

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, February 4, 2014 - 2:00 PM

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

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

BOARD COMMITTEES

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

131056 [Street Artist Spaces - Post Street at Stockton Street]

Resolution approving re-designation of two temporary selling spaces on Post Street, northwest corner, at Stockton Street for six months for street artists certified by the Arts Commission. (Arts Commission)

Resolution No. 032-14

ADOPTED

131057 [Street Artist Space - Leavenworth Street at Jefferson Street]

Resolution approving re-designation of one selling space on Leavenworth Street, west side, at Jefferson Street, for six months for street artists certified by the Arts Commission; exempting said space from the regulations of Police Code, Sections 2405(c)(6) and (11), prohibiting selling within ten feet from the outer edge of any entrance to any building and prohibiting selling within five feet of the display of any other street artist. (Arts Commission)

Resolution No. 033-14

ADOPTED

131118 [Planning Code - Landmark Designation - 1712-1716 Fillmore Street (aka Marcus Books and Jimbo's Bop City)]**Sponsors: Breed; Mar, Campos and Chiu**

Ordinance designating 1712-1716 Fillmore Street (aka Marcus Books and Jimbo's Bop City), Assessor's Block No. 0684, Lot No. 020, as a landmark under Planning Code, Article 10; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

Ordinance No. 007-14**FINALLY PASSED****131145 [Competitive Selection Process - Landfill Disposal Provider]****Sponsors: Avalos; Farrell, Chiu, Tang, Breed, Kim, Yee, Wiener, Campos, Cohen and Mar**

Ordinance making findings that the City's competitive process for selecting a preferred contractor for landfill disposal was adequate, fair, and consistent with the request for proposals; ratifying the selection of Recology San Francisco (Recology) as the preferred contractor; ratifying the termination of the landfill disposal and facilitation agreements with Recology; endorsing environmental review under the California Environmental Quality Act (CEQA) of the Recology proposal as the City's preferred project alternative; clarifying that, consistent with prior practice and existing law, the definition of "services" contained in Administrative Code, Chapter 21, excludes the agreements resulting from the competitive selection process; and making environmental findings under CEQA.

Ordinance No. 008-14**FINALLY PASSED****131162 [General Plan - Adjacent Parcels to the Western South of Market, East South of Market, and Market and Octavia Area Plans]****Sponsor: Kim**

Ordinance amending the General Plan by amending the boundaries of the East South of Market Area Plan to incorporate 40 nearby parcels on Mission Street, generally bounded by 7th Street to the east, 9th Street to the west, and Minna Street to the south; amending the Market and Octavia Planning Area to incorporate nine adjacent parcels along Mission Street and 10th Street, generally bound by Washburn Street to the east, and Minna Street to the south; amending the Western South of Market Area Plan to remove one parcel on 10th Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

Ordinance No. 009-14**FINALLY PASSED**

131161 [Planning Code, Zoning Map - Adjacent Parcels and Western South of Market Cleanup]**Sponsor: Kim**

Ordinance amending Zoning Map, Sheets ZN01, ZN07, ZN08, HT07, HT08, and SU07, to revise use districts and height and bulk districts for parcels adjacent to and within the Western South of Market Plan Area; to extend the Van Ness and Market Downtown Residential Special Use District; and making 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.

Ordinance No. 013-14

FINALLY PASSED

131232 [Street Encroachment - Operator Convenience Facilities - Terminus of Various Muni Bus Routes]

Resolution granting revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain two new operator convenience facilities at the terminus of various Muni bus routes; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

Resolution No. 035-14

ADOPTED

140015 [Electric Service Agreement - Public Utilities Commission - Transbay Project]**Sponsor: Kim**

Resolution authorizing the Public Utilities Commission's General Manager to enter into an Electric Service Agreement with the Transbay Joint Powers Authority for the Public Utilities Commission to be the primary provider of electric service to the Transbay Project beginning January 2014 and ending January 2017; and making findings pursuant to the California Environmental Quality Act.

