

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, April 15, 2014 - 2:00 PM**

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

**Regular Meeting**

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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

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of March 11, 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.*

## SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

### 140354 [Formal Policy Discussions - April 15, 2014]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisor representing District 8. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor: San Francisco has approximately 220 park properties and almost no park patrol officers. Currently, at any given time, there are two park patrol officers on duty to police those 220 properties. That number is woefully inadequate, and our park patrol, compared to other large cities, is tiny - indeed, almost non-existent. Our parks, which constitute about 14% of San Francisco's land mass, have massive security needs. They are regularly trashed by vandals and covered with graffiti. People are assaulted. The lack of park patrol officers make it almost impossible to enforce basic park rules and undermines public safety. I will be proposing in the upcoming budget process that we double the size of the park patrol. Do you agree that we need a larger park patrol and need to hire more park patrol officers? If so, how do you propose we increase the size of the force? If not, how do you think we should improve safety and security in our parks? (Supervisor Wiener, District 8)

*Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced question. Following public comment this matter was filed. No further action was taken.*

**HEARD AND FILED**

## CONSENT AGENDA

### 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)

**Ordinance No. 052-14**

**FINALLY PASSED**

### 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.

**Ordinance No. 051-14**

**FINALLY PASSED**

## **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.

**Ordinance No. 049-14**

**FINALLY PASSED**

## **Recommendations of the Rules Committee**

### **140182 [Settlement of Lawsuit - Michael Yaki - City to Receive \$75,000]**

Ordinance authorizing settlement of the lawsuit filed by City Attorney Dennis J. Herrera against Michael Yaki for \$75,000; the lawsuit was filed on December 4, 2013, in San Francisco Superior Court, Case No. CGC-13-535880; entitled Dennis J. Herrera in his official capacity as San Francisco City Attorney v. Michael Yaki; other material terms of the settlement are that Yaki will register as a lobbyist with the San Francisco Ethics Commission, file monthly lobbyist disclosures for the period of July 2012 through August 2013, and complete a lobbyist training. (City Attorney)

**PASSED, ON FIRST READING**

### **140185 [Settlement of Lawsuit - Syncora Guarantee, Inc., formerly XL Capital Assurance, Inc. - City to Receive \$180,000]**

Ordinance authorizing a settlement of the lawsuit filed by the City and County of San Francisco against Syncora Guarantee, Inc. (formerly known as XL Capital Assurance, Inc.) for \$180,000; the lawsuit was filed on October 8, 2008, in San Francisco Superior Court, Case No. CGC-08-480708; entitled City and County of San Francisco v. AMBAC Financial Group Inc., et al.; this partial settlement applies only to claims against Syncora Guarantee; other material terms of the settlement are that Syncora will waive its claim for attorneys fees and costs and cooperate in future discovery. (City Attorney)

**PASSED, ON FIRST READING**

**140277 [Settlement of Lawsuit - Daniel Dallabrida - \$150,000]**

Ordinance authorizing settlement of the lawsuit filed by Daniel Dallabrida against the City and County of San Francisco for \$150,000; the lawsuit was filed on October 19, 2011, in San Francisco Superior Court, Case No. CGC 11-515117; entitled Daniel Dallabrida v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

**140278 [Settlement of Lawsuit - Fletcher Ranch Road Properties, LLC - Grant of Access Easements]**

Ordinance authorizing settlement of the lawsuit filed by Fletcher Ranch Road Properties, a Limited Liability Company, Robert N. Fletcher as Trustee Of The Robert N. And Patricia A. Fletcher Living Trust, Richard S. Fletcher as Trustee Of The Richard S. And Linda K. Fletcher Revocable Inter Vivos Trust, and C. Nelson Fletcher As Trustee Of The C. Nelson And Betty S. Fletcher Revocable Inter Vivos Trust against the City and County of San Francisco by granting limited access easements benefitting four parcels owned by plaintiffs; the lawsuit was filed on April 22, 2010, in Alameda County Superior Court, Case No. VG10510699; entitled Fletcher Ranch Road Properties, LLC, et al. v. City and County of San Francisco; other material terms of said settlement are that plaintiffs agree to waive all other claims of access over property owned by the City and County of San Francisco and to permanently restrict their use of the easements. (City Attorney)

