,049 plus provide a one five-year option that will, if exercised, provide additional rent of \$798,813.  
  
(Fiscal Impact)  
**Question: Shall this Resolution be ADOPTED?**
18. [140456](#) **[Boarding Area C Coffee Shop Lease - Green Beans Coffee Osteria - SFO Group - Annual Rent of \$52,176 - FY2014-2015]**  
Resolution approving the Boarding Area C Coffee Shop Lease between Green Beans Coffee Osteria - SFO Group and the City and County of San Francisco, acting by and through its Airport Commission, for a ten year term with annual rent of \$52,176 for FY2014-2015. (Airport Commission)  
**Question: Shall this Resolution be ADOPTED?**

19. [140474](#) **[Contract Approval - Thales Transport & Security, Inc. - Advanced Train Control System for San Francisco Municipal Transportation Agency Central Subway Project - \$21,363,292]**  
Resolution authorizing the San Francisco Municipal Transportation Agency to execute Advanced Train Control System Contract with Thales Transport & Security, Inc., for design and construction of Advanced Train Control System for the Central Subway Project for amount not to exceed \$21,363,292 for a 1,700 day term, to commence upon Board approval. (Municipal Transportation Agency)  
  
(Fiscal Impact)  
  
**Question: Shall this Resolution be ADOPTED?**
20. [140511](#) **[Accept and Expend Grant - Mental Health Triage Personnel Grant - \$1,751,827]**  
**Sponsor: Mayor**  
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$1,751,827 from Mental Health Services Oversight and Accountability Commission to participate in a program entitled Mental Health Triage Personnel Grant for the period of April 1, 2014, through June 30, 2014, waiving indirect costs.  
  
**Question: Shall this Resolution be ADOPTED?**
21. [140514](#) **[Accept and Expend Grant - HIV CARE Program/Single Allocation Model - \$2,663,405]**  
**Sponsor: Wiener**  
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$2,663,405 from the State of California to participate in a program entitled "HIV CARE Program/Single Allocation Model" for the period of April 1, 2014, through March 31, 2015; and waiving indirect costs.  
  
**Question: Shall this Resolution be ADOPTED?**
22. [140515](#) **[Accept and Expend Grant - Capacity Building for High-Impact HIV Prevention, Category A - \$1,000,000]**  
**Sponsor: Wiener**  
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$1,000,000 from Centers for Disease Control and Prevention to participate in a program entitled "Capacity Building for High-Impact HIV Prevention, Category A" for the period of April 1, 2014, through March 31, 2015.  
  
**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Farrell, Mar, Avalos*

23. [140560](#) **[Sublease of Real Property - San Francisco Child Abuse Prevention Center - 3450 Third Street - Initial Monthly Rent \$22,113.10]**

**Sponsors: Mayor; Cohen**

Resolution retroactively authorizing the sublease of real property of approximately nine years, with an effective date of April 1, 2014, for approximately 6,024 square feet of space at 3450 Third Street, with the San Francisco Child Abuse Prevention Center, a California nonprofit corporation, as sublessor, for use by the Children's Advocacy Center of San Francisco through the Human Services Agency, at the initial monthly rent of \$22,113.10 for the period from April 1, 2014, through March 31, 2015.

(Fiscal Impact)

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

### **Recommendation from the Government Audit and Oversight Committee**

*Present: Supervisors Breed, Tang, Chiu*

24. [130374](#) **[Campaign and Governmental Conduct Code - Lobbying and Ethics Regulations]**

**Sponsor: Chiu**

Ordinance amending the Campaign and Governmental Conduct Code to expand the definition of a lobbyist; expand the definition of an Officer of the City and County; expand the list of reportable lobbying contacts; hold employers and clients of lobbyists jointly and severally liable for violations of this Ordinance committed by the lobbyist on behalf of that employer or client; enhance lobbyist training, auditing, and record-keeping requirements; require public reports about City officials who fail to file Statements of Economic Interest; require a public guide to local campaign finance laws; require permit consultants to register with the Ethics Commission and file quarterly disclosure reports; and require major developers to disclose donations to nonprofits active in the City.

