

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, March 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, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, 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.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of January 28, 2014. The motion carried by the following vote:

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

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

131147 [Accept and Expend Grant - Juvenile Accountability Block Grant and Amendment to the Annual Salary Ordinance - FY2013-2014 - \$94,132]

Sponsor: Campos

Ordinance retroactively authorizing the Public Defender's Office to accept and expend a grant in the amount of \$94,132 from the Board of State and Community Corrections for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant; and amending Ordinance No. 160-13 (Annual Salary Ordinance, FY2013-2014) to reflect the addition of one Class 8177 Trial Attorney grant-funded position (0.45 FTE) at the Public Defender's Office, for the period of July 1, 2013, through June 30, 2014.

Ordinance No. 021-14

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee**131206 [Police Code - Expanding Use of Unclaimed Personal Property and Bicycles]****Sponsors: Avalos; Campos, Chiu, Mar and Yee**

Ordinance amending the Police Code to make unclaimed personal property, including unclaimed bicycles, worth \$500 or less available to the Human Services Agency for use in programs designed to prevent juvenile delinquency and programs to benefit low-income and transit-challenged residents.

Ordinance No. 023-14**FINALLY PASSED****Recommendations of the Land Use and Economic Development Committee****131178 [Planning Code - Article 11 Designation of 660 California Street]****Sponsor: Chiu**

Ordinance amending the Planning Code to change the designation of 660 California Street, Assessor's Block No. 0241, Lot No. 011 (a.k.a. the Old St. Mary's Rectory), from Category V (Unrated) to Category III (Contributory) under Planning Code, Article 11; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

Ordinance No. 022-14**FINALLY PASSED****140033 [Authorizing Levy and Collection of Special Taxes Within City and County of San Francisco Special Tax District No. 2009-1 - Seismic Safety Retrofits]****Sponsors: Mayor; Chiu, Tang and Wiener**

Ordinance amending Ordinance No. 16-10 to authorize the levy and collection of Special Taxes within City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) for seismic safety retrofits to certain privately owned buildings or real property; and directing the Clerk of the Board to publish a notice of public hearing and other matters related thereto.

Ordinance No. 024-14**FINALLY PASSED**

Recommendations of the Rules Committee**130402 [Health, Business and Tax Regulations Codes - Safe Body Art]**

Ordinance amending the Health Code by repealing miscellaneous sections relating to tattooing and adding Article 40 to require body art practitioners to register with the Department of Public Health (DPH) and to annually renew registration, and to require permanent and temporary body art facilities to obtain and annually renew permits with DPH; amending the Business and Tax Regulations Code by adding fees relating to body art permits and licenses; and making environmental findings. (Public Health Department)

Ordinance No. 019-14

FINALLY PASSED

131237 [Settlement of Claim - Rajnikant T. Desai and Helen A. Desai - \$72,156.71]

Resolution approving the settlement of the unlitigated claim filed by Rajnikant T. Desai and Helen A. Desai against the City and County of San Francisco for \$72,156.71; claim was filed on November 13, 2012. (City Attorney)

Resolution No. 064-14

ADOPTED

140048 [Settlement of Claim - Jacqueline Mallorca - \$45,000]

Resolution approving the settlement of the unlitigated claim filed by Jacqueline Mallorca against the City and County of San Francisco for \$45,000; claim was filed on September 9, 2013. (City Attorney)

Resolution No. 065-14

ADOPTED

140088 [Settlement of Grievance - SEIU, Local 1021 - \$171,651.10]

Resolution approving the settlement of Grievance No. 82-12-2540 filed by SEIU, Local 1021, against the City and County of San Francisco for \$171,651.10, on August 1, 2012. (City Attorney's Office)

Resolution No. 067-14

ADOPTED

140133 [Appointment, San Francisco Health Authority - Brenda Yee]

Motion appointing Brenda Yee, term ending January 15, 2017, to the San Francisco Health Authority. (Rules Committee)