Resolution No. 036-14

ADOPTED

Recommendations of the Rules Committee**131179 [Settlement of Lawsuit - John Wettstein - \$247,500]**

Ordinance authorizing settlement of the lawsuit filed by John Wettstein against the City and County of San Francisco by payment of up to \$247,500; the lawsuit was filed on October 28, 2011, in the San Francisco Superior Court and removed to U.S. District Court, Northern District of California, on November 10, 2011, Case No. C11-5484-CRB; entitled John Wettstein v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 010-14

FINALLY PASSED

131180 [Settlement of Lawsuit - Danilo Martin Molieri and Daniel Steven Molieri - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Danilo Martin Molieri and Daniel Steven Molieri against the City and County of San Francisco for \$40,000; the lawsuit was filed on December 1, 2010, in United States District Court, Case No. CV10-5430 MMC; entitled Danilo Martin Molieri, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 011-14

FINALLY PASSED

131181 [Settlement of Lawsuit - Ricky Rein - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Ricky Rein against the City and County of San Francisco for \$100,000; the lawsuit was filed on November 30, 2012, in San Francisco Superior Court, Case No. CGC-12-523533; entitled Ricky Rein v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 012-14

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendation of the Budget and Finance Committee

140038 [Agreement - Owners' Association for Administration/Management of Central Market Community Benefit District]

Sponsor: Kim

Resolution approving an agreement with the nonprofit Owners' Association for Administration/Management of the renewed and expanded property-based Community Benefit District known as the "Central Market Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval to June 30, 2028.

Resolution No. 019-14

ADOPTED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee**130462 [Business and Tax Regulations Code - Public Realm Landscaping, Improvement, and Maintenance Assessment Districts]****Sponsor: Cohen**

Ordinance amending the Business and Tax Regulations Code, by adding Article 15A "Public Realm Landscaping, Improvement and Maintenance Assessment Districts" (Green Benefit Districts), to provide for establishment of assessment districts to finance landscaping, improvements, and maintenance of public realm areas (outdoor spaces open to the public), including parks, parklets, sidewalks, unimproved areas, landscaped areas, plazas, and gardens; to authorize the purchase of real property with assessment funds, where property will be a public realm area and the district will provide landscaping, improvements and/or maintenance; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

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

Recommendation of the Land Use and Economic Development Committee**131086 [Planning Code, Zoning Map - 1500 Page Street Affordable Housing Special Use District]****Sponsors: Breed; Campos**

Ordinance amending the Planning Code, to establish the 1500 Page Street Affordable Housing Special Use District (SUD) for the property located at 1500 Page Street (Assessor's Block No. 1223, Lot No. 004); amend the Zoning Map to add the Affordable Housing SUD and modify the height and bulk limits for the lot, and repeal the provisions establishing the 1500 Page Street Residential Care SUD and the permitted building height for the Residential Care SUD; affirming the Planning Department's California Environmental Quality Act findings; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

PASSED, ON FIRST READING by the following vote:

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

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

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Campos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.. The motion carried by the following vote:

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

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Bryan Kane in recognition of his adoption of fair and inclusive employment practices and emphasis on creating job opportunities for City residents seeking reentry into the workforce at his award-winning winery on Treasure Island.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Tiffani Mah, on behalf of Target, in recognition of their leadership in promoting fair and inclusionary hiring practices nationwide and successfully combining corporate values with social responsibility.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140083 [Hearing - General Obligation Bond - Earthquake Safety, Emergency Response, and Possibly Streetlights]

Hearing of persons interested in or objecting to the Ordinance (File No. 131190) and Resolution (File No. 131189) relating to the General Obligation Bond to finance the construction, acquisition, improvement, and seismic retrofitting for earthquake safety of emergency response facilities; and the Ordinance (File No. 140059) and Resolution (File No. 140060) relating to the General Obligation Bond to finance the construction, acquisition, improvement, and seismic retrofitting for earthquake safety of emergency response facilities, and the construction, acquisition, and improvement of streetlights on public rights-of-way.

