



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, October 28, 2014 - 2:00 PM

Regular Meeting

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

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance 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
10:00 AM

4th Thursday
3:30 PM

2nd and 4th Thursday
11:00 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 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 soft@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 [September 23, 2014](#), Board Meeting Minutes.

COMMUNICATIONS

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 8

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

1. [140798](#) **[Business and Tax Regulations Code - Amendments to Common Administrative Provisions, Business Registration, Payroll Expense Tax, and Gross Receipts Tax]**

Sponsor: Chiu

Ordinance amending the Business and Tax Regulations Code by revising the minimum filing amounts for the payroll expense tax and gross receipts tax and making the amounts consistent with administrative requirements for the small business exemptions; clarifying penalty and interest provisions; clarifying that each member of a combined group engaged in business in San Francisco must register with the Tax Collector; clarifying when annual adjustments must be made to the business registration fee; clarifying the basis of the business registration fee; and deleting obsolete registration provisions.

10/21/2014; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [140979](#) **[Park Code - Flexible Pricing at Gleneagles Golf Course; Lease Amendment - Gleneagles Golf Partners, LP - Operation of Gleneagles Golf Course - Percentage of Gross Revenues]**

Sponsor: Cohen

Ordinance amending the Park Code to authorize flexible pricing at Gleneagles Golf Course in McLaren Park; approving the amendment and extension of a lease with Gleneagles Golf Partners, LP, for operation of the Gleneagles Golf Course commencing on the effective date of this Ordinance and ending November 30, 2022, for 7% of gross revenues, subject to conditions, incentives, participation rent, and rent credits; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/21/2014; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Cohen

3. [130412](#) **[Public Works Code - Installation of Communications Infrastructure in Excavation Projects]**

Sponsors: Chiu; Wiener, Cohen and Mar

Ordinance amending the Public Works Code to require the installation of City-owned communications infrastructure in excavation projects where the City has determined that it is both financially feasible and consistent with the City's long-term goals to develop the City's communications infrastructure.

10/21/2014; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [140804](#) **[Planning Code - Arcades in the Haight Street Neighborhood Commercial District]**

Sponsors: Breed; Wiener and Kim

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

10/21/2014; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. [140806](#) **[Health, Building Codes - Ventilation Requirement for Urban Infill Development and Establishing Fees]**
Sponsors: Cohen; Kim and Mar
Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

10/21/2014; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Tang, Campos

6. [141015](#) **[Settlement of Grievance - Wah Eng - \$67,436.01]**
Resolution approving settlement of the unlitigated grievance (ERD No. 02-12-2541) of Wah Eng against the City and County of San Francisco for \$67,436.01; Service Employees International Union, Local 1021, notified the City of the grievance entitled Grievance of Wah Eng on or before July 9, 2012. (City Attorney)

Question: Shall this Resolution be ADOPTED?
7. [141016](#) **[Settlement of Claim - SF Third Street Equity Partners, LLC - \$103,232.10]**
Resolution approving the settlement of the unlitigated claim filed on July 9, 2014, by SF Third Street Equity Partners, LLC, against the City and County of San Francisco for \$103,232.10. (City Attorney)

Question: Shall this Resolution be ADOPTED?
8. [141050](#) **[Appointment, Park, Recreation and Open Space Advisory Committee - Evelyn Fisher]**
Motion appointing Evelyn Fisher, term ending February 1, 2017, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

- 9. [140874](#) **[Administrative, Subdivision Codes - Tenant Buyout Agreements]**
Sponsors: Campos; Avalos, Kim and Mar
 Ordinance amending the Administrative Code to require landlords to provide tenants with a disclosure of the tenants' rights before the landlord commences buyout negotiations; to require landlords to file a form with the Rent Board indicating the address of the unit that may become the subject of buyout negotiations; to require all buyout agreements to be in writing and to include certain statements about the tenant's rights; to allow tenants to rescind buyout agreements for up to 45 days after the agreements are fully executed; to require landlords to file a copy of buyout agreements with the Rent Board; to require the Rent Board to create a publically available searchable database of buyout agreements; to require the Rent Board to provide an annual report to the Board of Supervisors regarding tenant buyouts; to authorize tenants to bring civil actions for actual damages and civil penalties against landlords who fail to provide the required disclosures about the tenants' rights; to authorize certain non-profits to bring civil actions for a landlord's failure to file a buyout agreement with the Rent Board; and amending the Subdivision Code to prohibit buildings from entering the condominium conversion lottery if the owners of the building have entered certain tenant buyout agreements.