Motion No. M14-023

APPROVED

140134 [Appointment, Graffiti Advisory Board - Dee Dee Workman]

Motion appointing Dee Dee Workman, term ending April 10, 2015, to the Graffiti Advisory Board.
(Rules Committee)

Motion No. M14-024

APPROVED

140135 [Appointment, Citizens' General Obligation Bond Oversight Committee - Michael Seville]

Motion appointing Michael Seville, term expiring November 21, 2014, to the Citizens' General Obligation Bond Oversight Committee. (Rules Committee)

Motion No. M14-025

APPROVED

140136 [Appointments, Market and Octavia Community Advisory Committee - Krute Singa, Kenneth Wingard, Dennis Richards, and Jason Henderson]

Motion appointing Krute Singa, Kenneth Wingard, Dennis Richards, and Jason Henderson, terms expiring on December 16, 2014, to the Market and Octavia Community Advisory Committee.
(Rules Committee)

Motion No. M14-026

APPROVED

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

Recommendation of the Neighborhood Services and Safety Committee

131062 [Police Code - Reporting Information About Employees of Privately Owned Parking Garages and Parking Lots]

Sponsors: Wiener; Cohen, Campos and Mar

Ordinance amending the Police Code to require applicants for commercial parking permits to provide the residential zip code, gender, and duration of employment for employees and other individuals working in privately owned parking lots or parking garages.

Ordinance No. 020-14

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

131218 [Real Property Lease - Employees' Retirement System - 1145 Market Street - \$15,645,100.01]

Sponsor: Cohen

Resolution authorizing a 10-year Lease of 35,579 sq. ft. at 1145 Market Street for space for the San Francisco Employees' Retirement System from 1145 Market Street, LP, a California Limited Partnership for \$113,727.50 monthly for an approximate total of \$15,645,100.01 for the period of August 1, 2014, through July 31, 2024.

(Fiscal Impact)

Privilege of the floor was granted to John Updike, Director of Real Estate, and Jay Huish, Executive Director of San Francisco Employees' Retirement System, who responded to questions raised throughout the discussion.

Resolution No. 061-14

ADOPTED by the following vote:

Ayes: 7 - Avalos, Cohen, Farrell, Mar, Tang, Wiener, Yee

Noes: 4 - Breed, Campos, Chiu, Kim

131229 [Contract - Sheriff's Department - Secure Reentry Program Facility - \$4,195,576]

Resolution authorizing the Sheriff's Department to enter into a contract with the California Department of Corrections and Rehabilitation (CDCR) to contract for, accept and expend up to \$4,195,576 to establish the San Francisco County Secure Reentry Program Facility (SPRF) to house for up to 60 days state inmates that are scheduled to be released from state prison within 60 days or less to Post Release Community Supervision in San Francisco County. The Sheriff's Department will provide housing appropriate for program delivery. The Adult Probation Department will provide intensive, in-custody evidence-based reentry programming, which will address offenders' underlying criminogenic needs. The Sheriff's Department and Adult Probation Department shall jointly report to the State Legislature and CDCR on the implementation of this SPRF after a period of one, two and three years as part of this pilot program, to commence upon Board approval for a three-year term. The Sheriff's Department and Adult Probation will report annually to the Board of Supervisors and the Capital Planning Committee on the increase in the average daily inmate population. (Sheriff)

Resolution No. 058-14

ADOPTED by the following vote:

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

131236 [Agreement - HDR Engineering, Inc. - Construction Management Services - \$27,500,000]

Resolution extending an agreement for an additional six months between the Public Utilities Commission and HDR Engineering, Inc., through December 29, 2014, and increasing the estimated cumulative contract amount to \$27,500,000 for additional construction management services, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

Resolution No. 063-14

ADOPTED by the following vote:

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

140049 [California Environmental Quality Act Findings - Peninsula Pipelines Seismic Upgrade Project - San Mateo County]

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program, and a statement of overriding considerations related to the Peninsula Pipelines Seismic Upgrade Project in San Mateo County. (Public Utilities Commission)

Resolution No. 066-14

ADOPTED by the following vote:

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

131222 [Apply for Grant - BioDiversity Action Plan - \$250,000]

Sponsor: Yee

Resolution authorizing the Department of the Environment to apply for a \$250,000 grant from the California Strategic Growth Council to create the Biodiversity Action Plan, for the period of July 1, 2014, through June 30, 2015.