**PASSED, ON FIRST READING**

**140279 [Settlement of Lawsuit - California Coastal Protection Network - \$125,000]**

Ordinance authorizing settlement of the lawsuit filed by California Coastal Protection Network against the City and County of San Francisco for \$125,000; the lawsuit was filed on August 9, 2011, in San Francisco County Superior Court, Case No. CGC-11-513176; entitled California Coastal Protection Network v. City and County of San Francisco; other material terms of said settlement include implementation of long-term adaptive management plan for the South Reach of Ocean Beach; and making environmental findings. (City Attorney)

**PASSED, ON FIRST READING**

**140281 [Settlement of Lawsuit - Thomas Cooke, III - \$650,000]**

Ordinance authorizing settlement of the lawsuit filed by Thomas Cooke, III against the City and County of San Francisco for \$650,000; the lawsuit was filed on August 31, 2011, in San Francisco Superior Court, Case No. CGC-11-515143; entitled Thomas Cooke, III, et al. v. City and County of San Francisco. (City Attorney)

**PASSED, ON FIRST READING**

**140282 [Settlement of Lawsuit - 2342 Broadway, LLC - \$37,500]**

Ordinance authorizing settlement of the lawsuit filed by 2342 Broadway, LLC, against Phil Ting in his official capacity as the Assessor-Recorder of the City and County of San Francisco; the City and County of San Francisco, a California chartered city and county; and DOES 1 through 20, inclusive, in settlement of \$37,500 to Twentythree Fortytwo, LLC; the lawsuit was filed on April 10, 2012, in San Francisco Superior Court, Case No. CGC 12-519888; entitled 2342 Broadway, LLC, v. Phil Ting, et al. (City Attorney)

**PASSED, ON FIRST READING**

**140280 [Settlement of Unlitigated Claim - Rajiv Bhatia - \$155,000]**

Resolution approving settlement of the unlitigated claim asserted by Dr. Rajiv Bhatia against the City and County of San Francisco on September 10, 2013, for \$155,000. (City Attorney)

**Resolution No. 116-14**

**ADOPTED**

**140154 [Appointment, Citizen's Committee on Community Development - Miquel Penn]**

Motion appointing Miquel Penn, term ending February 23, 2016, to the Citizen's Committee on Community Development. (Rules Committee)

**Motion No. M14-053**

**APPROVED**

**140301 [Appointments, Food Security Task Force - Heather Tufts and Orla O'Keeffe]**

Motion appointing Heather Tufts and Orla O'Keeffe, for indefinite terms, to the Food Security Task Force. (Rules Committee)

**Motion No. M14-054**

**APPROVED**

**140302 [Appointments, Graffiti Advisory Board - John Austin and Rebecca Delgado Rottman]**

Motion appointing John Austin and Rebecca Delgado Rottman, terms ending April 10, 2015, to the Graffiti Advisory Board. (Rules Committee)

**Motion No. M14-055**

**APPROVED**

**140303 [Appointments, Park, Recreation and Open Space Advisory Committee - Patricia Delgado, Tom Valtin, Nicholas Belloni, and Les Hilger]**

Motion appointing Patricia Delgado, term ending February 1, 2015, and Tom Valtin, Nicholas Belloni, and Les Hilger, terms ending February 1, 2016, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

**Motion No. M14-056**

**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 Land Use and Economic Development Committee

#### **140096 [Administrative Code - Tenant Relocation Assistance Payment]**

##### **Sponsors: Campos; Kim, Avalos and Mar**

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

**Supervisor Campos, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED on Page 3, Line 3, by deleting '90 days after'; Line 13, by changing '90' to '5'; and Page 9, Lines 12 through 13, by deleting 'As stated in Administrative Code, Section 37.9A(e)(3)(E), this ordinance shall become operative 90 days after its effective date.' The motion carried by the following vote:**

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

**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

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**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.

**Ordinance No. 053-14****FINALLY PASSED by the following vote:**

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

**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 Mar, moved that this Resolution be CONTINUED to June 17, 2014. The motion carried by the following vote:**

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

Noes: 1 - Wiener

## NEW BUSINESS

### Recommendation of the Budget and Finance Committee

**140160 [Preparation of a Request for Qualifications to Broadcast Meetings of the Board of Supervisors - Not to Exceed \$150,000]**

**Sponsors: Mar; Breed, Cohen, Campos and Avalos**

Motion directing the Clerk of the Board to prepare a request for qualifications to enable a radio station to broadcast weekly San Francisco Board of Supervisors meetings for an amount not to exceed \$150,000.

