

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 8, 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 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of March 4, 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 Government Audit and Oversight Committee

140147 [Approving the 2014 Budget and Legislative Analyst Services Work Plan]

Sponsor: Breed

Motion approving the Budget and Legislative Analyst services work plan for 2014; allocating hours for calendar year 2014; authorizing the Budget and Legislative Analyst to reallocate up to 20 percent of the hours between service categories based on Board of Supervisors service needs, and requiring Board of Supervisors approval of hours re-allocation greater than 20 percent; establishing performance goals; and setting a date for the 2014 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

Motion No. M14-048

APPROVED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Sub-Committee

140150 [Administrative Code - Expansion of First Source Hiring Program]

Sponsors: Avalos; Breed, Campos, Chiu, Kim, Mar, Wiener, Yee and Cohen

Ordinance amending the Administrative Code to add First Source Hiring requirements for developers applying for permits for commercial or residential projects to disclose to the City anticipated entry and apprentice level positions for development projects, anticipated local hires, and anticipated wages; and agree to hiring and retention goals for apprentice level positions.

Ordinance No. 047-14

FINALLY PASSED by the following vote:

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

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)

Ordinance No. 048-14

FINALLY PASSED 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

140035 [Administrative Code - Consumer Price Index Increase - Temporary Tenant Household Dislocation Compensation]

Sponsor: Chiu

Ordinance amending Administrative Code, Chapter 37, "Residential Rent Stabilization and Arbitration Ordinance," to implement California Civil Code, Section 1947.9(a)(1)(A), by requiring the Rent Board to annually adjust the daily compensation rate for tenant household temporary dislocation of less than 20 days, according to the Consumer Price Index (CPI).

Ordinance No. 044-14

FINALLY PASSED by the following vote:

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

140122 [Planning, Building Codes - Fee Waiver Program - Small Business Month, May 2014]**Sponsors: Tang; Mar**

Ordinance recognizing Small Business Month in May 2014; amending the Planning and Building Codes to retroactively waive fees for the month of May for certain façade improvements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

Ordinance No. 046-14**FINALLY PASSED by the following vote:**

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

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; and allowing a landlord, through a hearing process, to obtain a revised relocation payment obligation based on an undue financial hardship adjustment or recalculated rent differential amount.

Angela Calvillo, Clerk of the Board, reiterated the following three motions which were continued with this Ordinance from the prior meeting:

Supervisor Breed, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Supervisor Yee, seconded by Supervisor Campos, moved to AMEND on Page 4, Lines 14 through 18, as articulated in Supervisor Breed's amendment, relating to hardship adjustment hearings.

Supervisor Wiener, seconded by Supervisor Breed, moved to AMEND on Page 4, starting on Line 1, relating to Landlord hardship provisions.

Supervisor Yee withdrew his above referenced motion.

Supervisor Breed, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion FAILED by the following vote:

Ayes: 4 - Breed, Farrell, Tang, Wiener

Noes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Yee

Supervisor Breed, seconded by Supervisor Yee, moved that this Ordinance be AMENDED on Page 4, Lines 14 through 18, by adding 'At such a hearing, the Board, or its designated Administrative Law Judges, shall consider all relevant factors, including the number of units in the building and any evidence submitted regarding the landlord's age, length of ownership of the building, ownership of any other buildings, income, expenses, other assets, debt, health, and health care costs.' The motion carried by the following vote:

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

Privilege of the floor was granted to Delene Wolf, Executive Director of the Rent Board, and Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

Supervisor Wiener withdrew his above referenced motion and substituted the following motion.