The President inquired as to whether any member of the public wished to address the Board relating to the amendments to the General Obligation Bonds referenced in File Nos. 131190, 131189, 140059, 140060. Supervisor Wiener provided an overview of the bonds and amendments. Walter Paulson; shared in song support for the bonds. Christopher Dahl; expressed concerns relating to seismic safety and in support for the bonds. Male Speaker; spoke neither in support or opposition to the bonds. Ernestine Waters Weiss; spoke in support of the bonds. Todd Rydstrom (Public Utilities Commission) provided additional details relating to the bonds, capital needs, and answered questions raised throughout the discussion. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

131190 [General Obligation Bond Election - Earthquake Safety and Emergency Response]

Sponsors: Mayor; Chiu and Mar

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 3, 2014, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$400,000,000 to finance the construction, acquisition, improvement, and seismic retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; and incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Ordinance be PASSED ON FIRST READING. The motion carried by the following vote:

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

131189 [General Obligation Bonds - Earthquake Safety and Emergency Response]**Sponsors: Mayor; Chiu**

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.
(Fiscal Impact)

Resolution No. 034-14

Supervisor Wiener, seconded by Supervisor Mar, moved that this Resolution be ADOPTED. The motion carried by the following vote:

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

140059 [General Obligation Bond Election - Earthquake Safety, Emergency Response, and Streetlights]**Sponsors: Mayor; Chiu**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 3, 2014, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$425,000,000 to finance the construction, acquisition, improvement, and seismic retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety, the construction, acquisition, and improvement of streetlights on public rights-of-way, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; and incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Ordinance be TABLED. The motion carried by the following vote:

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

140060 [General Obligation Bonds - Earthquake Safety, Emergency Response, and Streetlights]**Sponsors: Mayor; Chiu**

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety, the construction, acquisition, and improvement of streetlights on public rights-of-way, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

(Fiscal Impact)

Supervisor Wiener, seconded by Supervisor Mar, moved that this Resolution be TABLED. The motion carried by the following vote:

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

COMMITTEE REPORT**Recommendation of the Land Use and Economic Development Committee****131192 [Police, Administrative Codes - Considering Criminal History in Employment and Housing Decisions]****Sponsors: Kim; Cohen, Avalos, Campos, Chiu, Mar and Yee**

Ordinance amending the Police Code to require employers and housing providers to limit the use of criminal history information, and follow certain procedures and restrictions when inquiring about and using conviction history information to make decisions about employment and tenancy in San Francisco; and amending the Administrative Code to require City contractors and subcontractors to adhere to the same limits, procedures, and restrictions when making decisions regarding employment of persons for work on City contracts and subcontracts.

PASSED, ON FIRST READING by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

Ernestine Waters Weiss; spoke relating to lighting on the Embarcadero and recent crime streak.

Male Speaker; spoke relating to San Francisco/Oakland Bay Bridge declaration.

Adrienne Bousian (Planned Parenthood); spoke in support of proposed February Women's Health Month legislation.

Nicole Recalado (Planned Parenthood); spoke in support of proposed February Women's Health Month legislation.

Felicia Elizondo; spoke relating to the Vicki Marlane Memorial Campaign and renaming of 100 block of Turk Street.

Christopher Dahl; spoke expressing various concerns relating to democracy, slavery, and patrons.

Dr. Robert Gould; spoke relating to social responsibility and in support for proposed soda tax legislation.

Male Speaker; spoke in support of reallocation of fees for misplaced tenants.

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

Male Speaker; expressed various religious concerns.

Eric P. Scott; spoke in opposition to proposed soda tax legislation.

Ace Washington; spoke relating to Black History Month and expressed various concerns relating to proposed soda tax legislation.

Peter Warfield (Library Users Association); expressed concerns relating to offsite storage of books not available for public access at SF Public Libraries.

Jakkee Bryson; spoke relating to Black History Month and expressed concerns for eviction protection in supportive housing facilities.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140069 [Supporting Senate Bill 837 - Kindergarten Readiness Act]

Sponsors: Cohen; Campos

Resolution expressing support for Senate Bill 837, the Kindergarten Readiness Act.