 10/21/2014; AMENDED.

 10/21/2014; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Mar, Yee

- 10. [140306](#) **[Health Code - Extending Involuntary Psychiatric Holds]**
 Ordinance amending the Health Code to authorize the use of an additional 30-day involuntary psychiatric hold, as permitted under California Welfare and Institutions Code, Sections 5270.10-5270.65, and making a finding that this authorization will not result in increased costs to the City or in the reduction of current services. (Human Services Agency)

 10/21/2014; AMENDED.

 10/21/2014; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Mar, Avalos

11. [141000](#) **[Appropriation - Support for HIV Prevention - Department of Public Health - \$301,600 - FY2014-2015]**
Sponsors: Campos; Mar, Kim, Avalos and Wiener
Ordinance appropriating \$301,600 from the General Fund Reserve to the Department of Public Health in FY 2014-2015, for HIV prevention support for access to PreExposure Prophylaxis medication to assist in the prevention of HIV infection transmission.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Farrell, Mar, Avalos

12. [140945](#) **[California Environmental Quality Act Findings and Mitigation Agreements - Various Cemeteries and the California Golf Club - Regional Groundwater Storage and Recovery Project]**
Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to funding for the Regional Groundwater Storage and Recovery Project; and authorizing the General Manager of the Public Utilities Commission to enter into mitigation agreements with Cypress Lawn Memorial Park Cemetery, Eternal Home Cemetery, Hills of Eternity/Home of Peace/Salem Cemeteries, Holy Cross Catholic Cemetery, Italian Cemetery, Olivet Cemetery, Woodlawn Cemetery, and the California Golf Club for an indefinite term beginning upon execution of the agreements. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

13. [140997](#) **[Real Property Leases - Multiple Landlords - Communications Services Facilities in Multiple Locations - \$90,500 Total Annual Initial Year Base Rent]**
Resolution authorizing the General Manager of the Public Utilities Commission to enter into: 1) a new communications site lease with Communication and Control, Inc., as Landlord for existing and new microwave communications antennas, radio communications, and other general telecommunications facilities on Alameda County Assessor's Parcel No. 096-0090-005-007 for a term up to 25 years at an initial rent of approximately \$57,000 with 3% annual rent increases; 2) a new amendment to an existing communications site sublease with Communication and Control, Inc., as sublandlord for existing and new microwave communications, radio communications, and other general telecommunications facilities on Contra Costa County Assessor's Parcel No. 006-070-021 for a term up to 25 years at an initial rent of approximately \$14,900 with 3% annual rent increases; 3) a license with Tri-Star Investors Inc., as Landlord for new microwave communications antennas, radio communications, and other general telecommunications facilities on a portion of Stanislaus County Assessor's Parcel No. 081-012-004-000 for a term up to 25 years at an initial rent of approximately \$18,600 with 3% annual rent increases, for a combined total amount of \$90,500 annual initial year base rent; and 4) adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Cohen

14. [120796](#) **[Planning Code, Zoning Map - Establishing the Divisadero Street Neighborhood Commercial District and Deleting the Divisadero Street Restricted Use District]**
Sponsor: Breed
Ordinance amending the Planning Code to establish the Divisadero Street Neighborhood Commercial District (NCD) along Divisadero Street between Haight and O'Farrell Streets, deleting the Divisadero Street Alcohol Restricted Use District (RUD), amending various other Code sections to make conforming and other technical changes, amending the Zoning Map to add the Divisadero Street NCD and deleting the Divisadero Street RUD, affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
15. [120814](#) **[Planning Code, Zoning Map - Establishing the Fillmore Street Neighborhood Commercial District]**
Sponsor: Breed
Ordinance amending the Planning Code to establish the Fillmore Street Neighborhood Commercial District (NCD) along Fillmore Street between Bush and McAllister Streets; amending various other Code sections to make conforming and other technical changes; amending the Zoning Map to add the Fillmore Street NCD; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

16. [141006](#) **[Interim Zoning Controls - New Ground Floor Office Uses Facing 2nd Street, from King and Folsom Streets]**

Sponsor: Kim

Resolution imposing interim zoning controls requiring conditional use authorization for new office uses facing 2nd Street, from King to Folsom Streets, for eighteen months; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Mar, Avalos

17. [140850](#) **[Liquor License - 507 Columbus Avenue]**

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to 507 Columbus Avenue (District 3), to Sayed Jalal Heydari for Alimento Deli, will serve the public convenience or necessity of City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Tang, Campos

18. [141051](#) **[Appointment, Entertainment Commission - Demetri Moshoyannis]**

Motion appointing Demetri Moshoyannis, term ending July 1, 2017, to the Entertainment Commission. (Rules Committee)

Question: Shall this Motion be APPROVED?

