



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, January 27, 2015 - 2:00 PM

Regular Meeting

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

Angela Calvillo, Clerk of the Board

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

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 [January 7, 2015](#), and [January 8, 2015](#), 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 9

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Avalos

1. [141122](#) **[Administrative Code - Annual Reports on Evictions from Subsidized Housing]**
Sponsors: Farrell; Breed and Mar
Ordinance amending the Administrative Code to require recipients of City-funded contracts for the administration or development of housing to submit annual reports to departments awarding the contracts on the number of tenants who receive notices of eviction or are evicted; and to require the awarding departments to submit annual reports on the same to the Mayor and Board of Supervisors.

01/13/2015; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Farrell, Mar, Avalos

2. [141147](#) **[Appropriation and De-Appropriation - Hosting the PGA World Golf Championship Tournament - Recreation and Park - \$1,300,000 - FY2014-2015]**

Sponsors: Mayor; Mar

Ordinance appropriating \$1,300,000 to the Recreation and Park Department for the costs associated with hosting the PGA World Golf Championship Tournament at TPC Harding Park Golf Course; and appropriating and de-appropriating \$500,000 to reimburse the Recreation and Park Department for revenue lost during the closure of the golf course.

(Fiscal Impact)

01/13/2015; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [141217](#) **[Accept and Expend Grant - Alcohol and Drug Impaired Driver Vertical Prosecution Program - Amendment to the Annual Salary Ordinance - \$287,624]**

Sponsor: Cohen

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$287,624 from the California Office of Traffic Safety for the Alcohol and Drug Impaired Driver Vertical Prosecution Program, and amending Ordinance No. 147-14 (Annual Salary Ordinance, FYs 2014-2015 and 2015-2016) to reflect the addition of one grant-funded Class 8177 Attorney position (FTE 0.75) for the period of October 1, 2014, through September 30, 2015.

01/13/2015; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [141267](#) **[Accept and Expend Grant - Bureau of Justice Assistance, Smart Prosecution Initiative: Predictive Analytics for Strategic Prosecution - Amendment to the Annual Salary Ordinance - \$435,253]**

Sponsor: Wiener

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$435,253 from the U.S. Department of Justice, Bureau of Justice Assistance for the Smart Prosecution Initiative, in support of Predictive Analytics for Strategic Prosecution, to enhance data driven prosecution and strategies that effectively address and prevent crime and victimization in San Francisco, and amending Ordinance No. 147-14 (Annual Salary Ordinance, FYs 2014-2015 and 2015-2016) to reflect the addition of one grant-funded Class 1822 Administrative Analyst position (0.5 FTE) for the period of October 1, 2014, through September 30, 2016.

01/13/2015; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Tang, Campos

5. [141236](#) **[Settlement of Lawsuit - Colleen Sullivan, Silvia David, and Gordon Clark - \$360,753.71]**
Ordinance authorizing partial settlement of the lawsuit filed against the City and County of San Francisco for \$360,753.71; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. 12-02584 JCS; currently entitled Colleen Sullivan, Silvia David, and Gordon Clark v. City and County of San Francisco. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?
6. [141254](#) **[Settlement of Claim - Liam Ford, Simone Ford and the Estate of Lynne Spalding Ford - \$2,941,000]**
Resolution approving the settlement of the unlitigated claim filed by Liam Ford, Simone Ford, and the Estate of Lynne Spalding Ford against the City and County of San Francisco for \$2,941,000; claim was filed on March 4, 2014. (City Attorney)
Question: Shall this Resolution be ADOPTED?
7. [141255](#) **[Settlement of Unlitigated Claim - Pacific Gas and Electric Company - City to Receive \$759,000]**
Resolution approving settlement of the unlitigated claim by the City and County of San Francisco against Pacific Gas and Electric Company for \$759,000. (City Attorney)
Question: Shall this Resolution be ADOPTED?
8. [150005](#) **[Settlement or Policy Limits Demand of Unlitigated Claim - Precision Engineering, Inc. - City to Demand or Receive \$11,000,000]**
Resolution approving settlement of the unlitigated claim of the City and County of San Francisco against Precision Engineering, Inc., and its carriers for \$11,000,000; or alternatively authorizing the City Attorney to make a binding policy limits demand.
Question: Shall this Resolution be ADOPTED?
9. [141319](#) **[Appointments, Balboa Park Station Community Advisory Committee - Mark Kress, Rita Evans, Alexander Mullaney, Gwynn Kaliher-Mackellen, Daniel Weaver, Chuck Burwell, Aaron Goodman, and Robert Muehlbauer]**
Motion appointing Mark Kress, Rita Evans, Alexander Mullaney, Gwynn Kaliher-Mackellen, Daniel Weaver, Chuck Burwell, Aaron Goodman, and Robert Muehlbauer, for two-year terms yet to be determined, to the Balboa Park Station Community Advisory Committee. (Rules Committee)
Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Breed, Tang