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

Supervisor Cohen, seconded by Supervisor Breed, moved that this Resolution be CONTINUED to February 11, 2014. The motion carried by the following vote:

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

140070 [Supporting Transgender and Gender Non-Conforming Youth and Restorative Justice]**Sponsors: Campos; Wiener, Chiu, Mar and Avalos**

Resolution calling on the Contra Costa County District Attorney's Office to dismiss the charges filed against Jewlyes Klazson-Gutierrez and to offer community-based alternatives and processes that will ensure accountability; and facilitate and support healing and restoration for the youth involved and impacted by the November 13, 2013, incident at Hercules High School.

Resolution No. 037-14**ADOPTED by the following vote:**

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

140071 [Urging the Municipal Transportation Agency to Implement a Market on the Move Pilot Project]**Sponsors: Chiu; Mar and Campos**

Resolution urging the Municipal Transportation Agency to implement a Market on the Move pilot project to improve the street for transit riders, bicyclists, and pedestrians through additional private vehicles, diversions, and other efforts.

Supervisors Mar and Campos requested to be added as co-sponsors.

Resolution No. 038-14**ADOPTED by the following vote:**

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

140072 [Urging Governor Brown and the State Legislature to Restore Cuts to Medi-Cal Rates]**Sponsors: Chiu; Campos**

Resolution urging Governor Brown and the State Legislature to restore cuts to the Medi-Cal reimbursement rates.

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

Resolution No. 039-14**ADOPTED by the following vote:**

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

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

140090 [Administrative Code - Local Hiring Policy - Jurisdictional Boundary for Mandatory Participation]

Sponsors: Avalos; Mar and Campos

Ordinance amending the Administrative Code, to provide that the residents of the Public Utilities Commission service area are considered "local" for purposes of mandatory participation for the City's Local Hiring Policy, on certain projects located within 70 miles of the jurisdictional boundary of the City and County of San Francisco.

02/03/14; RECEIVED FROM DEPARTMENT.

02/04/14; ASSIGNED to Budget and Finance Committee.

140094 [Housing Code - Housing Access - Extending Protections to All Persons Sharing Housing]

Sponsor: Avalos

Draft Ordinance amending the Housing Code, Chapter 5, Section 503(d), "Housing Access," to promote affordable housing by extending the protections of that section to all persons sharing housing by deleting the references to "families," and to specify that both prospective and current tenants are protected; and amending Section 503(b), "Superficial Floor Area," to make a technical correction.

02/04/14; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Economic Development Committee.

140095 [Administrative Code - Residential Rent Stabilization and Arbitration Ordinance: Prohibit Rent Increases and Evictions Based on Additional Occupants]

Sponsor: Avalos

Draft Ordinance amending Administrative Code, Chapter 37, "Residential Rent Stabilization and Arbitration Ordinance," Sections 37.3 and 37.9, to prohibit rent increases based on the addition of occupants, even where a pre-existing rental agreement or lease otherwise permits a rent increase for additional occupants, except that a landlord may petition for and be granted a rent increase based on increased costs caused by the additional occupant(s), and except that rent increases otherwise permitted by California Civil Code, Section 1954.53(d)(1), are not prohibited (Section 37.3(a)(11)); and to prohibit evictions based on the addition of occupants, so long as the total number of occupants does not exceed the maximum number of occupants per sleeping room set by Housing Code, Section 503(b), "Superficial Floor Area" standards, if the landlord has unreasonably refused a written request by the tenant to add the occupant(s) (Section 37.9(a)(2)).

02/04/14; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Economic Development Committee.

140096 [Administrative Code - Tenant Relocation Assistance Payment]

Sponsors: Campos; Kim, Avalos and Mar

Ordinance amending the Administrative Code, to mitigate adverse impacts of tenant evictions to provide that when residential units are withdrawn from the rental market under the Ellis Act, each relocated tenant is entitled to the greater of the existing rent relocation payment, or the difference between the tenant's current rent and the prevailing rent for a comparable apartment in San Francisco over a two year period.

02/04/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/6/2014.