**Motion No. M14-057**

**APPROVED by the following vote:**

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

### Recommendations of the Budget and Finance Sub-Committee

**140254 [Annual Fundraising Drive - 2014]**

Resolution designating those agencies qualified to participate in the 2014 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (City Administrator)

**Resolution No. 114-14**

**ADOPTED by the following vote:**

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

**140262 [Real Property Lease Renewal - WCPI Commercial, LLC - 1449 Webster Street - \$9,142.07 Monthly]**

**Sponsor: Breed**

Resolution authorizing the exercise of an option to extend the lease of 3,900 sq. ft. at 1449 Webster Street with WCPI Commercial, LLC, for the Office of Economic and Workforce Development's Western Addition employment assistance programs for \$9,142.07 monthly for a term of three years ending August 31, 2017.

**Resolution No. 115-14**

**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**

### **131087 [Park Code - Rights in Permits]**

**Sponsor: Wiener**

Ordinance amending the Park Code to distinguish rights in permits for areas and facilities open to the public and rights in permits for events closed to the public; and making environmental findings.

**PASSED, ON FIRST READING by the following vote:**

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

### **140289 [California Environmental Quality Act Findings - San Francisco Groundwater Supply Project]**

**Sponsor: Mar**

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 San Francisco Groundwater Supply Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

**Resolution No. 117-14**

**ADOPTED by the following vote:**

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

### **140290 [Approval of Groundwater Well in Golden Gate Park]**

**Sponsor: Mar**

Resolution approving the construction of a building housing the Central Pump Station Well and related appurtenances in Golden Gate Park under Charter, Section 4.113, as part of the San Francisco Groundwater Supply Project.

**Resolution No. 118-14**

**ADOPTED by the following vote:**

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

## **Recommendations of the Rules Committee**

### **140250 [Reappointment, Treasure Island Development Authority Board of Directors - Jean-Paul Samaha]**

**Sponsor: Mayor**

Motion confirming the Mayor's reappointment of Jean-Paul Samaha, term ending February 26, 2018, to the Treasure Island Development Authority Board of Directors.

**Motion No. M14-058**

**APPROVED by the following vote:**

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

**140251 [Reappointment, Treasure Island Development Authority Board of Directors - Vivian Fei Tsen]****Sponsor: Mayor**

Motion confirming the Mayor's reappointment of Vivian Fei Tsen, term ending February 28, 2018, to the Treasure Island Development Authority Board of Directors.

**Motion No. M14-059**

**APPROVED by the following vote:**

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

**140300 [Appointment, Citizen's Committee on Community Development - Eddie Ahn]**

Motion appointing Eddie Ahn, term ending February 23, 2016, to the Citizen's Committee on Community Development. (Rules Committee)  
(Supervisor Campos dissented in Committee.)

**Motion No. M14-060**

**APPROVED by the following vote:**

Ayes: 9 - Avalos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Noes: 2 - Breed, Campos

**SPECIAL ORDER 2:30 P.M. - Recognition of Commendations****Privilege of the Floor**

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

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

*Supervisor Wiener introduced, welcomed, and presented Certificates of Honor to Richard Magary and Bob Incerti in recognition for their years of service to the Buena Vista Neighborhood Association, their accomplishments, and continued community support. Supervisor Breed shared in this commendation.*

*Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to the Members of the San Francisco Immigrant Legal & Education Network (SFILEN) in recognition of their accomplishments and continued community support. Supervisor Avalos shared in this commendation.*

*Supervisor Tang introduced, welcomed, and presented a Certificate of Honor to Anthony J. Barbero, local hero, in recognition of his accomplishments during the rescue of two individuals during a recent tragedy at Ocean Beach. Dave Hahn from California Surfcraft and Joann Hayes-White, Fire Chief, shared in this commendation.*

## COMMITTEE REPORTS

### Recommendation of the Land Use and Economic Development 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.

**Resolution No.** 119-14

**ADOPTED** 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.*

*Supervisor Mar was noted absent at 3:31 p.m. and noted present at 3:42 p.m.*

*Supervisor Campos was noted absent at 3:37 p.m. and noted present at 3:50 p.m.*

## PUBLIC COMMENT

*Ray Hartz (San Francisco Open Government); expressed concerns relating to the SF Public Library and recent removal of office of Ms. Munson and Mr. Gomez.*

*Colin Gallagher; spoke in opposition of proposed Armenian Genocide Commemoration Day legislation.*

*Theresa Cooper; expressed various concerns relating to Muni late at night and Ellis Act evictions.*

*Rita Lark; expressed concerns relating to public housing, troubled tenants, and restraining orders.*

*Christopher Dahl; spoke expressing various remarks relating to his autobiography.*

*Espinola Jackson; expressed various concerns and need for an audit of public housing.*

*Thomas Gilbert; expressed various concerns relating to toy wobblers, climate change, and housing stability.*

*Male Speaker; expressed various religious concerns.*

*Jakkee Bryson; expressed various concerns relating to seniors, disabled persons, and chronic homelessness.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****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.

