



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, November 18, 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 sof@sfgov.org

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the [October 7, 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 the 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 13

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Cohen, Mar

- [120881](#) [Planning Code, Zoning Map - Uses, Conformity of Uses, Parking Requirements for Uses, and Special Use Districts]**
Sponsor: Chiu
Ordinance amending the Planning Code, by repealing Section 158 and amending various other Code Sections, to modify controls for uses and accessory uses in Commercial and Residential Commercial (RC) Districts; eliminate minimum parking requirements for the Chinatown Mixed Use Districts, RC Districts, the Broadway and North Beach Neighborhood Commercial Districts (NCDs), and the Washington-Broadway Special Use District (SUD); make maximum residential parking permitted in Downtown Commercial and RC Districts consistent with Neighborhood Commercial Transit (NCT) Districts; make maximum non-residential parking in RC Districts, Chinatown Mixed Use Districts, and Broadway and North Beach NCDs consistent with NCT Districts; make surface parking lots a non-conforming use in Downtown Commercial Districts; modify conformity requirements in various use districts; modify streetscape requirements, public open space requirements, floor-area ratio calculations, and transportation management requirements for various uses in certain districts; permit certain exceptions from exposure and open space requirements for historic buildings; remove references to deleted sections of the Code; amend Zoning Map Sheet SU01 to consolidate the two Washington-Broadway SUDs and revise the boundaries; and making environmental findings, Section 302, findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1.

11/04/2014; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [140970](#) **[Administrative Code - Calculating Interest on Residential Rental Security Deposits]**

Ordinance amending the Administrative Code to provide a new method for calculating the interest on residential rental security deposits beginning March 1, 2015. (Rent Stabilization and Arbitration Board)

11/04/2014; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [140980](#) **[Summary Street Vacation - Portion of Raccoon Drive]**
Sponsor: Wiener

Ordinance ordering the summary street vacation of a portion of Raccoon Drive, between Twin Peaks Boulevard and Saint Germain Avenue; approving a quitclaim of the City's interest in the vacation area; approving a public access easement over a portion of the vacation area; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

11/04/2014; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Tang, Campos

4. [140947](#) **[Settlement of Lawsuit - Carpenter's Union Local 22 - \$60,000]**

Ordinance authorizing settlement of the lawsuit filed by Carpenter's Local 22 against the City and County of San Francisco for \$60,000; the lawsuit was filed on April 8, 2014, in United States District Court, Northern District of California, Case No. CV-14-01615 RS; entitled Carpenters Union, Local 22, v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. [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)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. [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)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. [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)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. [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)

Question: Shall this Resolution be ADOPTED?

9. [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)

Question: Shall this Resolution be ADOPTED?

10. [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)

Question: Shall this Resolution be ADOPTED?

11. [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)

Question: Shall this Resolution be ADOPTED?

12. [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)

Question: Shall this Resolution be ADOPTED?

13. [141134](#) **[Appointments, Bicycle Advisory Committee - Kevin Dole, Winston Parsons, Edward Nicolson, Morgan Fitzgibbons, and Richard May]**
Motion appointing Kevin Dole, Winston Parsons, Edward Nicolson, Morgan Fitzgibbons, and Richard May, terms ending November 19, 2016, to the Bicycle Advisory Committee.
(Rules Committee)

Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Cohen, Mar

14. [140844](#) **[Planning Code - Formula Retail and Large-Scale Retail Controls]**
Sponsor: Mar
 Ordinance amending the Planning Code to amend the definition of Formula Retail to include businesses that have 11 or more outlets worldwide; expand the applicability of Formula Retail controls to other types of uses; require Conditional Use authorization for Formula Retail establishments in the C-3-G district with facades facing Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street; provide a method for calculating the concentration of formula retail establishments in a certain area; require Planning Department staff to recommend disapproval of new formula retail in the Upper Market Neighborhood Commercial District based on concentration of existing Formula Retail; delete the requirement for Conditional Use authorization when a Formula Retail establishment changes operator but remains the same size and use category; define intensification and abandonment for Formula Retail uses; require Formula Retail uses to comply with performance guidelines; amend the Conditional Use criteria for Large-Scale Retail Uses, and for Formula Retail uses of 20,000 gross square feet or greater except for General and Specialty Grocery stores, to require an economic impact study and establish new fees for said study; require 30 days' public notice for conditional use hearings on proposed Formula Retail uses; amend Neighborhood Commercial Districts that required Conditional Use for Financial and Limited Financial Services to principally permit Financial and Limited Financial Services except in the Castro Street Neighborhood Commercial District, Upper Market Neighborhood Commercial Transit District, and 24th Street - Noe Valley Neighborhood Commercial District; delete the Conditional Use requirement for Walk-Up Facilities that are not set back 3 feet; and correct various Code provisions to ensure accuracy of cross-references; and adopting findings, including environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/04/2014; AMENDED.