Supervisor Wiener, seconded by Supervisor Breed, moved that this Ordinance be AMENDED on Page 4, Lines 8 through 21, relating to Landlord hardship provisions. The motion FAILED by the following vote:

Ayes: 5 - Breed, Cohen, Farrell, Tang, Wiener
Noes: 6 - Avalos, Campos, Chiu, Kim, Mar, Yee

Supervisor Wiener, seconded by Supervisor Breed, moved that this Ordinance be AMENDED on Page 4, beginning on Line 4, by adding '(ii) At a hearing for hardship adjustment under Subsection (i), the Board, or its designated Administrative Law Judges, shall consider all relevant factors, including the number of units in the building and any evidence submitted regarding the landlord's age, length of ownership of the building, ownership of any other buildings, income, expenses, other assets, debt, health, and health care costs, except as provided in Subsection (iii), (iii) At a hearing for hardship adjustment under Subsection (i), the Board or its designated Administrative Law Judges, shall not consider any of the following types of assets owned by the landlord: a. Assets held in retirement accounts; and b. Non-liquid personal property.' The motion carried by the following vote:

Ayes: 6 - Breed, Cohen, Farrell, Tang, Wiener, Yee
Noes: 5 - Avalos, Campos, Chiu, Kim, Mar

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Wiener, Yee
Noes: 2 - Farrell, Tang

Referred Without Recommendation from the Land Use and Economic Development Committee

131148 [Planning, Building, Administrative, and Subdivision Codes - Legalization of Dwelling Units Installed Without a Permit]

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

Ordinance amending the Planning and Building Codes to provide a process for granting legal status to existing dwelling units constructed without the required permits, temporarily suspending the code enforcement process for units in the process of receiving legal status, and prohibiting units from being legalized under the provisions of this Ordinance if there have been no-fault evictions; amending the Administrative Code to prohibit the costs of legalization from being passed through to the tenant; amending the Subdivision Code to prohibit legalized units from being subdivided and separately sold; affirming the Planning Department's California Environmental Quality Act determination; making findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1; and directing the Clerk of the Board of Supervisors to submit this Ordinance to the California Department of Housing and Community Development in accordance with California Government Code, Section 65852.2(h).

Ordinance No. 043-14

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener
Noes: 2 - Tang, Yee

Recommendation of the Neighborhood Services and Safety Committee

140084 [Administrative Code - Jail Inmate Health Insurance Enrollment]

Ordinance amending the Administrative Code, to designate the Sheriff as the entity to assist county jail inmates with submitting an application for a health insurance affordability program consistent with federal requirements. (Sheriff)

Ordinance No. 045-14

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendation of the Budget and Finance Committee

140034 [Waiving Competitive Solicitation Requirement to Procure Partial Design Documents - Professional Services Agreement - Geneva Car Barn and Powerhouse Project - Aidlin Darling Design - \$837,863]

Sponsor: Avalos

Ordinance waiving the competitive solicitation requirement under Administrative Code, Section 6.40, and authorizing the General Manager of the Recreation and Park Department to enter into a professional services agreement with Aidlin Darling Design in the amount of \$837,863, for the purpose of completing design development documents and partial completion of construction documents for the Geneva Car Barn and Powerhouse project, and to amend the agreement as necessary to complete final (100 percent) construction documents, to commence following Board approval.

(Fiscal Impact)

PASSED, ON FIRST READING 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

140032 [Collective Bargaining Agreement, Arbitration Award - International Brotherhood of Electrical Workers, Local 6 - FY2013-2014]

Sponsor: Mayor

Ordinance adopting and implementing the Arbitration Award amending Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, by implementing special terms and conditions of employment for FY2013-2014.

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

131063 [Planning and Administrative Codes - Construction of In-Law Units in Existing Residential Buildings or Auxiliary Structures on the Same Lot; Rent Control] Sponsors: Wiener; Cohen and Chiu

Ordinance amending the Planning Code to allow the construction of an additional dwelling unit or units entirely within the existing built envelope as it existed three years prior to the time of the application of a residential building or auxiliary structure on the same lot (In-Law Unit) on any parcel in the Castro Street Neighborhood Commercial District and within 1,750 feet of the District boundaries, excluding any lot within an RH-1(D) zoning district or any lot within 500 feet of Block No. 2623, Lot Nos. 116 through 154; authorizing the Zoning Administrator to waive density and other Planning Code requirements in order to create the In-Law Units, and requiring the Department to monitor rents and publish a report evaluating the effectiveness of the ordinance; amending the Administrative Code to provide that an In-Law Unit constructed with a waiver of Code requirements shall be subject to the provisions of the San Francisco Residential Rent Stabilization and Arbitration Ordinance if the existing building or any existing dwelling unit is already subject to the Rent Ordinance; making environmental findings and findings, of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development, in accordance with State law.