140097 [Planning Code - Medical Cannabis Dispensaries - Ocean Avenue Neighborhood Commercial Transit District]

Sponsor: Yee

Ordinance amending the Planning Code to require that, in the Ocean Avenue Neighborhood Commercial Transit District, a Medical Cannabis Dispensary (MCD) may be allowed within 500 feet of another MCD as a conditional use, provided that no other Citywide regulation governing the proximity of MCDs to each other becomes law; affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

02/04/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/2/2014.

Resolutions

140091 [Administrative Code - Local Hiring Policy - Extending the Periodic Review and Mandatory Participation Level]

Sponsors: Avalos; Mar and Campos

Resolution amending the Administrative Code, to extend the periodic review of the City's Local Hiring Policy and to determine the mandatory participation level for the policy.

02/03/14; RECEIVED FROM DEPARTMENT.

02/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140099 [Accept and Expend Grant - San Francisco Family Intervention, Reentry and Supportive Transitions Program - \$749,967]

Sponsor: Breed

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$749,967 from U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, and Second Chance Act Juvenile Reentry Program, to participate in a program entitled, "San Francisco Family Intervention, Reentry, and Supportive Transitions Program," for the period of October 1, 2013, through September 30, 2014.

(Fiscal Impact)

02/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140100 [Agreement - Owners' Association for Administration/Management of Top of Broadway Community Benefit District]

Sponsor: Chiu

Resolution approving an agreement with the nonprofit Owners' Association for Administration/Management of the established property-based Community Benefit District known as the "Top of Broadway Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, to June 30, 2021.

02/04/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140103 [Ground Lease - Successor Agency Land - 1751 Carroll Avenue - Bayview Senior Housing]

Sponsor: Cohen

Resolution approving and authorizing the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 1751 Carroll Avenue (Assessor's Block No. 5431A, Lot No. 042), with Carroll Avenue Senior Homes, LP, a California limited partnership, for a term of 55 years for the purpose of developing housing for very low-income senior households; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

02/04/14; RECEIVED AND ASSIGNED to Board of Supervisors.

140104 [Apply For Grants - Housing Related Parks Program]

Sponsor: Mayor

Resolution authorizing the Recreation and Park Department to apply for grants from the California Department of Housing and Community Development.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140105 [Urging Temporary Protected Status for the Philippines]

Sponsors: Avalos; Chiu, Campos and Mar

Resolution urging the Secretary of State and the United States Department of Homeland Security to grant temporary protected status to the Philippines in order to support the recovery effort in the aftermath of Super Typhoon Haiyan.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140106 [Supporting Assembly Bill 1439 (Salas) - Prohibiting Sweepstakes Gambling Cafes]**Sponsor: Avalos**

Resolution supporting Assembly Bill 1439, authored by Assemblymember Rudy Salas, which would prohibit the operation of gambling themed or simulated gambling electronic video monitors at Internet sweepstakes businesses.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140107 [Women, Girls, and Transgender Women's Health Month - February 2014]**Sponsors: Campos; Tang, Farrell, Wiener, Mar, Avalos, Chiu and Cohen**

Resolution declaring February 2014 as Women, Girls, and Transgender Women's Health Month in the City and County of San Francisco, encouraging women, girls, and transgender women to sign-up for health insurance through Covered California or the expanded Medi-Cal Program; acknowledging that reproductive health is a vital component of women, girls, and transgender women's health and overall well being that must be recognized, prioritized, and protected; affirming San Francisco's support for the Women's Health Protection Act of 2013; launching a social media campaign to honor women, girls, and transgender women's health; and encourage women, girls, and transgender women to obtain health coverage through Covered California, the expanded Medi-Cal Program, or Healthy San Francisco.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140108 [One Billion Rising for Justice Day - February 14, 2014]**Sponsors: Chiu; Campos**

Resolution joining the global call to action opposing violence against women and proclaiming February 14, 2014, as "One Billion Rising for Justice Day" in the City and County of San Francisco.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140109 [Apply, Accept, and Expend State Grant - Urban Greening for Sustainable Communities - \$17,861]**Sponsor: Cohen**