11/04/2014; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Avalos

15. [141097](#) **[Administrative Code - Department of Public Health Managed Care Contracts]**
Sponsors: Farrell; Chiu and Campos
Ordinance amending the Administrative Code to authorize the Director of Health to enter into managed care contracts for the provision of services to individuals covered under federal and state programs including subsidized health coverage for low income populations.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. [141039](#) **[Accept and Expend Grant - Herz Playground Improvements - A. Ruiz Construction Company and Associates, Inc. - \$117,000]**
Sponsor: Cohen
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of \$117,000 from A. Ruiz Construction Company and Associates, Inc., for improvements to the pathways at Herz Playground for the period of May 15, 2014, through May 31, 2014.

Question: Shall this Resolution be ADOPTED?

17. [141040](#) **[Accept and Expend Grant - Herz Playground Improvements - O.C. Jones and Sons, Inc. - \$248,000]**
Sponsor: Cohen
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of \$248,000 from O.C. Jones and Sons, Inc., for the renovation of the baseball diamond at Herz Playground for the period of March 26, 2014, through May 31, 2014.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Farrell, Mar, Avalos

18. [141100](#) **[Accept and Expend Grant - Racial and Ethnic Approaches to Community Health - Heart Healthy SF- \$799,159]**
Sponsor: Cohen
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$799,159 from Centers for Disease Control and Prevention to participate in a program entitled "Racial and Ethnic Approaches to Community Health - Heart Healthy SF" for the period of September 30, 2014, through September 29, 2015.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Mar, Avalos, Chiu

19. [140989](#) **[Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant and Housing Opportunities for Persons With AIDS Programs - FY2015-2016]**
Resolution supporting FY2015-2016 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS Consolidated Plan Goals. (Mayor's Office of Housing)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Cohen

20. [140981](#) **[Administrative Code - Street Light Policy]**
Sponsors: Wiener; Cohen and Breed
Ordinance amending the Administrative Code to provide a Street Light Policy; and to make relevant findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
21. [141005](#) **[Street Encroachment - Automated Waste Collection System within Candlestick Point-Hunters Point Shipyard]**
Sponsor: Cohen
Resolution granting revocable permission to Recology, Inc., to occupy a portion of the public right-of-way to construct and maintain various improvements for the below-grade Automated Waste Collection System (AWCS), which will be located within the Candlestick Point-Hunters Point Phase 2 Redevelopment Project Areas, to transport streams of solid waste in the AWCS pipe network from multiple private indoor and public outdoor waste inlets to separate enclosed centralized waste collection facilities for transport to off-site landfill, recycling, or compost facilities; conditioning the permit; making environmental findings 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.
- Question: Shall this Resolution be ADOPTED?**
22. [141034](#) **[Street Encroachment - Avalon Bay Communities - Hickory Street Frontage of 307-323-325 Octavia Street]**
Sponsor: Breed
Resolution granting revocable permission to Avalon Bay Communities to occupy a portion of the public right-of-way to construct and maintain improvements within Hickory Street between Octavia and Laguna Streets fronting 307-323-325 Hickory Street (Assessor's Block No. 0831, Lot No. 023), 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 Resolution be ADOPTED?**

Recommendations of the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Mar, Yee