Supervisor Chiu 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

Referred Without Recommendation from the Land Use and Economic Development Committee

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)

Supervisor Yee, seconded by Supervisor Breed, moved that this Resolution be CONTINUED to April 15, 2014. The motion carried 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 Breed, seconded by Supervisor Chiu, 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 Breed introduced, welcomed, and presented a Certificate of Honor to Matthew Roybal of the Department of Emergency Management in recognition of being named Dispatcher of the Year. Fire Chief, Joann Hayes-White, shared in this commendation.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Members of the San Francisco Chapter of American Association of University Women in recognition of their work fighting for equal pay for women, their accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140172 [Hearing - Street Vacation Order - Hunters Point Shipyard Phase II Redevelopment Plans - Candlestick Point]

Hearing of persons interested in or objecting to the Ordinance ordering the vacation of portions of streets along with public service easements that may exist within the Hunters Point Shipyard Phase II Redevelopment Plan area, generally bounded the 1948 Bulkhead Line to the north, the 1941 Bulkhead Line to the east, Bancroft Avenue to the south, and Griffith Street to the west, including submerged areas; ordering the vacation of portions of streets along with public service easements that may exist within the Candlestick Point Redevelopment Plan area, generally bounded by Underwood Avenue, Arelious Walker Drive, Gilman Avenue, Donahue Street, Carroll Avenue, Alvord Street, Fitzgerald Avenue, the City and County of San Francisco County Line, Harney Way, Ingerson Avenue, and Hawes Street, including submerged areas; ordering the conditional vacation of portions of Griffith Street, Nichols Way, Cameron Way, Doublerock Street, Giants Drive, Hunters Point Expressway, Jamestown Avenue, Gilman Avenue, and Crisp Road for various purposes; reserving various easement rights in favor of the City and third party utilities, subject to conditions specified in this Ordinance; adopting findings under the California Environmental Quality Act; adopting findings that the vacations are consistent with the Redevelopment Plans and the City's General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance. (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. 104173. Supervisor Cohen provided some opening remarks. Barbara Moy (Department of Public Works) and Wells Lawson (Office of Community Investment and Infrastructure) provided an overview of the street vacation. Fala Satele; Dr. Veronica Hunnicutt; spoke in support of the street vacation. 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

Referred Without Recommendation from the Land Use and Economic Development Committee**140173 [Street Vacation Order - Hunters Point Shipyard Phase II Redevelopment Plans - Candlestick Point]****Sponsor: Cohen**

Ordinance ordering the vacation of portions of streets along with public service easements that may exist within the Hunters Point Shipyard Phase II Redevelopment Plan area, generally bounded the 1948 Bulkhead Line to the north, the 1941 Bulkhead Line to the east, Bancroft Avenue to the south, and Griffith Street to the west, including submerged areas; ordering the vacation of portions of streets along with public service easements that may exist within the Candlestick Point Redevelopment Plan area, generally bounded by Underwood Avenue, Arelious Walker Drive, Gilman Avenue, Donahue Street, Carroll Avenue, Alvord Street, Fitzgerald Avenue, the City and County of San Francisco County Line, Harney Way, Ingerson Avenue, and Hawes Street, including submerged areas; ordering the conditional vacation of portions of Griffith Street, Nichols Way, Cameron Way, Doublerock Street, Giants Drive, Hunters Point Expressway, Jamestown Avenue, Gilman Avenue, and Crisp Road for various purposes; reserving various easement rights in favor of the City and third party utilities, subject to conditions specified in this Ordinance; adopting findings under the California Environmental Quality Act; adopting findings that the vacations are consistent with the Redevelopment Plans and the City's General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance.

PASSED ON FIRST READING 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

140193 [Hearing - Successor Agency to the Former Redevelopment Agency - Fifth Amendment to Mission Bay North Owner Participation Agreement]

Hearing of persons interested in or objecting to the proposed 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. (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. 140194. Supervisor Kim provided some opening remarks. Lila Hussain (Office of Community Investment and Infrastructure) provided an overview of the agreement and responded to questions raised throughout the discussion. Vicki London Wooley (M4P3); Walter Paulson; Corinne Woods (MBCAC); spoke in support of the agreement. Thomas Gilbert; spoke neither in support nor opposition to the agreement. 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

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.