Resolution approving an application for and authorizing the Department of Public Works to accept and expend a grant in the amount of \$17,861 from the California Strategic Growth Council's Urban Greening for Sustainable Communities Grant Program to landscape and green Bret Harte Elementary School, for the period of March 1, 2014, through August 31, 2014.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

140098 [Initiative Ordinance - Business and Tax Regulations Code - Tax on Sugar-Sweetened Beverages to Fund Food and Health Programs]

Sponsors: Mar, Wiener; Avalos, Campos, Chiu and Cohen

Motion ordering submitted to the voters at an election to be held on November 4, 2014, an Ordinance amending the Business and Tax Regulations Code by adding a new Article 8, imposing a tax of two cents per ounce on the distribution of sugar-sweetened beverages, to fund City-operated programs and City grants for active recreation and improving food access, health, and nutrition, and to fund San Francisco Unified School District physical education, after-school physical activity, health, or nutrition programs, and school lunch and other school nutrition programs.
(Economic Impact)

02/04/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/6/2014.

140101 [Committee of the Whole - Ground Lease - Carroll Street Senior Community - 1751 Carroll Avenue - March 4, 2014]

Sponsor: Cohen

Motion scheduling the Board to sit as a Committee of the Whole on March 4, 2014, at 3:00 p.m., to hold a public hearing on the proposal of the Mayor's Office of Housing and Community Development (acting on behalf of the Office of Community Investment and Infrastructure) to enter into a Ground Lease Agreement, for a term of 55 years commencing upon Board approval, for the purpose of developing housing for very low-income senior households, located at 1751 Carroll Avenue (Assessor's Block No. 5431A, Lot No. 042), with Carroll Avenue Senior Homes, LP, a California limited partnership, pursuant to the provisions of California Health and Safety Code, Section 33433, Community Redevelopment Law.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140110 [Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

140102 [Hearing - Ground Lease - Successor Agency Land - 1751 Carroll Avenue - Bayview Senior Housing]

Hearing of persons interested in or objecting to proposed Resolution approving and authorizing the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 1751 Carroll Avenue (Assessor's Block No. 5431A, Lot No. 042), with Carroll Avenue Senior Homes, LP, a California limited partnership, for a term of 55 years for the purpose of developing housing for very low-income senior households; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

02/04/14; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

140111 [Hearing - Our Children, Our City Collaborative]**Sponsors: Avalos; Yee and Mar**

Hearing on the final report, including the public engagement process, of the Our Children, Our City collaborative to improve the outcomes of the Public Education Enrichment Fund and the Children's Fund, and other policy recommendations for the re-authorization of these two funds.

02/04/14; RECEIVED AND ASSIGNED to City and School District Select Committee.

140112 [Hearing - Status of Sutter/California Pacific Medical Center Cathedral Hill Development Agreement and Construction Project]**Sponsors: Campos; Farrell and Mar**

Hearing on the status of Sutter/California Pacific Medical Center (CPMC) Cathedral Hill Development Agreement (DA) and construction project, including updates from Sutter/CPMC and key City departments on DA commitments implemented thus far, and a schedule of future commitments, as well as an update on project construction and hospital planning.

02/04/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTION**140056** [Performance Contract Approval - California Department of Health Care Services - Mental Health Services]

Resolution retroactively approving Performance Contract No. 13-90332, between Community Behavioral Health Services and the Department of Health Care Services, incorporating the Mental Health Services Act, Projects for Assistance in Transition from Homelessness, and Community Mental Health Services Grant programs, for the period of July 1, 2013, through June 30, 2014; and authorizing the Community Behavioral Health Services Director, Department of Public Health, to sign said agreement and any and all amendments in the future. (Public Health Department) (Fiscal Impact)

01/24/14; RECEIVED FROM DEPARTMENT.

02/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Stu Smith - Full Board

Willie Hunter Payne - Supervisor Cohen

Brian McEvoy - Supervisor Farrell

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4: 11 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 11, 2014.

Angela Calvillo, Clerk of the Board