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

### **Recommendations of the Land Use and Economic Development Committee**

*Present: Supervisors Wiener, Kim, Cohen*

25. [140382](#) **[Planning Code - Designation of 1007 Market Street (aka James G. Walker Building)]**

**Sponsor: Kim**

Ordinance amending the Planning Code to change the designation of 1007 Market Street (aka James G. Walker Building), Assessor's Block No. 3703, Lot No. 078, from Category V (Unrated) to Category III (Contributory) under Planning Code. Article 11; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

- 26. [140416](#) **[Police Code - Hospitality Industry Worker Retention]**  
**Sponsors: Kim; Cohen, Campos, Mar and Avalos**  
 Ordinance amending the Police Code to require large hospitality industry employers to retain employees for up to 90 days upon a change in control of the hospitality establishment; and to provide judicial remedies for violation of the Ordinance.  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Recommendation of the Neighborhood Services and Safety Committee**

*Present: Supervisors Campos, Yee*

- 27. [140317](#) **[Administrative Code - Irrevocable Employer Health Care Expenditure Requirement]**  
**Sponsors: Campos; Avalos, Kim, Mar and Yee**  
 Ordinance revising the Health Care Security Ordinance to require all health care expenditures to be made irrevocably; to clarify that the existing City public benefit program known as the Health Access Program (HAP) has two component programs, Healthy San Francisco and Medical Reimbursement Accounts; to charge the Department of Public Health with creating a plan to maximize HAP participants' enrollment in the State health insurance exchange, Covered California, by plan year 2016; and to set an operative date of October 1, 2014.  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**

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

**COMMITTEE REPORTS**

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

*The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, June 5, 2014, at 2:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a Committee Report on Tuesday, June 10, 2014.*

- 28. [140521](#) **[Appointments, Sunshine Ordinance Task Force]**  
 Motion appointing two members, terms ending April 27, 2015, and six members, terms ending April 27, 2016, to the Sunshine Ordinance Task Force. (Rules Committee)  
  
**Question: Shall this Motion be APPROVED?**

**29. 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.*

### 30. 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.*

### CLOSED SESSION

### CONFERENCE WITH CITY ATTORNEY - Existing Litigation

31. [140661](#) **[Closed Session - Existing Litigation - Contest Promotions, LLC - City to Receive \$375,000]**

Motion that the Board of Supervisors convene in closed session on June 10, 2014, for the purpose of conferring with, or receiving advice from the City Attorney regarding existing litigation relating to the lawsuit filed on September 22, 2009, in the United States District Court for the Northern District of California, Case No. CV-09-4434 SI (MEJ); entitled Contest Promotions, LLC v. City of San Francisco, et al.; in which the City is a defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), which permits this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the existing litigation. (Clerk of the Board)

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

*[Elect To Disclose]*

*Motion that the Board finds it is in the best interest of the public that the Board elect at this time to disclose its closed session deliberations.*

*[Elect Not to Disclose]*

*Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.*

## 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 32 through 35

32. [140659](#) **[Resolution Correcting Resolution No. 168-14 - Correcting the Calle 24 (“Veinticuatro”) Latino Cultural District by Removing La Raza Park and Precita Park]**  
**Sponsors: Mayor; Campos**  
Resolution correcting Resolution No. 168-14 establishing the Calle 24 (“Veinticuatro”) Latino Cultural District in San Francisco, by removing La Raza Park and Precita Park.  
  
06/03/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
33. [140660](#) **[Urging the California State Legislature to Pass Assembly Bill 2372 (Ammiano and Bocanegra)]**  
**Sponsors: Mar; Campos**  
Resolution urging the California State Legislature to pass Assembly Bill 2372, introduced by Assemblymembers Ammiano and Bocanegra, that will clarify the definition of “change of ownership” in current law for commercial property to prevent cases where 100% change of ownership occurs, but reassessment is avoided.  
  