23. [140697](#) **[Donation of Obsolete Ambulance to City College of San Francisco]**
Resolution authorizing the Fire Department to donate an obsolete ambulance to the Emergency Medical Services Academy of City College of San Francisco. (Fire Department)
Question: Shall this Resolution be ADOPTED?
24. [140698](#) **[Donation of Obsolete Self-Contained Breathing Apparatuses to City College of San Francisco Fire Sciences Program]**
Resolution authorizing the Fire Department to donate 30 obsolete Self-Contained Breathing Apparatuses to the City College of San Francisco Fire Sciences Program. (Fire Department)
Question: Shall this Resolution be ADOPTED?
25. [140914](#) **[Liquor License - 533 Sutter Street]**
Resolution determining that the issuance of a Type 64 general theatre license to 533 Sutter Street (District 3), to Matt Shelton for the Shelton Theater, 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?
26. [141008](#) **[Urging the Successful Resolution of Negotiations between the San Francisco Unified School District and the United Educators of San Francisco]**
Sponsors: Mar; Campos, Cohen and Avalos
Resolution urging the successful resolution of negotiations between the San Francisco Unified School District and the United Educators of San Francisco to avoid a strike and an interruption to the education of San Francisco's students.

09/30/2014; REFERRED to the Neighborhood Services and Safety Committee.
Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Tang, Campos

27. [140909](#) **[Administrative Code - Catastrophic Illness Programs]**
Ordinance amending the Administrative Code to authorize the Department of Public Health to designate another City department to carry out various functions in the administration of the Catastrophic Illness Program for City employees and the Catastrophic Illness Program for family members of City employees. (Public Health Department)
Question: Shall this Ordinance be PASSED ON FIRST READING?

28. [140953](#) **[Environment Code - Revising the Urban Forestry Council Composition and Meeting Requirements]**

Sponsor: Wiener

Ordinance amending the Environment Code to revise the composition and meeting schedule requirements for the Urban Forestry Council.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. [141135](#) **[Appointments, Mental Health Board - Deborah Hardy and Ulash Thakore-Dunlap]**

Motion appointing Deborah Hardy and Ulash Thakore-Dunlap, terms ending January 31, 2016, to the Mental Health Board. (Rules Committee)

Question: Shall this Motion be APPROVED?

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

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

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

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

30. [141059](#) **[Public Hearing - Appeal of Exemption from Environmental Review - 115 Telegraph Hill Boulevard]**

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on September 3, 2014, for the proposed project at 115 Telegraph Hill Boulevard. (District 3) (Appellant: Susan Brandt-Hawley, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014). (Clerk of the Board)

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.)

31. [141060](#) **[Affirming the Exemption Determination - 115 Telegraph Hill Boulevard]**
Motion affirming the determination by the Planning Department that a proposed project at 115 Telegraph Hill Boulevard is exempt from environmental review. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
32. [141061](#) **[Reversing the Exemption Determination - 115 Telegraph Hill Boulevard]**
Motion reversing the determination by the Planning Department that a proposed project at 115 Telegraph Hill Boulevard is exempt from environmental review. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
33. [141062](#) **[Preparation of Findings to Reverse the Exemption Determination - 115 Telegraph Hill Boulevard]**
Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 115 Telegraph Hill Boulevard is exempt from environmental review. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

(Continued from 11/4/2014.)

34. [141064](#) **[Public Hearing - Appeal of Conditional Use Authorization - 115 Telegraph Hill Boulevard]**
Hearing of persons interested in or objecting to the Planning Commission's decision of September 11, 2014, Motion No. 19232, relating to approval of a Conditional Use Authorization (Case No. 2013.1375EC), to allow the construction of three new dwelling units (for a lot total of four units) with three off-street parking spaces within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill - North Beach Residential Special Use District and a 40-X Height and Bulk District located at 115 Telegraph Hill Boulevard, Assessor's Block No. 0105, Lot No. 065. (District 3) (Appellant: Vedica Puri, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014). (Clerk of the Board)

11/04/2014; CONTINUED.
Question: Shall this Hearing be HEARD AND FILED?

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

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

35. [141065](#) **[Approving the Conditional Use Authorization Decision - 115 Telegraph Hill Boulevard]**
Motion approving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

11/04/2014; CONTINUED.

Question: Shall this Motion be APPROVED?
36. [141066](#) **[Disapproving the Conditional Use Authorization Decision - 115 Telegraph Hill Boulevard]**
Motion disapproving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

11/04/2014; CONTINUED.