19. [141052](#) **[Appointments, Immigrant Rights Commission - Almudena Bernabeu, Haregu Gaime, Bill Hing, Leah Chen Price, and Elahe Enssani]**

Motion appointing Almudena Bernabeu, Haregu Gaime (residency requirement waived), Bill Hing, Leah Chen Price, and Elahe Enssani, terms ending June 6, 2016, to the Immigrant Rights Commission. (Rules Committee)

Question: Shall this Motion be APPROVED?

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.

20. [141018](#) **[Public Hearing - Appeal of Tentative Map - 639 Peralta Avenue]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated September 18, 2014, approving a Tentative Map for a 2-Unit New Construction Condominium Project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (District 9) (Appellant: Alexander M. Weyand, on behalf of William H. Bradley) (Filed September 29, 2014).

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.)

21. [141019](#) **[Approving Decision of Public Works and Approving the Tentative Parcel Map - 639 Peralta Avenue]**
Motion approving decision of Public Works and approving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

22. [141020](#) **[Disapproving Decision of Public Works and Disapproving the Tentative Parcel Map - 639 Peralta Avenue]**

Motion disapproving decision of Public Works and disapproving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

23. [141021](#) **[Preparation of Findings Related to the Tentative Parcel Map - 639 Peralta Avenue]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of Item No. 33 (File No. 141111))

24. [141112](#) **[Hearing - Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 181 Fremont Street - Transbay Redevelopment Project Area]**

Hearing to consider the proposed Resolution of the Board of Supervisors (File No. 141022), acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 181 Fremont Street in the Transbay Redevelopment Project Area. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

25. [141022](#) **[Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 181 Fremont Street - Transbay Redevelopment Project Area]**
Sponsor: Kim

Resolution of the Board of Supervisors, acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 181 Fremont Street in the Transbay Redevelopment Project Area.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Cohen

26. [141023](#) **[Development Agreement - 181 Fremont Street, LLC - 181 Fremont Street - Transbay Redevelopment Project Area]**
Sponsors: Mayor; Kim
Ordinance approving a Development Agreement between the City and County of San Francisco and 181 Fremont Street, LLC, for certain real property, known as 181 Fremont Street, located in the Transbay Redevelopment Project Area, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets; making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56, and Planning Code, Section 249.28.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Filipino-American Heritage Month

COMMITTEE REPORTS

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

The following items will be considered by the Neighborhood Services and Safety Committee at a Special Meeting on Thursday, October 23, 2014, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, October 28, 2014.

27. [141001](#) **[Administrative Code - Requiring City Contractors to Submit an Equal Pay Report and Establishing an Equal Pay Advisory Board]**
Sponsors: Campos; Kim, Avalos, Mar and Farrell
Ordinance amending the Administrative Code to require certain City contractors and subcontractors with 20 or more employees to submit an Equal Pay Report regarding compensation paid to employees; and establishing the Equal Pay Advisory Board to analyze and recommend the best methods of data collection that will identify wage gaps, and setting forth the membership and duties of the Advisory Board.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
28. [141002](#) **[Police Code - Access to Reproductive Health Care Facilities]**
Sponsors: Campos; Wiener, Mar, Yee, Kim and Avalos
Ordinance amending the Police Code to repeal the prohibition on entering or remaining within a 25-foot buffer zone of a reproductive health care facility; to prohibit individuals from following or harassing others within 25 feet of the entrance to such a facility; to prohibit impeding access to the door of such a facility; and to prohibit excessive noise through yelling or amplification of sound within 50 feet of such a facility.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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 - Anticipated Litigation****31. [141028](#) [Closed Session - Anticipated Litigation - Establishing a Homeownership Stabilization Authority]****Sponsor: Farrell**

Motion that the Board of Supervisors convene in closed session on October 28, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

10/07/2014; AMENDED.