10. [140793](#) **[Follow-Up Board Response - Civil Grand Jury Report - Ethics in the City: Promise, Practice or Pretense]**
Motion responding to the Civil Grand Jury request to provide a status update on the Board of Supervisors' responses to Recommendation Nos. 2, 11, 16, 18, and 21 contained in the 2013-2014 Civil Grand Jury Report, entitled "Ethics in the City: Promise, Practice or Pretense;" and urging the Mayor to cause implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)
- 01/13/2015; CONTINUED.
- Question: Shall this Motion be APPROVED?**

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

11. [141297](#) **[Public Works Code - Personal Wireless Service Facility Site Permits, and Amending Fees]**
Sponsor: Avalos
Ordinance amending the Public Works Code to modify certain requirements for Personal Wireless Service Facility Site Permits, amending the fees for obtaining such permits; and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
12. [141299](#) **[Appropriation - Revenue and Expenditure Supporting Portable Restroom Facilities - \$203,200 - FY2014-2015]**
Sponsor: Kim
Ordinance appropriating \$203,200 to the Public Works Operating Budget in order to support and maintain portable restroom facilities and waste stations in FY2014-2015.
- (Fiscal Impact; No Budget and Legislative Analyst Report.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

13. [141078](#) **[Lease Amendment - Early Termination and Buyout - Baysubway Airport (Subway) - 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)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?
14. [141257](#) **[California Constitution Appropriations Limit - FY2014-2015]**
Resolution establishing the appropriations limit for FY2014-2015 pursuant to California Constitution, Article XIII B. (Controller)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?
15. [141311](#) **[Real Property Lease - Third and Mission Associates, LLC - 167 Jessie Street - \$1 Per Year Base Rent]**
Sponsor: Kim
Resolution authorizing the Lease between the City and County of San Francisco, as Tenant, and Third and Mission Associates, LLC, as Landlord, of approximately 4,124 square feet in the building located at 167 Jessie Street for a term of 87 years at a base rent of \$1 per year, to commence upon approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Farrell, Wiener, Campos
16. [141305](#) **[Accept and Expend Grant - Housing Related Parks Program - \$6,352,275]**
Sponsor: Mayor
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant in the amount of \$6,352,275 from the State of California Department of Housing and Community Development to fund Housing Related Parks Projects identified in Exhibit A of the Grant Standard Agreement for the period of November 17, 2014, through June 30, 2016, and delegating authority to the General Manager of the Recreation and Park Department to reallocate funds among approved projects where necessary to maximize City recovery from the Grant during the eligible expenditure period.

Question: Shall this Resolution be ADOPTED?

Referred Without Recommendation from the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

17. [141269](#) **[Real Property Acquisition - 1995 Evans Street - Claire A. Spencer, Trustee of the William D. Spencer and Claire A. Spencer 1995 Living Trust - \$15,475,000]**
Sponsor: Mayor
Resolution authorizing the acquisition of real property at 1995 Evans Street (Assessor's Block No. 5231, Lot Nos. 004, 005, and 006) from Claire A. Spencer, Surviving Trustee of the William D. Spencer and Claire A. Spencer 1995 Living Trust, dated February 9, 1995 (Spencer Trust) for the purchase price of \$15,475,000; and adopting findings, including 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 Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Cohen

18. [140982](#) **[Planning Code - Arcades in the Upper Market Street Neighborhood Commercial Transit District]**
Sponsor: Wiener
Ordinance amending the Planning Code to permit arcades in the Upper Market Street Neighborhood Commercial Transit 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.
Question: Shall this Ordinance be PASSED ON FIRST READING?
19. [141265](#) **[Police Code - Property Services Contractors at Formula Retail Establishments]**
Sponsor: Breed
Ordinance amending the Police Code to require Formula Retail Establishments that have entered into contracts with Property Services Contractors that are in effect between January 4, 2015, and July 3, 2015, to provide such contractors with copies of Police Code, Articles 33F, and 33G, which establish certain rights of employees of such contractors.
Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Yee