Question: Shall this Motion be APPROVED?
37. [141067](#) **[Preparation of Findings Related to the Conditional Use Authorization - 115 Telegraph Hill Boulevard]**
Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard. (Clerk of the Board)

11/04/2014; CONTINUED.

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. 45 (File No. 141165))

38. [141166](#) **[Public Hearing - Public Comment on Possible Nominations and Election of Board President]**
Hearing to receive public comment on nominations and the opening of the election for the Office of Board President, in the event a vacancy occurs, to fill the unexpired portion of the term ending January 8, 2015, at 12:00 p.m. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

39. NOMINATIONS FOR PRESIDENT OF THE BOARD

40. ELECTION OF THE PRESIDENT OF THE BOARD

COMMITTEE REPORTS

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

The following items will be considered by the Budget and Finance Committee at a Special Meeting on Monday, November 17, 2014, at 12:00 p.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, November 18, 2014.

41. [140880](#) **[Police Code - Hours and Retention Protections for Formula Retail Employees]**
Sponsors: Mar; Chiu, Campos and Avalos

Ordinance amending the Police Code to regulate the operation of Formula Retail Establishments, including requiring employers to offer additional hours of work, when available, to current part-time employees; and requiring successor employers to retain employees for 90 days upon a change in control of the business.

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. [141024](#) **[Police Code - Fair Scheduling and Treatment of Formula Retail Employees]**
Sponsors: Chiu; Mar

Ordinance amending the Police Code to require Formula Retail Establishments to provide employees with two weeks notice of work schedules, notice of changes to work schedules, and compensation for schedule changes made on less than seven days notice and unused on-call shifts; and to provide part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees.

Question: Shall this Ordinance be PASSED ON FIRST READING?

43. 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.

44. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

Items 45 through 50

45. [141165](#) **[Committee of the Whole - Receive Public Comment on Possible Nominations and Open Election of Board President]**
Sponsor: Chiu
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on November 18, 2014, for the purpose of receiving public comment on nominations and to open the election for the Office of Board President, in the event a vacancy occurs, to fill the unexpired portion of the term ending January 8, 2015, at 12:00 p.m.
- Question: Shall this Motion be APPROVED?**

46. [141156](#) [Approval of a 60-Day Extension for Planning Commission Review of an Ordinance Amending the Planning Code to Permit Exceptions from Dwelling Unit Density Limits and from Other Specified Code Requirements (File No. 140954)]

Sponsor: Wiener

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 140954) amending the Planning Code to permit exceptions from dwelling unit density limits and other requirements of the Code when adding Dwelling Units to existing buildings undergoing seismic retrofitting; deleting the requirement that a new In-Law Unit constructed in and near the Castro Street Neighborhood Commercial District be limited to 750 square feet; correcting outdated cross-references and Code language; 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.

11/04/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. [141157](#) [Urging the Municipal Transportation Agency to Negotiate a Provision in the Upcoming Towing Contract that Eliminates or Reduces Fees Imposed on Victims of Motor Vehicle Theft]

Sponsor: Wiener

Resolution urging the Municipal Transportation Agency to include a provision in its 2015 towing contract that either waives all fees imposed on all victims of motor vehicle theft in San Francisco, or significantly reduces the towing fee and significantly extends the grace period during which victims of motor vehicle theft can recover their vehicles before incurring storage fees.

11/04/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. [141143](#) [Final Map 7545 - Hunters View Phase 2]

Motion approving Final Map No. 7545, a 377 unit mixed use residential and commercial condominium project within 5 buildable lots; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Hunters View Development Documents. (Public Works)

10/27/2014; RECEIVED FROM DEPARTMENT.

Question: Shall this Motion be APPROVED?

49. [141152](#) **[Committee of the Whole - Consent to Successor Agency Actions Facilitating Interim Financing for Transbay Transit Center - Transbay Redevelopment Project Area - Amendment to Option Agreement Affecting Affordable Housing Requirement - November 25, 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 November 25, 2014, at 3:00 p.m., to hold a public hearing to approve actions by the Commission on Community Investment and Infrastructure to subordinate property interest in a site designated for affordable housing in the Transbay Redevelopment Project Area for the construction of the Transbay Transit Center.