10/07/2014; CONTINUED AS AMENDED.

10/21/2014; AMENDED.

10/21/2014; CONTINUED AS AMENDED.

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.

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Farrell, Mar, Avalos

32. 140709 [Joint Powers Agreement - Establishing a Homeownership Stabilization Authority]

Sponsors: Avalos; Campos, Mar and Kim

Resolution authorizing negotiation of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages.

06/24/2014; CONTINUED.

07/08/2014; REFERRED to the Neighborhood Services and Safety Committee.

09/18/2014; TRANSFERRED to the Budget and Finance Committee.

10/07/2014; CONTINUED.

10/21/2014; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/21/2014; CONTINUED AS AMENDED.

Question: Shall this Resolution be ADOPTED?

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 33 through 43

33. [141111](#) **[Committee of the Whole - Consent to Provisions of a Variation Decision - October 28, 2014]**
Sponsor: Kim
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, on October 28, 2014, at 3:00 pm., to hold a public hearing to conditionally consent to the Provisions of a Variation Decision by the Commission on Community Investment and Infrastructure modifying the On-Site Affordable Housing Requirement for 181 Fremont, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets, in the Transbay Redevelopment Project Area.
- 10/21/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
34. [141106](#) **[Urging Support for the Right of Workers to Unionize at Le Meridien San Francisco and Hyatt Fisherman's Wharf]**
Sponsor: Campos
Resolution urging the City and County of San Francisco to support the rights of workers to unionize and boycott the Le Meridien San Francisco and Hyatt Fisherman's Wharf.
- 10/21/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
35. [141107](#) **[Solar Vision Goals for San Francisco by 2020]**
Sponsor: Chiu
Resolution urging the City and County of San Francisco to make GoSolarSF a permanent program, to require solar installation on all new construction or substantial retrofits in the City, establishing Solar Vision goals for 2020, and establishing an overall megawatt solar energy goal for the City.
- 10/21/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

- 36. [141108](#) [Condemning Anti-Arab and Anti-Muslim Bus Advertisements]**
Sponsor: Chiu
Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.
- 10/21/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 37. [141109](#) [Urging Support for Reconvening Domestic Violence Death Review Team]**
Sponsors: Kim; Cohen, Tang and Breed
Resolution urging the City and County of San Francisco to support the reconvening of a multidisciplinary Domestic Violence Death Review Team to conduct an in-depth review of domestic violence-related fatalities; make recommendations to strengthen system policies and procedures, if needed; and identify additional prevention strategies to prevent future incidents of domestic violence-related injuries and deaths.
- 10/21/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 38. [141110](#) [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Amending the Downtown Support Special Use District; Fees in Lieu of On-Site Open Space (File No. 140877)]**
Sponsor: Kim
Resolution extending by 90-days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 140877) amending the Planning Code, Section 247, to allow the Planning Commission to authorize a monetary contribution to satisfy on-site open space requirements; to exclude certain features from floor area ratio and gross floor area calculations; to establish a fund to accept the monetary contributions and provide that the monies deposited shall be used for recreation and open space in the South of Market (SoMa) area; to provide that the SoMa Community Stabilization Fund Community Advisory Committee shall advise on the administration of the fund; affirming the Planning Department's California Environmental Quality Act determination; and making findings consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
- 10/21/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 39. [141080](#) [Final Map 7722 - 4752-4760 17th Street]**
Motion approving Final Map 7722, a five unit residential condominium project, located at 4752-4760 17th Street, being a subdivision of Assessor's Block No. 1286, Lot No. 018, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)
- 10/15/2014; RECEIVED FROM DEPARTMENT.
- Question: Shall this Motion be APPROVED?**

40. [141081](#) **[Final Map 7914 - 1940-1944 Mason Street and 15A and 15B Scotland Street]**
Motion approving Final Map 7914, a five unit residential condominium project, located at 1940-1944 Mason Street and 15A and 15B Scotland Street, being a subdivision of Assessor's Block No. 0090, Lot No. 018, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

10/15/2014; RECEIVED FROM DEPARTMENT.

Question: Shall this Motion be APPROVED?