*Supervisor Farrell requested to be added as a co-sponsor.***Resolution No. 121-14****ADOPTED 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 Campos requested that File No. 140345 be severed so that it may be considered separately.***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.

*Supervisor Mar requested to be added as a co-sponsor.***Resolution No. 120-14****ADOPTED by the following vote:**

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

Supervisor Chiu requested that File No. 140291 be severed so that it may be considered separately.

**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 ("OCII")) 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.

**Supervisor Mar, seconded by Supervisor Tang, moved that this Motion be AMENDED to change the hearing from 'April 22, 2014' to 'May 6, 2014.' The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee  
Motion scheduling the Board to sit as a Committee of the Whole on May 6, 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 ("OCII")) 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.

**Motion No. M14-061**

**APPROVED AS AMENDED by the following vote:**

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

## IMPERATIVE AGENDA

*There were none.*

## 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

#### **131064 [Planning Code - Definition of Bona Fide Eating Place]**

**Sponsor: Wiener**

Ordinance amending the Planning Code to expand the definition of “bona fide eating place” to include a definition based on food sales per occupant and exempting certain bona fide eating places from the definition of “bar”; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/29/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/28/2013.

11/12/13; REFERRED TO DEPARTMENT.

11/12/13; RESPONSE RECEIVED.

12/02/13; RESPONSE RECEIVED.

04/15/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

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

**Sponsors: Mayor; Cohen, Campos, Chiu, Wiener and Mar**

Ordinance amending the Planning Code to address various revisions to Production, Distribution, and Repair Zoning (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.

03/20/14; RESPONSE RECEIVED.

03/20/14; REFERRED TO DEPARTMENT.

04/02/14; RESPONSE RECEIVED.

04/15/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**140377 [Appropriation and De-Appropriation - Surplus Expenditures of \$1,712,732 Supporting Increased Overtime Expenditures - FY2013-2014]**

**Sponsor: Mayor**

Ordinance appropriating \$1,773,466 to overtime and de-appropriating \$1,773,466 consisting of \$1,369,787 in salaries and \$403,679 in fringe benefits in the Fire Department's Operating Budget in order to support the Department's projected increases in overtime as required per Ordinance No. 194-11 in FY2013-2014.

(Fiscal Impact)

04/15/14; ASSIGNED to Budget and Finance Committee.

**140378 [Appropriation and De-Appropriation - Surplus Expenditures of \$115,883 Supporting Increased Overtime Expenditures - FY2013-2014]**

**Sponsor: Mayor**

Ordinance appropriating \$115,883 to overtime and de-appropriating \$115,883 in food expenses in the Sheriff Department's Operating Budget in order to support the Department's projected increases in overtime as required per Ordinance No. 194-11 in FY2013-2014.

04/15/14; ASSIGNED to Budget and Finance Committee.

**140379 [Appropriation and De-Appropriation - Surplus Expenditures of \$420,993 Supporting Increased Overtime Expenditures - FY2013-2014]**

**Sponsor: Mayor**

Ordinance appropriating \$458,860 to overtime and de-appropriating \$458,860 consisting of \$257,226 in salaries and \$201,634 in contingency savings plan in the Department of Emergency Management's Operating Budget in order to support the Department's projected increases in overtime as required per Ordinance No. 194-11 in FY2013-2014.

04/15/14; ASSIGNED to Budget and Finance Committee.

**140380 [Accept and Expend Grant - Small Business Development Center Program - Amendment to the Annual Salary Ordinance - \$150,000]**

**Sponsor: Mayor**

Ordinance retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$150,000 from the Humboldt State University Sponsored Programs Foundation to host the San Francisco Small Business Development Center for the period of February 1, 2014, through December 31, 2014; and amending Ordinance No. 160-13 (Annual Salary Ordinance, FY2013-14 and FY2014-2015) to reflect addition of one (1) Class 9775 Senior Community Development Specialist II grant-funded position (0.17 FTE) in the Office of Economic and Workforce Development.

04/15/14; ASSIGNED to Budget and Finance Committee.

**140381 [Administrative, Planning Codes - Amending Regulation of Short-Term Residential Rentals and Establishing Fee]****Sponsor: Chiu**

Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Department of Building Inspection, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/15/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/15/2014.