20. [140275](#) **[Liquor License Transfer - 101-6th Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license for the expansion of premises located at 101-6th Street (District 6) to Tadd Cortell for Electric Resistance Society, LLC, dba Monarch, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4. (Neighborhood Services and Safety Committee)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Tang, Campos

21. [140884](#) **[Administrative Code - Establishing the Gun Violence Prevention Task Force]**
Sponsors: Cohen; Avalos and Breed
Ordinance amending the Administrative Code to establish the Gun Violence Prevention Task Force to advise City departments and policymakers on methods to reduce gun violence in the City; and setting forth the membership and duties of the Task Force.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. [141215](#) **[Administrative Code - Establishing the Children, Youth and Their Families Oversight and Advisory Committee and a Service Provider Working Group]**
Sponsor: Avalos
Ordinance amending the Administrative Code to establish a Children, Youth and Their Families Oversight and Advisory Committee, and a Service Provider Working Group, as provided in Charter, Section 16.108-1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

SPECIAL ORDER 3:00 P.M.

(Hearing continued open from December 16, 2014.)

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.

23. [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). (Clerk of the Board)

10/28/2014; CONTINUED OPEN.

12/16/2014; CONTINUED OPEN.

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.)

24. [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; and 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)

10/28/2014; CONTINUED.

12/16/2014; CONTINUED.

Question: Shall this Motion be APPROVED?

25. [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; and 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)

10/28/2014; CONTINUED.

12/16/2014; CONTINUED.

Question: Shall this Motion be APPROVED?

26. [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)

10/28/2014; CONTINUED.

12/16/2014; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

27. [141320](#) **[Public Hearing - Appeal of Final Mitigated Negative Declaration - 110 The Embarcadero/115 Steuart Street]**
Hearing of persons interested in or objecting to the November 13, 2014, Final Mitigated Negative Declaration for the proposed project at 110 The Embarcadero/115 Steuart Street. (District 6) (Appellant: David Osgood, on behalf of Rincon Point Neighbors Association) (Filed December 15, 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.)

28. [141321](#) **[Affirming the Approval of a Final Mitigated Negative Declaration - 110 The Embarcadero/115 Steuart Street]**
Motion affirming the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 110 The Embarcadero/115 Steuart Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

29. [141322](#) **[Reversing the Approval of a Final Mitigated Negative Declaration - 110 The Embarcadero/115 Steuart Street]**
Motion reversing the approval by the Planning Commission of a Final Mitigated Negative Declaration under the California Environmental Quality Act for a project located at 110 The Embarcadero/115 Steuart Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

30. [141323](#) **[Preparation of Findings to Reverse the Approval of a Final Mitigated Negative Declaration - 110 The Embarcadero/115 Steuart Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission's approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act for a project located at 110 The Embarcadero/115 Steuart Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORT

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

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, January 26, 2015, at 1:30 p.m. The Chair intends to request the Committee to send the following item to the Board as a Committee Report on Tuesday, January 27, 2015.

31. [141210](#) [Planning and Administrative Codes - Definition and Controls for Homeless Shelters to Comply with State Law]

Sponsor: Mayor

Ordinance amending the Planning Code to define Homeless Shelter and to establish zoning, open space, and parking policies for this use in compliance with California Government Code requirements; amending the Administrative Code to require contracts between the City and shelter operators to contain operational standards; 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?

32. 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.

33. 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 34 through 36**34. [150019](#) [Follow-Up Board Response - 2013-2014 Civil Grand Jury Report - "Ethics in the City: Promise, Practice or Pretense"]****Sponsor: Breed**

Motion responding to the Civil Grand Jury request to provide a status update on the Board of Supervisors' response to Recommendation No. 24 contained in the 2013-2014 Civil Grand Jury Report, entitled "Ethics in the City: Promise, Practice or Pretense;" and urging the Mayor to cause implementation of accepted recommendation through his/her department heads and through the development of the annual budget.

01/07/2015; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

01/13/2015; CONTINUED.

Question: Shall this Motion be APPROVED?**35. [150038](#) [Urging the California State Legislature to Amend State Law for Youth Fare Evasion]****Sponsor: Mar**

Resolution urging the California State Legislature to amend State law to remove the exclusion of minors from the authority of local jurisdictions; to create an administrative penalty for fare evasion and other minor transit violations; and remove the processing of these violations from the Court system.

01/13/2015; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?**36. [150025](#) [Final Map 7865 - 1607-1617 Noe Street]**

Motion approving Final Map 7865, a six residential unit Condominium Project, located at 1607-1617 Noe Street, being a subdivision of Assessor's Block No. 6631, Lot No. 048; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

01/09/2015; RECEIVED FROM DEPARTMENT.