41. [141082](#) **[Phased Final Map 7470 - 901 Rankin Street]**
Motion approving Phased Final Map 7470, a one lot subdivision project, located at 901 Rankin Street, being a merger of Assessor's Block No. 5281, Lot Nos. 003 and 005, and a portion of former Kirkwood Avenue and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

10/15/2014; RECEIVED FROM DEPARTMENT.

Question: Shall this Motion be APPROVED?

42. [141113](#) **[Zoning - Report on Interim Moratorium on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]**
Motion adopting the Planning Department's report on the interim zoning moratorium to prohibit the conversion or replacement of Production, Distribution, and Repair uses in the proposed Central South of Market Plan Area bounded by Market Street on the north, Townsend Street on the south, 2nd Street on the east, and 6th Street on the west. (Clerk of the Board)

10/21/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

43. [141115](#) **[Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**
Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

10/21/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

44. **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.

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

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

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

10/16/2014; RECEIVED FROM DEPARTMENT.

10/28/2014; RECEIVED AND ASSIGNED to the Rules Committee.

141057 **[Settlement of Lawsuit - Heinz Hofmann and Thomas Buckley - \$200,000]**
Ordinance authorizing settlement of the lawsuit filed by Heinz Hofmann and Thomas Buckley against the City and County of San Francisco for \$200,000; the lawsuit was filed on May 7, 2012, in United States District Court for the Northern District of California, Case No. 11-4016 CW; entitled Heinz Hofmann and Thomas Buckley v. City and County of San Francisco, et al. (City Attorney)

10/15/2014; RECEIVED FROM DEPARTMENT.

10/28/2014; RECEIVED AND ASSIGNED to the Rules Committee.

141058 **[Settlement of Lawsuit - Brian Hill - \$30,400]**
Ordinance authorizing settlement of the lawsuit filed by Brian Hill against the City and County of San Francisco for \$30,400; the lawsuit was filed on March 5, 2009, in the San Francisco Superior Court, Case No. CGC 14-538953; entitled Brian Hill v. San Francisco Water Power Sewer, and Does 1 to 10. (City Attorney)

10/15/2014; RECEIVED FROM DEPARTMENT.

10/28/2014; RECEIVED AND ASSIGNED to the Rules Committee.

141091 **[Health Code - Animal Care and Control Adoption Fee Waiver]**
Ordinance amending the Health Code to authorize the Animal Control Officer to waive adoption fees and other applicable charges upon finding that such a waiver will maintain or increase the live release rate. (City Administrator)

10/20/2014; RECEIVED FROM DEPARTMENT.

10/28/2014; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

PROPOSED RESOLUTIONS

141072 **[Settlement of Claim - Riverbed Technology, Inc. - \$125,760.77]**
Resolution approving the settlement of the unlitigated claim filed on January 31, 2014, by Riverbed Technology, Inc., against the City and County of San Francisco for \$125,760.77. (City Attorney)

10/15/2014; RECEIVED FROM DEPARTMENT.

10/28/2014; RECEIVED AND ASSIGNED to the Rules Committee.

141073 **[Settlement of Claim - Susquehanna Financial Group, LP - \$49,385.04]**
Resolution approving the settlement of the unlitigated claim filed on April 10, 2014 by Susquehanna Financial Group, LP, against the City and County of San Francisco for \$49,385.04. (City Attorney)

10/15/2014; RECEIVED FROM DEPARTMENT.

10/28/2014; RECEIVED AND ASSIGNED to the Rules Committee.

141074 **[Settlement of Claims - Oak River Insurance Company - \$480,838.45]**
Resolution approving the settlement of the unlitigated claims filed by Oak River Insurance Company against the City and County of San Francisco on February 26, 2014, for \$480,838.45. (City Attorney)

10/15/2014; RECEIVED FROM DEPARTMENT.

10/28/2014; RECEIVED AND ASSIGNED to the Rules Committee.

141075 **[Settlement of Claim - Net Power and Light, Inc. - \$26,743.72]**
Resolution approving the settlement of the unlitigated claim filed on April 7, 2014, by Net Power and Light, Inc., against the City and County of San Francisco for \$26,743.72. (City Attorney)

10/15/2014; RECEIVED FROM DEPARTMENT.

10/28/2014; RECEIVED AND ASSIGNED to the Rules Committee.