Resolution No. 112-14

ADOPTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.**140255 [Public Hearing - Appeal of Tentative Parcel Map - 738 Mission Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated March 4, 2014, approving a Tentative Parcel Map for a 4-lot subdivision located at 738 Mission Street, Assessor's Block No. 3706, Lot No. 277. (District No. 6) (Appellants: Thomas N. Lippe, on behalf of 765 Market Street Residential Owners Association, the Friends of Yerba Buena, Paul Sedway, Ron Wornick, Matthew Schoenberg, Joe Fang, and Margaret Collins) (Filed March 14, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. Walter Paulson; spoke in support of the proposed continuance. There were no other speakers.

Supervisor Kim, seconded by Supervisor Yee, moved that this Hearing be CONTINUED open to May 6, 2014. The motion carried by the following vote:

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

140256 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 738 Mission Street]

Motion approving the decision of the Department of Public Works and approving the Tentative Parcel Map for a 4-lot subdivision located at 738 Mission Street, Assessor's Block No. 3706, Lot No. 277; 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)

Supervisor Kim, seconded by Supervisor Yee, moved that this Motion be CONTINUED to May 6, 2014. The motion carried by the following vote:

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

140257 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 738 Mission Street]

Motion disapproving the decision of the Department of Public Works and disapproving the Tentative Parcel Map for a 4-lot subdivision located at 738 Mission Street, Assessor's Block No. 3706, Lot No. 277; 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)

Supervisor Kim, seconded by Supervisor Yee, moved that this Motion be CONTINUED to May 6, 2014. The motion carried by the following vote:

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

140258 [Preparation of Findings Related to the Tentative Parcel Map - 738 Mission Street]

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 4-lot subdivision located at 738 Mission Street, Assessor's Block No. 3706, Lot No. 277. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Yee, moved that this Motion be CONTINUED to May 6, 2014. The motion carried 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

Peter Warfield (Library User's Association); spoke requesting a hearing on the SF Public Library priorities and finances and expressed concerns relating to the SF Public Library budget.

Walter Paulson; shared in song certain concerns with the Board including support for the SF Giants.

Male Speaker; expressed various concerns relating elevator service and request for tenants to be compensated for disservice.

Annette Wong (Early Education Network); spoke in support of proposed Immigrant Family Month legislation.

Dara; spoke in support of proposed Immigrant Family Month legislation.

Female Speaker; spoke in support of proposed Immigrant Family Month legislation.

Peggy Maldonado; spoke in support of proposed Immigrant Family Month legislation.

Terry; spoke in support of proposed Immigrant Family Month legislation.

Christopher Dahl; spoke expressing concerns relating to sea level and report from the United Nations relating to carbon upload.

Thomas Gilberty; expressed various concerns relating to outdoor pool play and recent pool closure due to construction, spare the air days, and noise pollution.

Male Speaker; expressed various religious concerns.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

140324 [Closed Session - Update on Labor Negotiations]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on April 8, 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 4:55 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; Kate Howard, Mayor's Budget Director; Jon Givner, Deputy City Attorney; Angela Calvillo, Clerk of the Board; and 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 5:23 p.m. The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee.

Motion No. M14-049

Supervisor Mar, seconded by Supervisor Campos, 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 Mar, 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**140313 [Final Map 4875 - 700 Brotherhood Way]**

Motion approving Final Map 4875, a 121 lot subdivision containing 60 lots for single family homes and 61 lots for Residential Condominium Project, located at 700 Brotherhood Way being a subdivision of Assessor's Block No. 7331, Lot No. 005, and adopting findings pursuant to the General Plan, and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-050

APPROVED

140314 [Final Map 7440 - 900 Folsom Street]

Motion approving Final Map 7440, a 281 residential unit and three commercial unit, mixed-use Condominium Project, located at 900 Folsom Street being a subdivision of Assessor's Block No. 3732, Lot Nos. 009, 018, 048, 147, and adopting findings pursuant to the General Plan, and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-051

APPROVED

140325 [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)

Motion No. M14-052

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Breed requested that File No. 140231 be severed so that it may be considered separately.