Resolution No. 062-14

ADOPTED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee**130999 [Zoning Map - Transferable Development Right Sale Eligibility - 133-135 Golden Gate Avenue (St. Boniface Church and Rectory)]**

Sponsor: Kim

Ordinance amending the Planning Code, Zoning Use District Map ZN01, to provide for eligibility to sell transferable development rights for property at 133-135 Golden Gate Avenue (St. Boniface Church and Rectory); and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

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

131059 [Planning Code - Allowing Certain Non-Conforming Structures to be Rebuilt Under Certain Conditions]**Sponsors: Mayor; Chiu and Cohen**

Ordinance amending the Planning Code to allow non-conforming secondary structures in a C-3-R (Downtown Retail) Zoning District to be demolished and rebuilt to the prior non-conforming size under certain conditions; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

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

Recommendation of the Neighborhood Services and Safety Committee**130987 [Liquor License - 1040 Hyde Street]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Timothy Lee for Liquid Gold, LLC, located at 1040 Hyde Street (District 3), 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, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 060-14**ADOPTED by the following vote:**

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

Recommendations of the Rules Committee**130401 [Health Code - Hazardous Materials]**

Ordinance amending the Health Code to require electronic applications for registration of hazardous materials and for underground storage tanks be filed through the California Environmental Reporting System, to eliminate the requirement that registration of hazardous materials plans include a program for reduction of hazardous materials, and to provide for fee adjustment; and making environmental findings. (Public Health Department)

PASSED, ON FIRST READING by the following vote:

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

130710 [Terms of and Expansion of Scope - Existing Local Agency Formation Commission Positions]**Sponsors: Avalos; Campos and Mar**

Resolution amending the terms of the existing Local Agency Formation Commission (LAFCo) positions by expanding the scope of services for the Senior Program Officer; extending the term of employment additional three years through June 30, 2016; and utilizing the existing LAFCo budget to continue funding this position.

Resolution No. 059-14**ADOPTED by the following vote:**

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

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)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 140103. Teresa Yanga (Mayor's Office of Housing) provided an overview of the project and responded to questions raised throughout the discussion. Edmund Juizye; Male Speaker; John Mburu Njoroge; Male Speaker; spoke in support of the ground lease. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

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)

Resolution No. 068-14

ADOPTED by the following vote:

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

COMMITTEE REPORTS

Recommendation of the Government Audit and Oversight Committee

140128 [Setting the 2014 Budget and Legislative Analyst Services Audit Plan]

Sponsors: Breed; Cohen

Motion directing the Budget and Legislative Analyst to conduct two performance audits in 2014 and setting the priority as follows: 1) the Fire Department's allocation of resources to emergency medical services; and 2) the Fire Department's administrative staffing and strategic planning; and removing from the Budget and Legislative Analyst's audit plan the Department of Public Health's compliance with privacy and security regulations as defined by the Health Information Technology for Economic and Clinical Health Act and Health Insurance Portability and Accountability Act, previously approved by the Board of Supervisors.

Motion No. M14-027

APPROVED 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

131207 [Environment Code - Bottled Water]

Sponsors: Chiu; Mar, Kim and Cohen

Ordinance amending the Environment Code to restrict the sale or distribution on City property of drinking water in plastic bottles of 21 ounces or less, set City policy to increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water; and making environmental findings.