141076 **[Settlement of Claim - The Trustees of the University of Pennsylvania - \$134,808.36]**
Resolution approving the settlement of the unlitigated claim filed by The Trustees of the University of Pennsylvania, on behalf of The Wharton School of the University of Pennsylvania against the City and County of San Francisco for \$134,808.36; claim was filed on April 10, 2014. (City Attorney)

10/15/2014; RECEIVED FROM DEPARTMENT.

10/28/2014; RECEIVED AND ASSIGNED to the Rules Committee.

141077 **[Lease Amendment - Marina's Café - Rental Car Center Café, a Small Business Set-Aside - \$11,280 Minimum Annual Guarantee]**
Resolution approving Amendment No.1 to the Rental Car Center Café Lease No. 12-0221, a Small Business Set-Aside, between Marina's Café and the City and County of San Francisco, acting by and through its Airport Commission, with a Minimum Annual Guarantee of \$11,280 and a term of five years, plus one option to extend the term by two years. (Airport Commission)

10/14/2014; RECEIVED FROM DEPARTMENT.

10/28/2014; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

141078 **[Lease Amendment - Early Termination and Buyout - Baysubway Airport - Not to Exceed \$1,200,000]**
Resolution approving an early termination and buyout of Baysubway Airport's (Subway) Domestic Terminal Food and Beverage Program Lease No. 03-0185 in an amount not-to-exceed \$1,200,000, between Subway and the City and County of San Francisco, acting by and through its Airport Commission, to commence following Board approval. (Airport Commission)

10/14/2014; RECEIVED FROM DEPARTMENT.

10/28/2014; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

141079

[Fixed Base Operator Lease and Operating Agreement Modification - Signature Flight Support Corporation - \$70,511,537]

Resolution approving Modification No. 1 to Fixed Base Operator Lease and Operating Agreement No. 07-0106 between Signature Flight Support Corporation, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the lease by five years, for a new expiration date of September 30, 2022, for an estimated minimum guarantee of \$70,511,537 during the extension of the term. (Airport Commission)

10/14/2014; RECEIVED FROM DEPARTMENT.

10/28/2014; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

141092 [Petitions and Communications]

Petitions and Communications received from October 11, 2014, through October 20, 2014, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 28, 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 Representative Louise M. Slaughter, regarding Preservation of Antibiotics for Medical Treatment Act. File No. 140929. Copy: Each Supervisor. (1)

From Ray W. Hartz, Jr., regarding Sunshine Ordinance Task Force File No. 14096. 2 letters. Copy: Each Supervisor. (2)

From concerned citizens, regarding short-term residential rentals. File No. 140381. 8 letters. Copy: Each Supervisor. (3)

From concerned citizens, submitting signatures for petition regarding short-term residential rentals. 120 signatures. File No. 140381. Copy: Each Supervisor. (4)

From concerned citizens, submitting signatures for petition regarding Municipal Transportation Agency. 4,062 signatures. Copy: Each Supervisor. (5)

From Controller, submitting Citywide Nonprofit Monitoring and Capacity Building Program FY2013-2014 Annual Report. Copy: Each Supervisor. (6)

From Sunshine Ordinance Task Force, submitting FY2012-2014 Annual Report. Copy: Each Supervisor. (7)

From Public Health, regarding Final Report of the 2014 Noise Workgroup. Copy: Each Supervisor. (8)

From Controller, submitting Park Maintenance Standards FY2013-2014 Annual Report. Copy: Each Supervisor. (9)

From District Attorney, submitting Real Estate Fraud FY2013-2014 Annual Report. Copy: Each Supervisor. (10)

From San Francisco Bay Regional Water Quality Control Board, regarding Sonoma Valley Salt and Nutrient Management Plan. (11)

From concerned citizens, submitting signatures for Stop DBI's Approvals of Harassment with Excessive Night Construction Noise Permitting. 40 signatures. File No. 141010. Copy: Each Supervisor. (12)

From concerned citizens, regarding Gleneagles Golf Course lease extension. File No. 140979. Copy: Each Supervisor. (13)

From concerned citizens, regarding Marina Bay Trail Improvement Project. 2 letters. Copy: Each Supervisor. (14)

From Nick Yale, regarding homeless at BART stations. Copy: Each Supervisor. (15)

From Janette Barroca, regarding Fire Chief. Copy: Each Supervisor. (16)

From Sierra Club, regarding San Francisco Public Utilities Commission appointees.
Copy: Each Supervisor. (17)

ADJOURNMENT