11/04/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

50. [141164](#) **[Final Transfer Map 8404 - 901 Gilman Avenue]**
Motion approving Final Transfer Map 8404, a twenty-three-lot subdivision located within Assessor's Block No. 5000, Lot No. 1 and Assessor's Block No. 4977, Lot No. 6, comprised of lots (Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23), and established for conveyancing or financing purposes in furtherance of the Candlestick Point and Phase 2 Hunters Point Shipyard development; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

11/10/2014; RECEIVED FROM DEPARTMENT.

Question: Shall this Motion be APPROVED?

51. 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 ORDINANCE

141138

[Settlement of Lawsuit - Elvis Taouil - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Elvis Taouil against the City and County of San Francisco for \$50,000; the lawsuit was filed on August 8, 2013, in the United States District Court, Case No. C13-3674 DMR; entitled Elvis Taouil v. City and County of San Francisco, et al. (City Attorney)

10/31/2014; RECEIVED FROM DEPARTMENT.

11/18/2014; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

141159

[Emergency Work - Repairing Lower Cherry Aqueduct and Upgrading Sunol Valley Water Facilities Related to Drought Declaration - Not to Exceed \$35,000,000]

Resolution approving emergency public work of the San Francisco Public Utilities Commission related to drought declaration under Administrative Code, Section 6.60, to perform immediate work to repair Lower Cherry Aqueduct, Sunol Valley Water Treatment Plant, San Antonio Pump Station, and related infrastructure with contract amounts not to exceed \$35,000,000 collectively. (Public Utilities Commission)

11/04/2014; RECEIVED FROM DEPARTMENT.

11/18/2014; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

141160

[Settlement of Claims - Wells Fargo - \$248,565.92]

Resolution approving the settlement of four unlitigated claims filed by Wells Fargo against the City and County of San Francisco for \$248,565.92; claims were filed on April 25, 2014. (City Attorney)

11/06/2014; RECEIVED FROM DEPARTMENT.

11/18/2014; RECEIVED AND ASSIGNED to the Rules Committee.

141161

[Contract Agreement - Recology San Francisco, Recology Golden Gate and Recology Sunset Scavenger - Refuse Collection - Not To Exceed \$44,000,000]

Resolution approving under Charter, Section 9.118(b), a Contract Agreement between the City and County of San Francisco and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger ("Contractors"), for refuse services, resulting in total compensation to Contractors in an amount not-to-exceed \$44,000,000 for the term of December 1, 2014, through November 30, 2020. (City Administrator)

11/07/2014; RECEIVED FROM DEPARTMENT.

11/18/2014; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

141162

[Master License Agreements - ExteNet Systems, LLC, and GTE Mobilnet of California, LP, d/b/a Verizon Wireless - Outdoor Distributed Antenna System Pole Installation]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Master License Agreements for Outdoor Distributed Antenna System Pole Installation between the City and County of San Francisco, ExteNet Systems (California), LLC, and GTE Mobilnet of California, Limited Partnership d/b/a Verizon Wireless, each for a term of 12 years. (Public Utilities Commission)

11/07/2014; RECEIVED FROM DEPARTMENT.

11/18/2014; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

141163

[Approval to Grant Easement for Installation of Subsurface Tiebacks and Related Surface Access - TUP Folsom, LLC - 923 Folsom Street Development Project]

Resolution approving the grant of an Easement for installation of subsurface tiebacks and related surface access on Assessor's Parcel Block No. 3753, Lot No. 313 to TUP Folsom, LLC, in connection with construction of the residential development project at 923 Folsom; making environmental findings, and adopting findings that the grant of easement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

11/10/2014; RECEIVED FROM DEPARTMENT.