Supervisors Kim and Cohen requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

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

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

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Cohen, 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

WOMEN'S HISTORY MONTH

Nancy Kirshner-Rodriguez, President of the Commission on the Status of Women, provided opening remarks. Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Women's History Month, their accomplishments, and their continued community support as referenced below:

Supervisor Avalos recognized Reverend Glenda Hope; and Supervisor Cohen recognized Olga Miranda; and Supervisor Campos recognized Adrienne Verrilli. Supervisor Wiener recognized Laura Thomas; and Supervisor Yee recognized Kate Favetti; and Supervisor Kim recognized Gum Gum Lee; and Supervisor Breed recognized Sandy Mori; and Supervisor Tang recognized Megan Agee; and Supervisor Chiu recognized Kristie Fairchild; and Supervisor Farrell recognized Robyn Thomas; and Supervisor Mar recognized Sheila Tully.

Emily M. Murase, PhD, Executive Director of the Department on the Status of Women, provided closing remarks.

Supervisor Campos was noted absent at 4:46 p.m., and noted present at 4:56 p.m.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

*Christopher Dahl; expressed concerns relating to balance between calories and sweat.
Madeleine Savit; expressed concerns relating to Polk Street safety.
Emil Lawrence; expressed concerns relating to taxi businesses and bankruptcy.
Male Speaker; expressed concerns relating to proposed legislation on e-cigarettes.
Male Speaker; expressed concerns relating to renaming of the Bay Bridge.
Male Speaker; expressed various religious concerns.
Edmund Juizye; expressed various concerns relating to violence and support for zero tolerance.
Ray Ray; expressed various concerns.
John Mburu Njoroge; expressed concerns relating to Year 2000 (Y2K).*

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

140129 [Closed Session - Update on Labor Negotiations]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on March 4, 2014, with the Mayor's Office and the Department of Human Resources pursuant to San Francisco Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding negotiations with labor unions representing City employees.

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. There were no speakers. The President declared public comment closed. The Board recessed at the hour of 5:40 p.m. to convene in closed session. The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee.

Persons in attendance: Ben Rosenfield, Controller; Micki Callahan, Director of Department of Human Resources; Martin Gran, Director of Employee Relations; Kate Howard, Mayor's Budget Director; Jon Givner, Deputy City Attorney; Angela Calvillo, Clerk of the Board; Rick Caldeira, Legislative Deputy Director.

Matter was heard in closed session, no action was taken, and the hearing was filed. The Board reconvened at the hour of 6:15 p.m. The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee.

Motion No. M14-028

Supervisor Breed, seconded by Supervisor Mar, moved that this Motion be APPROVED. The motion carried by the following vote:

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

[Elect Not to Disclose]

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

Supervisor Farrell, seconded by Supervisor Campos, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140156 [Approval of a 60-Day Extension for Planning Commission Review of an Ordinance (File No. 131120) That Would Establish the Broadway Alcohol Restricted Use District]

Sponsor: Chiu

Resolution extending by 60-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 131120) amending the Planning Code, by adding a new Section 789, to establish the Broadway Alcohol Restricted Use District on parcels with street frontage on Broadway, between Columbus Avenue and Montgomery Street; amending the Zoning Map, Sheet SU-02, to designate the Broadway Alcohol Restricted Use District; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 069-14

ADOPTED

140157 [Supporting Senate Bill 391 (DeSaulnier) - Establishing Permanent Funding Source for Affordable Housing Development]

Sponsors: Chiu; Mar, Kim, Campos, Avalos and Breed

Resolution supporting Senate Bill 391, authored by Senator Mark DeSaulnier, to establish a permanent funding source for affordable housing development in California.

Resolution No. 070-14

ADOPTED

140158 [Problem Gambling Awareness Month - March 2014]

Sponsors: Mar; Avalos and Cohen

Resolution declaring March 2014 as Problem Gambling Awareness Month in the City and County of San Francisco.