140321 [Urging the California State Legislature to Pass Senate Constitutional Amendment 5 and Send It to the Voters]

Sponsors: Breed; Campos, Kim and Wiener

Resolution urging the California State Legislature to pass Senate Constitutional Amendment 5 that would, with voter approval, amend the State Constitution and overturn the ban on using affirmative action criteria for recruitment and admissions to state institutions of higher education.

Supervisor Breed, seconded by Supervisor Wiener, AMENDED on Page 1, beginning on Line 20, by adding 'WHEREAS, While the absolute enrollment numbers for underrepresented students has risen, the proportion of underrepresented students, particularly African-Americans and Latinos, is now far below their percentages in the California population, according to U.S. Census data; and'; and on Page 2, Lines 14-15, by deleting 'under a standard of "strict scrutiny,". The motion carried by the following vote:

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

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

Resolution No. 113-14

ADOPTED 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

140339 [Accept and Expend Grant - Encouraging Innovation: Field-Initiated Programs, Bureau of Justice Assistance - Amendment to the Annual Salary Ordinance - \$395,231]

Sponsor: Kim

Ordinance retroactively authorizing the San Francisco Public Defender's Office (PDR) to accept and expend a grant in the amount of \$395,231 from the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance to create the first local and nationally applicable checklist system to better guide attorneys through key moments in cases, ensuring competent representation and avoiding costly errors; and amending Ordinance No. 160-13 (Annual Salary Ordinance, FY2013-2014) to reflect the addition of one Class 8173 Legal Assistant grant-funded position (0.50 FTE) at the PDR for the period of October 1, 2013, through September 30, 2016.

04/08/14; ASSIGNED to Budget and Finance Sub-Committee.

140340 [Planning Code, Zoning Map - Central City South of Market Area - Housing Balance Special Use District]

Sponsors: Kim; Avalos, Campos and Mar

Ordinance amending the Planning Code to establish a special use district in the Central City South of Market Area to balance market rate housing and affordable housing and to require a conditional use permit for market rate housing if the balance is not maintained; amending the Zoning Map to establish this special 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.

04/08/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/8/2014.

140341 [Municipal Elections Code - Proponent's and Opponent's Ballot Arguments]

Sponsor: Wiener

Ordinance amending the Municipal Elections Code to prohibit any person from submitting more than one ballot argument per measure for selection as either the proponent's argument or opponent's argument; and to require each author of a proposed proponent's or opponent's ballot argument to swear that the author is not an official or paid advocate for the contrary position.

04/08/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/8/2014.

Resolutions

140342 [Revenue Bonds - Port Commission - Capital Improvements - Up to \$30,000,000]

Sponsor: Chiu

Resolution authorizing the issuance of up to \$30,000,000 aggregate principal amount of Port Revenue Bonds for the purpose of financing or refinancing certain capital improvements related to the Port; approving the forms of documents relating thereto; approving maximum interest thereon; approving the issuance of Tax-Exempt Bonds (as defined herein) in accordance with Internal Revenue Code, Section 147(f), following a public hearing with the Director of Public Finance; and related matters.

04/08/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

140343 [Accept In-Kind Gift - Microsoft - \$133,000]

Sponsor: Chiu

Resolution retroactively authorizing the Department of Technology to accept an in-kind gift of services necessary to improve email service to City departments from Microsoft valued at \$133,000 for the period of March 21, 2014, to June 30, 2014.

04/08/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

140344 [Apply for Grant - California Department of Housing and Community Development - Local Housing Trust Fund Program - Up to \$2,000,000]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing and Community Development to submit an application to the California Department of Housing and Community Development for up to \$2,000,000 in Local Housing Trust Fund Program funds.

04/08/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140345 [Immigrant Family Month - April]

Sponsors: Campos; Avalos, Yee, Kim, Tang, Chiu and Mar

Resolution declaring April "Immigrant Family Month" in the City and County of San Francisco to honor immigrant families and their contributions to San Francisco.