06/03/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
34. [140583](#) **[Committee of the Whole - Report of Assessment Costs for Sidewalk Inspection and Repair Program]**  
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 17, 2014, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program ordered to be performed by said Director pursuant to Public Works Code, Sections 707 and 707.1, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)  
  
06/03/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Motion be APPROVED?**

35. [140662](#) **[Retroactive Waiver Permitting City Employees to Assist the Department of Elections with the June 3, 2014, Consolidated Statewide Primary Election]**

**Sponsor: Chiu**

Motion granting a retroactive waiver from the prohibition imposed by City Charter, Section 13.104.5, to permit City employees to assist the Department of Elections with the June 3, 2014, consolidated statewide primary election.

06/03/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

36. **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****140595 [Waiving Competitive Solicitation Requirement to Procure Specialized Environmental Services - Professional Services Agreement - East Harbor Marina Sediment Remediation and Facility Renovation Project - Leidos, Inc. - Not to Exceed \$2,000,000]**

Ordinance waiving the competitive solicitation requirement under Administrative Code, Section 6.40, and authorizing the General Manager of the Recreation and Park Department to enter into a professional services agreement with Leidos, Inc., in an amount not to exceed \$2,000,000 for the purpose of performing specialized environmental services for the San Francisco East Harbor Marina Sediment Remediation and Facility Renovation Project, to commence following Board approval. (Recreation and Park Department)

05/23/2014; RECEIVED FROM DEPARTMENT.

06/10/2014; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Sub-Committee.

**140596 [Administrative Code - Department of Public Health Leasing of Equipment]**

Ordinance amending the Administrative Code to authorize the Department of Public Health to enter into operating leases for equipment. (Public Health Department)

05/30/2014; RECEIVED FROM DEPARTMENT.

06/10/2014; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Sub-Committee.

**140597 [Settlement of Lawsuit - Cole Anderson - \$35,000]**

Ordinance authorizing settlement of the lawsuit filed by Cole Anderson against the City and County of San Francisco for \$35,000; the lawsuit was filed on February 25, 2013, in San Francisco Superior Court, Case No. CGC-13-528964; entitled Cole Anderson, a Minor v. City and County of San Francisco. (City Attorney)

06/02/2014; RECEIVED FROM DEPARTMENT.

06/10/2014; ASSIGNED to the Rules Committee.

**140598 [Settlement of Lawsuit - Sonya Knudsen - \$465,000]**

Ordinance authorizing settlement of the lawsuit filed by Sonya Knudsen against the City and County of San Francisco, John Martin and Blake Summers for \$465,000; the lawsuit was filed on April 19, 2012, in United States District Court, Northern District of California, Case No. CV 12 1944 JST; entitled Sonya Knudsen v. City and County of San Francisco, San Francisco International Airport, John Martin, and Blake Summers. (City Attorney)

06/02/2014; RECEIVED FROM DEPARTMENT.

06/10/2014; ASSIGNED to the Rules Committee.



- 140599**     **[Settlement of Lawsuit - Jay Korber - \$3,697,519]**  
Ordinance authorizing settlement of the lawsuit filed by Jay Korber against the City and County of San Francisco for \$3,697,519; the lawsuit was filed on April 12, 2013, in San Francisco Superior Court, Case No. CGC-13-530600; entitled Jay Korber v. City and County of San Francisco, et al. (City Attorney)
- 06/02/2014; RECEIVED FROM DEPARTMENT.  
06/10/2014; ASSIGNED to the Rules Committee.
- 140600**     **[Settlement of Lawsuit - Mark Morgan - \$238,000]**  
Ordinance authorizing settlement of the lawsuit filed by Mark Morgan against the City and County of San Francisco for \$238,000; the lawsuit was filed on November 2, 2011, in San Francisco Superior Court, Case No. CGC-11-515615; entitled Mark Morgan v. City and County of San Francisco, et al. (City Attorney)
- 06/02/2014; RECEIVED FROM DEPARTMENT.  
06/10/2014; ASSIGNED to the Rules Committee.
- 140605**     **[Settlement of Lawsuit - Joseph Luebberke - \$100,000]**  
Ordinance authorizing settlement of the lawsuit filed by Joseph Luebberke against the City and County of San Francisco for \$100,000; the lawsuit was filed on January 21, 2011, in San Francisco Superior Court, Case No. CGC-11-507528; entitled Joseph Luebberke v. City and County of San Francisco. (City Attorney)
- 06/02/2014; RECEIVED FROM DEPARTMENT.  
06/10/2014; ASSIGNED to the Rules Committee.
- 140606**     **[Settlement of Lawsuit - Maria Reyes Jimenez de Melendrez - \$90,000]**  
Ordinance authorizing settlement of the lawsuit filed by Maria Reyes Jimenez de Melendrez and Arnulfo Jimenez against the City and County of San Francisco for \$90,000; the lawsuit was filed on September 11, 2012, in San Francisco Superior Court, Case No. CGC-12-524112; entitled Maria Reyes Melendrez De Jimenez, et al. v City and County of San Francisco. (City Attorney)
- 06/02/2014; RECEIVED FROM DEPARTMENT.  
06/10/2014; ASSIGNED to the Rules Committee.