Resolution No. 071-14

ADOPTED

140159 [Supporting Senate Bill 1000 (Monning) - Sugar-Sweetened Beverage Safety Warning Act]**Sponsors: Mar; Wiener, Cohen, Chiu and Avalos**

Resolution supporting the Sugar-Sweetened Beverage Safety Warning Act, also known as Senate Bill 1000, authored by Senator Bill Monning, to make California the first state to require health warning labels to be placed on sugary drinks, including sodas, sports drinks, and energy drinks.

Resolution No. 072-14**ADOPTED****The foregoing items were acted upon by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Absent: 1 - Breed

*Supervisor Breed was noted absent at 6:14 p.m. and noted present at 6:17 p.m.***Severed from the For Adoption Without Committee Reference Agenda***Supervisor Chiu requested that File No. 140170 be severed so that it may be considered separately.***140170 [Authorizing Preparation of Proponent Ballot Argument and Rebuttal Ballot Argument for Submittal to the Voters at the June 3, 2014, Consolidated Statewide Direct Primary Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 3, 2014, Consolidated Statewide Direct Primary Election. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Yee, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Motion authorizing preparation of written Proponent ballot argument and rebuttal ballot argument for submittal to the voters at the June 3, 2014, Consolidated Statewide Direct Primary Election. (Clerk of the Board)

Motion No. M14-029**APPROVED AS AMENDED 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

130374 [Campaign and Governmental Conduct Code - Lobbying Regulations]

Sponsor: Chiu

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

04/23/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/23/2013.

05/02/13; REFERRED TO DEPARTMENT.

02/20/14; TRANSFERRED to Government Audit and Oversight Committee.

03/04/14; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

131205 [Planning Code - Production, Distribution, and Repair Zoning]

Sponsors: Mayor; Cohen, Campos and Chiu

Ordinance amending the Planning Code to address various revisions to Production, Distribution, and Repair (PDR), integrated PDR, and small enterprise workplace zoning controls to facilitate the establishment of such uses; amending the Administrative Code to delete requirements concerning reporting on integrated PDR, 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.

12/17/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/16/2014.

01/06/14; REFERRED TO DEPARTMENT.

02/13/14; RESPONSE RECEIVED.

03/04/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140188 [Appropriation - 2008 Clean and Safe Neighborhood Park Projects - \$1,089,249.67 - FY2013-2014]**Sponsor: Mayor**

Ordinance appropriating \$1,089,249.67 of surplus proceeds from the sale of General Obligation Bonds for completion of capital improvement projects included in the 2008 Clean and Safe Neighborhood Park Projects to the Port Commission for FY2013-2014.

(Fiscal Impact)

03/04/14; ASSIGNED to Budget and Finance Sub-Committee.

140189 [Accept and Expend Grant - Rockefeller Foundation - Chief Resilience Officer - Amendment to the Annual Salary Ordinance - \$440,000]**Sponsor: Mayor**

Ordinance authorizing the Office of the City Administrator to accept and expend a grant in the amount of \$440,000 from the Rockefeller Foundation to hire a Chief Resilience Officer for San Francisco, and amending Ordinance No. 160-13 (Annual Salary Ordinance, FYs 2013-2014 and 2014-2015) to reflect the addition of one grant-funded position (.25 FTE) in Class 0933, Manager V, at the Office of the City Administrator, for the period of April 1, 2014, through March 31, 2016.

03/04/14; ASSIGNED to Budget and Finance Sub-Committee.

140190 [Appropriation - Library Preservation Fund - Public Library Teen Center Project - \$3,243,752 - FY2013-2014]**Sponsors: Chiu; Kim and Mar**

Ordinance appropriating \$3,243,752 of Library Preservation Fund balance to the Public Library for the Teen Center Project in FY2013-2014.