11/18/2014; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

141144 [Petitions and Communications]

Petitions and Communications received from October 27, 2014, through November 7, 2014, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 18, 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 San Francisco International Airport, submitting FY2013-2014 Revenue and Expenditure Report. Copy: Each Supervisor. (1)

From concerned citizens, regarding short-term residential rentals. File No. 140381. 4 letters. Copy: Each Supervisor. (2)

From Clerk of the Board, regarding the following reappointment by the Mayor: (3)
Peter Stern, Airport Commission

From concerned citizens, submitting signatures for petition regarding night construction noise permitting. 183 signatures. File No. 141010. Copy: Each Supervisor. (4)

From Baker & Hostetler LLP, submitting copy of Jay Krupkin's letter to Supervisor Campos regarding proposed legislation. Copy: Each Supervisor. (5)

From Small Business, submitting response to equal pay. File No. 141001. (6)

From Status of Women, regarding proposed legislation on equal pay. File No. 141001. Copy: Each Supervisor. (7)

From Mayor Lee, regarding appointment to the Human Rights Commission: (8)
Michael Sweet - term ending August 14, 2018.

From Film Commission, submitting final filming notification guidelines. Copy: Each Supervisor. (9)

From Clerk of the Board, regarding the following reappointment by the Mayor: (10)
Michael Sweet, Human Rights Commission

From Allen Kwong, regarding Conditional Use Authorization for 395-26th Avenue. File No. 141046. Copy: Each Supervisor. (11)

From Budget and Legislative Analyst, submitting report on Performance Audit of the Department of Children, Youth and Their Families Implementation of the Children's Fund. Copy: Each Supervisor. (12)

From Stephen M. Williams, regarding Conditional Use Appeal hearing for 395-26th Avenue. File Nos. 141046, 141047, 141048, and 141049. Copy: Each Supervisor. (13)

From Andrew C. Emerson, regarding appeal of Conditional Use Authorization for 431 Balboa Street. File No. 141068. Copy: Each Supervisor. (14)

From Controller, submitting summary of implementation statuses for recommendations followed up on in FY2013-2014, Fourth Quarter. Copy: Each Supervisor. (15)

From concerned citizens, regarding erection of cell phone towers at 431 Balboa Street. File No. 141068. 2 letters. Copy: Each Supervisor. (16)

From Sheriff, submitting annual report of inmate welfare fund expenditures for FY2013-2014. Copy: Each Supervisor. (17)

From concerned citizen, regarding Recology Vallejo solid waste facility permit application. Copy: Each Supervisor. (18)

From State Fish and Game Commission, providing notice of receipt of petition relating to the Tricolored blackbird. Copy: Each Supervisor. (19)

From State Fish and Game Commission, providing notice of findings regarding the gray wolf. Copy: Each Supervisor. (20)

From Sunshine Ordinance Task Force, responding to requests for advisory opinion on Community Housing Partnership. 2 letters. Copy: Each Supervisor. (21)

From Laura and Walter Vernon, regarding home sharing in San Francisco. Copy: Each Supervisor. (22)

From Dennis Hong, regarding Fire Chief Joanne Hayes-White. Copy: Each Supervisor. (23)

From concerned citizens, submitting signatures for petition regarding Municipal Transportation Agency. 4,072 signatures. Copy: Each Supervisor. (24)

From Controller, submitting report of FY2013-2014 surplus transfers. (25)

From Controller, submitting Quarterly Review of the Schedule of Cash, Investments, and Accrued Interest Receivable as of March 31, 2014. Copy: Each Supervisor. (26)

From Recreation and Parks, submitting report on lead poisoning prevention for first quarter of FY2014-2015. Copy: Each Supervisor. (27)

From State Department of Fish and Wildlife, regarding lead ammunition for hunting purposes. Copy: Each Supervisor. (28)

From State Senator Hannah-Beth Jackson, regarding prescription drug disposal program. Copy: Each Supervisor. (29)

From Shiufan Lee, regarding public hearing to reduce bike lanes in San Francisco. Copy: Each Supervisor. (30)

From Mayor Lee, regarding appointment to the Residential Rent Stabilization and Arbitration Board: (31)

David Gruber - term ending August 1, 2018.

From Supervisor Breed, regarding request from Government Audit and Oversight Committee to consider urgent item at November 18, 2014, meeting. Copy: Each Supervisor. (32)

From Controller, submitting quarterly summary of follow up activity on in FY2014-2015, First Quarter. Copy: Each Supervisor. (33)

From Citizen Complaints, submitting quarterly reports for third quarter 2014. Copy: Each Supervisor. (34)

From State Fish and Game Commission, providing notice of proposed regulatory action relating to petitions for regulation changes. Copy: Each Supervisor. (35)

ADJOURNMENT