01/13/2015; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

37. 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**150044 [Waiving Competitive Bidding Requirement - Construction Contract - Pneumatic Tube Products Company - San Francisco General Hospital - Not to Exceed \$951,887]**

Ordinance waiving the competitive bidding requirement in Administrative Code, Section 6.20, and authorizing the Director of Public Works to enter into a construction contract with Pneumatic Tube Products Company in an amount not to exceed \$951,887 for the purpose of modifying the pneumatic tube delivery systems in Buildings 5 and 25 at San Francisco General Hospital to make one integrated pneumatic tube system to service both buildings. (Public Works)

01/09/2015; RECEIVED FROM DEPARTMENT.

01/27/2015; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

150045 [Settlement of Lawsuit - Bay Area Air Quality Management District - \$31,400]

Ordinance authorizing settlement of the lawsuit filed by The People of the State of California, by and through the Bay Area Air Quality Management District, against the City and County of San Francisco for \$31,400; the lawsuit was filed on March 27, 2012, in San Francisco Superior Court, Case No. CPF-12-512078; entitled The People of the State of California, by and through the Bay Area Air Quality Management District v. The City and County of San Francisco; other material terms of said settlement are that the settlement is a stipulated civil penalty that is allocated between the Fire Department (\$30,000), subject to Board of Supervisors approval, and the Municipal Transportation Agency (\$1,400), subject to Municipal Transportation Agency approval. (City Attorney)

01/12/2015; RECEIVED FROM DEPARTMENT.

01/27/2015; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS**150046 [Settlement of Claim - Lai Yuet Eng - \$55,757.22]**

Resolution approving the settlement of the unlitigated claim filed by Lai Yuet Eng against the City and County of San Francisco for \$55,757.22; claim was filed on October 14, 2014. (City Attorney)

01/12/2015; RECEIVED FROM DEPARTMENT.

01/27/2015; RECEIVED AND ASSIGNED to the Rules Committee.

150047 **[Settlement of Claim - Anson Ha - \$26,904.59]**
Resolution approving the settlement of the unlitigated claim filed by Anson Ha against the City and County of San Francisco for \$26,904.59; claim was filed on October 23, 2014. (City Attorney)

01/12/2015; RECEIVED FROM DEPARTMENT.

01/27/2015; RECEIVED AND ASSIGNED to the Rules Committee.

150048 **[Settlement of Claim - Teamsters Local 853 - \$257,082.35]**
Resolution approving settlement of the unlitigated grievance of the Teamsters Local 853 against the City and County of San Francisco for \$257,082.35; the Teamsters Local 853 notified the City of the grievance on September 18, 2012. (City Attorney)

01/12/2015; RECEIVED FROM DEPARTMENT.

01/27/2015; RECEIVED AND ASSIGNED to the Rules Committee.

150049 **[Memorandum of Agreement Modification - United States Department of the Interior, National Park Service - Not to Exceed \$31,659,798]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to negotiate and execute a modification to the Memorandum of Agreement with the United States Department of the Interior, National Park Service - Yosemite National Park, to provide additional funding in the amount of \$4,173,294 for a total revised agreement not to exceed amount of \$31,659,798 with an extension of one-year, for a total duration of six years through July 1, 2016, pursuant to Charter, Section 9.118. (Public Utilities Commission)

01/15/2015; RECEIVED FROM DEPARTMENT.

01/27/2015; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

150050 **[Agreement Amendment - HDR Engineering, Inc. - Harry Tracy Water Treatment Plant - Long Term Improvements Project - Not to Exceed \$18,000,000]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 1 to Water Enterprise, Water System Improvement Program (WSIP)-funded Agreement No. CS-919R, Harry Tracy Water Treatment Plant - Long Term Improvements Project Construction Management Services, with HDR Engineering, Inc., for additional construction management services associated with the Harry Tracy Water Treatment Plant and associated projects, increasing the agreement amount by \$2,000,000 for a total not-to-exceed amount of \$18,000,000 with no change to the agreement duration, pursuant to Charter, Section 9.118. (Public Utilities Commission)

01/15/2015; RECEIVED FROM DEPARTMENT.

01/27/2015; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

150051

[Accept and Expend Grant - San Francisco City Hall Preservation Fund - \$150,000]

Resolution authorizing the Office of the City Administrator to accept and expend a grant in the amount of \$150,000 from the Pacific Gas and Electric Company for the San Francisco City Hall Preservation Fund in support of the City Hall Centennial for FY2014-2015. (City Administrator)

01/16/2015; RECEIVED FROM DEPARTMENT.