(Fiscal Impact)

03/04/14; ASSIGNED to Budget and Finance Committee.

Resolutions**140191 [Accept and Expend Grant - Electric Vehicle Fleet Demonstration Project - \$384,000]****Sponsor: Mayor**

Resolution retroactively authorizing the Fleet Management Division of the General Services Agency to accept and expend a grant in the amount of \$384,000 from Alameda County for Electric Vehicles and Chargers, for the period of July 30, 2013, through December 31, 2015.

(Fiscal Impact)

03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

140194 [Successor Agency to the Former Redevelopment Agency - Fifth Amendment to Mission Bay North Owner Participation Agreement]**Sponsor: Kim**

Resolution of the Board of Supervisors, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, to conditionally approve a Fifth Amendment to the Mission Bay North Owner Participation Agreement and to permit a feasible rental project with market rate and affordable moderate-income units available to households earning no more than 90% of the area median income on Block No. N4P3, bound by Berry Street to the south and the I-280 off-ramp to the north, in the Mission Bay North Redevelopment Project Area; and making environmental findings under the California Environmental Quality Act.

03/04/14; RECEIVED AND ASSIGNED to Board of Supervisors.

140195 [Arbor Week - March 7-14, 2014]**Sponsors: Breed; Campos**

Resolution celebrating the countless benefits of the City's urban forest, declaring March 7-14, 2014, as Arbor Week 2014 in the City and County of San Francisco.

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140196 [Urging the State Legislature to Provide Drought Mitigation Funding for Critical Water Supply and Conservation Projects for San Francisco]**Sponsor: Breed**

Resolution urging the State Legislature to provide drought mitigation funding for critical water supply and conservation projects for the San Francisco Bay Area.

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140197 [Supporting Passage of California Assembly Bill 1504 (Stone) - Single-use Filter Cigarettes]**Sponsor: Campos**

Resolution supporting passage of California Assembly Bill 1504, authored by Assemblymember Stone, which helps prevent the environmental harm and cost to state and local governments caused by the improper disposal of cigarette butts by prohibiting single-use plastic 'filters' in cigarettes sold in California.

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140198 [Supporting Xiao Fei "Eddy" Zheng's Application to Remain Lawfully in the United States]**Sponsors: Chiu; Kim, Cohen, Yee, Avalos and Mar**

Resolution urging The Honorable Jerry Brown, Governor of California, to grant Xiao Fei "Eddy" Zheng a full pardon, and allow him to remain in the United States, and continue to serve youth in the San Francisco Bay Area community.

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140199 [Amending Resolution No. 36-14 - Electric Service Agreement - Transbay Joint Powers Authority - Term Beginning January 2014, and Continuing Indefinitely Unless Terminated]

Sponsor: Kim

Resolution amending Resolution No. 36-14, to authorize an Electric Service Agreement between the Public Utilities Commission and 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 continuing indefinitely unless terminated.

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140200 [Approval of a 60-Day Extension for Planning Commission Review of an Ordinance (File No. 130788) Expanding Formula Retail Controls]

Sponsor: Mar

Resolution extending by 60-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130788) amending the Planning Code to expand the definition of formula retail to include businesses that have eleven or more outlets worldwide and to include businesses 50% or more owned by formula retail businesses; to expand the applicability of formula retail controls to other types of retail uses; to expand the notification procedures for formula retail applications; to require an economic impact report as part of the formula retail conditional use application; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

140201 [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)

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

140202 [Hearing - Deficiencies in Property Management of Aimco Real Estate Investment Trust]

Sponsor: Cohen

Hearing on the deficiencies in property management of Aimco Real Estate Investment Trust.

03/04/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140203 [Hearing - Human Services Agency Budget Update for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to receive and update on the Human Services Agency budget for FYs 2014-2015 and 2015-2016.

03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140204 [Hearing - Department of Public Works Budget Update for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to receive an update on the Department of Public Works budget for FYs 2014-2015 and 2015-2016.