**140382 [Planning Code - Designation of 1007 Market Street (aka James G. Walker Building)]****Sponsor: Kim**

Ordinance amending the Planning Code to change the designation of 1007 Market Street (aka James G. Walker Building), Assessor's Block No. 3703, Lot No. 078, 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.

04/15/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/15/2014.

**140383 [Administrative Code - Prevailing Wage for Special Event or Trade Show Work on City Property]****Sponsor: Wiener**

Ordinance amending the Administrative Code to require that prevailing wages be paid for work involving the on-site installation, set-up, assembly, and dismantling of temporary exhibits, displays, booths, modular systems, signage, drapery, specialty furniture, floor coverings, and decorative materials in connection with trade shows, conventions, expositions, and other special events on City property.

04/15/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 5/15/2014.

**Resolutions****140384 [Exempting Certain Locations from Police Code Provisions Regulating Arcades]****Sponsors: Breed; Wiener**

Resolution exempting ground floor commercial uses from Police Code, Section 1036.31(a)-(b), which allows up to 10 individual arcade devices at each commercial location, on parcels zoned Upper Market Neighborhood Commercial Transit District and at 1767 Waller Street.

04/15/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140385 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance (File No. 131120) Establishing the Broadway Alcohol Restricted Use District]**

**Sponsor: Chiu**

Resolution extending by 90-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.

04/15/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **Motion**

**140386 [Committee of the Whole - Release of Reserve - Homeless Outreach Services - FY2013-2014 - \$1,387,500]**

**Sponsor: Farrell**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on Tuesday, April 29, 2014, at 3:00 p.m., to consider the release of funds placed on reserve by Ordinance No. 42-14 (File No. 140121) in the amount of \$1,387,500 for Homeless Outreach Services in FY2013-2014.

04/15/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **Requests for Hearing**

**140387 [Hearing - Services and Solutions for Women and Families Who Are Experiencing Homelessness]**

**Sponsor: Farrell**

Hearing on services and solutions for women and families who are experiencing homelessness.

04/15/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140388 [Hearing - Impact of Sugary Beverages on Asian and Pacific Islander Communities]**

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

Hearing on the impact of sugary beverages on Asian and Pacific Islander communities.

04/15/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**140389 [Hearing - Accessibility of Water Bottle Filling Stations in San Francisco Unified School District Facilities]**

**Sponsors: Mar; Campos and Chiu**

Hearing on the accessibility of water bottle filling stations in San Francisco Unified School District facilities.

04/15/14; RECEIVED AND ASSIGNED to City and School District Select Committee.

**140390 [Hearing - Homeless Outreach Services - FY2013-2014 - \$1,387,500]**

Hearing to consider the release of funds placed on reserve by Ordinance No. 42-14 (File No. 140121) in the amount of \$1,387,500 for Homeless Outreach Services in FY2013-2014. (Clerk of the Board)

04/15/14; RECEIVED AND ASSIGNED to Board of Supervisors.

**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 RESOLUTIONS****140332 [Report of Assessment Costs for Blighted Properties]**

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Public Works Department)

04/07/14; RECEIVED FROM DEPARTMENT.

**140333 [Airport Lease Modification - Continental Airlines, Inc. - Early Termination of Lease]**

Resolution approving and authorizing the execution of Modification No. 2 to Lease L10-0275 with Continental Airlines, Inc., at San Francisco International Airport to grant early termination of the Lease.

03/31/14; RECEIVED FROM DEPARTMENT.

04/15/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140334 [Contract Amendment - Bridgestone Americas Tire Operations, LLC - \$11,750,000]**

Resolution authorizing the Office of Contract Administration to enter into the Sixth Amendment between the City and County of San Francisco and Bridgestone Americas Tire Operations, LLC, for the rental of bus tires, in which the amendment shall increase the contract limit from \$9,950,000 to \$11,750,000. (Office of Contract Administration)  
(Fiscal Impact)

04/07/14; RECEIVED FROM DEPARTMENT.

04/15/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

### **Request Granted**

*From: Supervisor Breed*

*To: Controller*

*Requesting/Inquiring: Request for the Controller to draft a supplemental budget appropriation for \$2.6 million to the Mayor's Office of Housing for the renovation of 172 currently off-line public housing units under the SF Housing Authority, so they can be made available with priority given to homeless families.*

### **In Memoriam**

*Regina Blosser - Supervisor Avalos*

### **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 4:15 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 20, 2014.*

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Angela Calvillo, Clerk of the Board