04/08/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140346 [Armenian Genocide Commemoration Day - April 24, 2014]

Sponsors: Yee; Farrell

Resolution declaring April 24, 2014, as Armenian Genocide Commemoration Day in the City and County of San Francisco.

04/08/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

140347 [Hearing - Feasibility of Body-Mounted Video Cameras on Police Officers]

Sponsor: Avalos

Hearing to review the feasibility of equipping police officers with body-mounted video cameras, including projected costs, logistical concerns, privacy concerns, and a cost-benefit analysis of potential savings from reductions in citizen complaints and use-of-force lawsuits.

04/08/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

140348 [Hearing - Below Market Rate Policies and Procedures]

Sponsor: Kim

Hearing requesting information from the Mayor's Office of Housing and Community Development regarding Below Market Rate policies and procedures utilized throughout the City and County of San Francisco.

04/08/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140349 [Hearing - Reauthorization of the Public Education and Enrichment Fund]

Sponsor: Kim

Hearing to review proposed legislation to reauthorize the Public Education and Enrichment Fund, with a funding presentation from the San Francisco Unified School District, and general discussion on draft language.

04/08/14; RECEIVED AND ASSIGNED to City and School District Select Committee.

140350 [Hearing - Budget and Legislative Analyst Office Report Regarding the Impact of Commuter Shuttles]

Sponsor: Mar

Hearing on the report by the Budget and Legislative Analyst Office regarding the impact of Commuter Shuttles.

04/08/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140351 [Hearing - Local Interpretations of the Secretary of Interior Standards]

Sponsor: Wiener

Hearing directed to the Planning Department, requesting a report on efforts and strategies to implement requirements in Articles 10 and 11 of the Planning Code to develop local interpretations of the Secretary of the Interior's standards, as well as recommendations in the SPUR/San Francisco Architectural Heritage Report: "Historic Preservation in San Francisco: Making the Process Work for Everyone."

04/08/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140352 [Hearing - Funding Proposals for HIV Services - FY2014-2015]**Sponsors: Wiener; Campos and Chiu**

Hearing to discuss funding proposals for HIV services in the upcoming FY2014-2015 Budget, including expected Federal budget cuts for HIV care and prevention services; San Francisco has experienced huge HIV funding cuts from the Federal government in recent years and the Federal budget cuts for HIV care (Ryan White Care Act) and prevention (Centers for Disease Control and Prevention) services in the upcoming fiscal year are estimated to amount to \$2,700,000; including reports from the Department of Public Health, the Mayor's Budget Office, and community organizations on what the projected funding shortfalls will be for HIV services, what the impacts of these shortfalls will be, and how the City can work to fill them.

04/08/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140353 [Hearing - Shelter Monitoring Committee Reports]**Sponsor: Yee**

Hearing to consider the quarterly reports of the Shelter Monitoring Committee.

04/08/14; RECEIVED AND ASSIGNED to Rules Committee.

Motion**140291 [Committee of the Whole - Transbay Block 6 Project - 280 Beale Street - Air Rights Lease of Successor Agency Property - Multifamily Housing Revenue Bonds - May 6, 2014]****Sponsor: Kim**

Motion scheduling the Board to sit as a Committee of the Whole on April 22, 2014, at 3 p.m., to hold a public hearing of the proposal of the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (the "Successor Agency," also commonly known as the Office of Investment and Infrastructure ("OCI")) on a Resolution to consider the proposal of the Successor Agency to enter into a Ground Lease Agreement and lease the air rights parcel located at 280 Beale Street, commonly known as Transbay Block 6, to Mercy Housing California 62, L.P., a California limited partnership, consistent with the provisions of the California Community Redevelopment Law Section 33433 and to authorize the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$15,000,000 for the purpose of providing financing for the acquisition and construction of a 70-unit multifamily rental housing project known as Transbay/Block 6 Project; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

04/08/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

140306 [Health Code - Extending Involuntary Psychiatric Holds]

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

03/28/14; RECEIVED FROM DEPARTMENT.