01/27/2015; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

150052 [Petitions and Communications]

Petitions and Communications received from January 6, 2015, through January 16, 2015, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on January 27, 2015.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From concerned citizens, regarding Happy Vape. 313 letters. File No. 141291. Copy: Each Supervisor. (1)

From Officers for Justice-Peace Officers' Association, regarding President of the Board of Supervisors vacancy. Copy: Each Supervisor. (2)

From Mayor, regarding Notice of Appointment to the District 3 seat on the Board of Supervisors: (3)
Julie Christensen

From Marie Gandolfo, regarding bicyclist behavior. Copy: Each Supervisor. (4)

From Public Health, submitting Annual 2014 Title XV Evaluation Reports. Copy: Each Supervisor. (5)

From Fish and Wildlife, regarding Phasing of Nonlead Ammunition Requirement. Copy: Each Supervisor. (6)

From Larry P. Blake, regarding Castro Cares program. Copy: Each Supervisor. (7)

From City Administrator, submitting Indemnification Quarterly Report January - December 2013. Copy: Each Supervisor. (8)

From City Administrator, submitting Indemnification Quarterly Report January - December 2014. Copy: Each Supervisor. (9)

From Sheriff, regarding Administrative Code 14B waiver request for Northpointe Inc. Copy: Each Supervisor. (10)

From Sheriff, regarding Administrative Code 14B waiver request for Thomson Reuters. Copy: Each Supervisor. (11)

From Public Defender, submitting 2014 Annual Report and 2015 Calendar. (12)

From Controller, submitting Citywide Contract Compliance Audits, FYs 2011-2012 and 2012-2013 combined report. Copy: Each Supervisor. (13)

From Verizon Wireless, submitting General Order No. 159A notice for Broadway and Battery SC1. Copy: Each Supervisor. (14)

From Adult Probation, regarding upcoming meetings and events. (15)

From concerned citizen, regarding healthcare. Copy: Each Supervisor. (16)

From Aaron Goodman, regarding 5m project. Copy: Each Supervisor. (17)

From Randall Kovar, regarding Youth Commission and voting age. Copy: Each Supervisor. (18)

From Diane Rivera, regarding Neighborhood Emergency Response Team. Copy: Each Supervisor. (19)

From concerned citizens, submitting signatures for petition regarding Municipal Transportation Agency. 4,082 signatures. Copy: Each Supervisor. (20)

From Joan Hasselgren, regarding traffic calming. Copy: Each Supervisor. (21)

From Vanessa Bailey, regarding Better Together Project. Copy: Each Supervisor. (22)

From Allen Jones, regarding Human Rights Commission. Copy: Each Supervisor. (23)

From Treasurer, submitting Monthly Pooled Investment Report for December 2014. Copy: Each Supervisor. (24)

From Controller, submitting report entitled Airport Commission: Better Oversight is Required to Improve the Change Management Process for the New Air Traffic Control Tower. Copy: Each Supervisor. (25)

From Controller, submitting report entitled Airport Commission: Avila Retail Development & Management, LLC, Correctly Paid Its Rent for 2012 and 2013. Copy: Each Supervisor. (26)

From Citizens' General Obligation Bond Oversight Committee, submitting FY2013-2014 Annual Report. Copy: Each Supervisor. (27)

From Jaime Michaels, regarding proposed Corona Heights Development. Copy: Each Supervisor. (28)

From Chamber of Commerce, regarding rights of formula retail employees in hotels. File No. 141300. Copy: Each Supervisor. (29)

From Termeh Yeghiazarian, regarding advertising on Muni. Copy: Each Supervisor. (30)

From Library Users Association, regarding implementation of BiblioCommons. Copy: Each Supervisor. (31)

From concerned citizens, regarding 110 The Embarcadero appeal. 7 letters. File No. 141921. Copy: Each Supervisor. (32)

From Mayor Lee, regarding appointment to the Residential Rent Stabilization & Arbitration Board: (33)

David Wasserman - term ending September 1, 2018.

From Public Health, submitting Annual Report of Gifts Received in FY2013-2014. Copy: Each Supervisor. (34)

From Terry Chong, regarding recent protests. Copy: Each Supervisor. (35)

From President Breed, regarding 2015 Board of Supervisors committee assignments. Copy: Each Supervisor. (36)

ADJOURNMENT