## PROPOSED RESOLUTIONS

- 140607**     **[Settlement of Claim - Pacific Gas and Electric Company - \$112,204]**  
Resolution approving the settlement of the unlitigated claim filed by Pacific Gas and Electric Company against the City and County of San Francisco for \$112,204; claim was filed on May 28, 2013. (City Attorney)
- 06/02/2014; RECEIVED FROM DEPARTMENT.  
06/10/2014; ASSIGNED to the Rules Committee.

**140608**      **[Contract Agreement - URS Corporation - Engineering Support Services - \$28,500,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendment No. 4 to an agreement with URS Corporation, increasing the length of the agreement by up to two years, nine months, until May 24, 2019, for a total duration of fifteen years and nine months, and increasing the estimated cumulative contract amount from \$24,000,000 to \$28,500,000 for engineering support services for the Water Enterprise Water System Improvement Program-funded Agreement No. CS-716, Calaveras Dam Replacement, pursuant to Charter Section 9.118(b). (Public Utilities Commission)

06/02/2014; RECEIVED FROM DEPARTMENT.

06/10/2014; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

**140611**      **[Report of Assessment Costs for Accelerated Sidewalk Abatement Program Blighted Properties]**

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties through the Accelerated Sidewalk Abatement Program ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works Department)

06/02/2014; RECEIVED FROM DEPARTMENT.

06/10/2014; RECEIVED AND ASSIGNED to the Board of Supervisors.

**140614 [Petitions and Communications]**

Petitions and Communications received from May 24, 2014, through June 2, 2014, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on June 10, 2014.

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 Kevin Hicks, regarding billboards in San Francisco. Copy: Each Supervisor. (1)

From concerned citizens, regarding Laura's Law. 2 letters. File Nos. 140557 and 140558. Copy: Each Supervisor. (2)

From concerned citizens, regarding Strawberry Music Festival. 2 letters. (3)

From Don McCunn, regarding affordable housing and protecting seniors. Copy: Each Supervisor. (4)

From Lloyd Schloegel, regarding printed ballot formats for June 3, 2014, Primary Election. Copy: Each Supervisor. (5)

From Alliance for Justice, regarding proposed changes to lobbying regulations. File No. 130374. (6)

From Controller, regarding jail population study update. (7)

From Mayor Lee, designating Supervisor London Breed as Acting Mayor from May 29 to June 1, 2014. Copy: Each Supervisor. (8)

From concerned citizen, regarding nudity at Bay to Breakers. Copy: Each Supervisor. (9)

From Public Library, regarding grant budget revision. Copy: Each Supervisor. (10)

From Marvis Phillips, regarding housing homeless youth. Copy: Each Supervisor. (11)

From Public Library, regarding waiver request for a contract with Gartner, Inc. Copy: Each Supervisor. (12)

From Mayor Lee, submitting nominations to the Port Commission. Copy: Each Supervisor, Rules Committee Clerk. (13)

Doreen Woo Ho - term ending May 1, 2018  
William E. Adams - term ending May 1, 2018

From Employees' Retirement System, regarding receipt of proposed Charter amendment. File No. 140507. Copy: Each Supervisor. (14)

From Roland Lebrun, regarding vacation of Quint Street. File No. 140454. Copy: Each Supervisor. (15)

From Controller, presenting the Public Education Enrichment Fund Annual Report for FY2014-2015. Copy: Each Supervisor. (16)

## **ADJOURNMENT**