04/08/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

140307 [Planning Code - Landmark Designation of 2 Henry Adams Street (aka Dunham, Carrigan & Hayden Building)]

Ordinance designating 2 Henry Adams Street (aka Dunham, Carrigan & Hayden Building), Assessor's Block No. 3910, Lot No. 001, as a Landmark under Planning Code, Article 10; making environmental findings, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1.

03/28/14; RECEIVED FROM DEPARTMENT.

04/08/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/8/2014.

140315 [Settlement of Claim - American Airlines, Inc. - Assumption of Lease Obligations and Allocation of Relocation Reimbursement Credits]

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco against American Airlines, Inc., and its affiliated entities in In re: American Airlines, Inc., et al., Case No. 11-15463 SHS, United States Bankruptcy Court for the Southern District of New York, pursuant to a Cure Stipulation; the Cure Stipulation resolves the claim filed by the City and provides for American's assumption of its leases, permits, and related agreement related to American's operations at San Francisco International Airport; under the Cure Stipulation, the Airport will apply certain credits owed by Airport related to American's interim relocation from Terminal 3 Boarding Area E to Terminal 2 Boarding Area D to the amounts owed by American under its leases, permits, and related obligations; further, the Airport will apply the remaining amount of the relocation related credits to American's future obligations; the Cure Stipulation further provides for American's assumption of an agreement related to environmental clean-up and monitoring costs at the Airport. (City Attorney)

03/28/14; RECEIVED FROM DEPARTMENT.

04/08/14; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

140308 [Home Detention Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility]

Resolution authorizing the Sheriff's Department to enter into a contract with Leaders in Community Alternatives, Inc., (LCA), in an amount not to exceed \$2,000,000 for a term not to exceed five years, with an original term from May 1, 2014, to April 30, 2017, with two one-year options to extend, to administer a home detention program with electronic monitoring and case management, which includes the rules and regulations of the program and the requirement that LCA maintain current liability insurance. (Sheriff)

03/24/14; RECEIVED FROM DEPARTMENT.

04/08/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

140309 [Real Property Lease Amendment - Autodesk, Inc. - Pier 9]

Resolution approving the Port Commission's Third Amendment to Lease No. L-15169 with Autodesk, Inc., a Delaware corporation, for the lease of unimproved shed space at Pier 9 in the Northern Waterfront with a 111 month term, to commence upon Board approval. (Port)
(Fiscal Impact)

03/27/14; RECEIVED FROM DEPARTMENT.

04/08/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

140310 [Finding of Fiscal Feasibility - Hall of Justice Jail Replacement]

Resolution finding the proposed Hall of Justice Jail Replacement Project is fiscally feasible pursuant to Administrative Code, Chapter 29. (Public Works Department)

03/28/14; RECEIVED FROM DEPARTMENT.

04/08/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

140311 [Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]

Resolution approving the acquisition of 28 Avigation Easements from various property owners in San Mateo County required for the San Francisco International Airport's Noise Insulation Program (Project); adopting findings that the Project is categorically exempt from environmental review under the California Environmental Quality Act Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property and Mayor to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

03/28/14; RECEIVED FROM DEPARTMENT.

04/08/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

From: Supervisor Avalos

To: Department of Emergency Management

Requesting/Inquiring: Requesting a letter of inquiry to the Department of Emergency Management regarding potential sources of grant funding for body-mounted video cameras on police officers, including the federal Urban Areas Security Initiative (UASI) program.

From: Supervisor Avalos

To: Police Department

Requesting/Inquiring: Requesting a letter of inquiry to the Police Department regarding the feasibility of equipping police officers with body-mounted video cameras, including projected costs, logistical concerns, and privacy concerns.

From: Supervisor Avalos

To: Controller

Requesting/Inquiring: Requesting a letter of inquiry to the Controller, requesting that they conduct a cost-benefit analysis of body-mounted video cameras on police officers to compare the cost of providing the cameras with the potential savings from reductions in citizen complaints and use-of-force lawsuits.

In Memoriams

Jane Quilter Kennedy - Supervisor Farrell

John T "Jack" Casey - Supervisors Campos and Kim

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:38 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 May 13, 2014.

Angela Calvillo, Clerk of the Board