03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140205 [Hearing - Update to City's Five-Year Financial Plan]
Sponsor: Farrell
Hearing to receive an update from the Controller's Office and Mayor's Budget Office on the updated City's Five-Year Financial Plan.

03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140206 [Hearing - Department of Public Health Budget Update for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to receive an update on the Department of Public Health's budget for FYs 2014-2015 and 2015-2016.

03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140207 [Hearing - Port of San Francisco Budget Update for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to receive an update on the Port of San Francisco's budget for FYs 2014-2015 and 2015-2016.

03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140208 [Hearing - City's Reserve and Set-Aside Policies for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to consider the City's reserve and set-aside policies for FYs 2014-2015 and 2015-2016.

03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140209 [Hearing - Recreation and Park Department Budget Update for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to receive an update on the Recreation and Park Department budget for FYs 2014-2015 and 2015-2016.

03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 140210** [Hearing - Department of Children, Youth and Their Families and First Five Commission Budget Update for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to receive an update on the Department of Children, Youth and Their Families and First Five Commission budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140211** [Hearing - Public Utilities Commission Budget Update for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to receive an update on the Public Utilities Commission budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140212** [Hearing - San Francisco International Airport Budget Update for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to receive an update on the San Francisco International Airport budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140213** [Hearing - Municipal Transportation Agency Budget Update for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to receive an update on the Municipal Transportation Agency's budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140214** [Hearing - Youth Commission Budget Priorities for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to receive an update on the Youth Commission budget priorities for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140215** [Hearing - Police Department Budget Update for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to receive an update on the Police Department budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140216** [Hearing - Fire Department Budget Update for FYs 2014-2015 and 2015-2016]
Sponsor: Farrell
Hearing to receive an update on the Fire Department budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140217 [Hearing - Budget and Legislative Analyst's Report on Commercial Vacancies]**Sponsor: Mar**

Hearing on the Budget and Legislative Analyst's report on the City and County of San Francisco strategies to prevent and fill commercial vacancies.

03/04/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140218 [Hearing - State of Diabetes in San Francisco]**Sponsors: Wiener; Mar and Cohen**

Hearing at which local medical providers and City agencies will report on the prevalence, impacts, and costs of type-2 diabetes in San Francisco, including how diabetes affects different populations and what the long-term economic impacts are on medical costs at current diabetes rate levels.

03/04/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

140219 [Hearing - San Francisco Employee's Retirement System Investments in Russian Securities, and Departmental Policies]**Sponsor: Wiener**

Hearing on the San Francisco Employee's Retirement System (SFERS) investments in Russian securities; the feasibility, consistent with SFERS's fiduciary obligations to retirees, of SFERS divesting from Russian securities, given Russia's continuing persecution of members of the Lesbian, Gay, Bisexual, and Transgender community; and SFERS's policy regarding responses to inquiries from members of the Board of Supervisors about policy matters of interest to residents of San Francisco.

03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-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**140148 [Street Encroachment - 1410 Stanyan Street]**

Resolution granting revocable permission to Kieran J. Woods to occupy a portion of the public right-of-way to construct and maintain various improvements, including a driveway, associated retaining wall, a vehicular carousel to provide access to a proposed new single family dwelling at 1410 Stanyan Street (Assessor's Block No. 2706, Lot No. 035), landscaping, stairs leading to a public sitting area, and other related improvements within an existing unimproved portion of Stanyan Street between Clarendon and Mountain Spring Avenues; conditioning the permit; 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. (Public Works Department)

02/24/14; RECEIVED FROM DEPARTMENT.

03/04/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

In Memoriams

*Franco Mancini - Supervisor Avalos
Jean Lum - Full Board
Major Kurt Lee - Full Board
Edward Zak - Supervisor Kim*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:20 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 April 8, 2014.

Angela Calvillo, Clerk of the Board