

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, April 29, 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

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**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 2:04 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of March 25, 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 Land Use and Economic Development Committee

#### **140312 [Planning, Building Codes - Small Business Month Fee Waiver]**

**Sponsor: Tang**

Ordinance waiving fees in the Planning and Building Codes for certain façade improvements during the month of May every year; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and eight priority policies of Planning Code, Section 101.1.

**Ordinance No. 063-14**

**FINALLY PASSED**

**Recommendations of the Rules Committee****140304 [Appointment, Pedestrian Safety Advisory Committee - Todd Henry]**

Motion appointing Todd Henry, term ending March 28, 2016, to the Pedestrian Safety Advisory Committee. (Rules Committee)

**Motion No.** M14-066

**APPROVED**

**140360 [Appointments, In-Home Supportive Services Public Authority - Mike Boyd and Melvin Beetle]**

Motion appointing Melvin Beetle, term ending March 1, 2016, and Mike Boyd, term ending March 1, 2017, to the In-Home Supportive Services Public Authority. (Rules Committee)

**Motion No.** M14-067

**APPROVED**

**140361 [Appointments, Commission on Aging Advisory Council - Diane Lawrence and Ken Prag]**

Motion appointing Diane Lawrence and Ken Prag, terms ending March 31, 2016, to the Commission on the Aging Advisory Council. (Rules Committee)

**Motion No.** M14-068

**APPROVED**

**140362 [Appointment, Shelter Monitoring Committee - Michael Kirkland]**

Motion appointing Michael Kirkland, term ending November 23, 2014, to the Shelter Monitoring Committee. (Rules Committee)

**Motion No.** M14-069

**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

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

**140232 [Appropriation - Airport Commission - Capital Improvement Projects - \$1,969,830,773 - FY2013-2014]**

**Sponsor: Mayor**

Ordinance appropriating \$1,969,830,773 of proceeds from the sale of bonds for capital improvement projects to the Airport Commission for FY2013-2014, placing \$30,204,929 of the appropriation for the Plot 700 Development Project on Budget and Finance Committee reserve pending approval by the Board of Supervisors of the CEQA findings for this project, and placing the total appropriation of \$1,969,830,773 on Controller's Reserve pending sale of the bonds. (Fiscal Impact)

**Ordinance No. 064-14**

**FINALLY PASSED by the following vote:**

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

**140318 [Public Works Code - Waiver of Temporary Street Space Occupancy Permit Fee for Small Business Week Sidewalk Sales]**

**Sponsors: Tang; Mar**

Ordinance waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy permits on certain designated City streets on Saturday, May 10, 2014, Saturday, May 17, 2014, and Saturday, June 21, 2014, as part of Small Business Week Sidewalk Sales.

**Ordinance No. 062-14**

**FINALLY PASSED 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

**131146 [Subdivision Code - Condominium Conversion Fee Appeals and Fee Deferral]**

**Sponsor: Breed**

Ordinance amending the Subdivision Code to authorize the Clerk of the Board of Supervisors to reject appeals of the condominium conversion fee when the appeal does not challenge the relationship or nexus between the impact of development and the amount of the fee charged, to modify the fee deferral process administered by the Department of Public Works, to allow conversions to proceed with a gap in ownership occupancy due to foreclosure, and affirming the Planning Department's California Environmental Quality Act determination.

**Ordinance No. 065-14**

**FINALLY PASSED by the following vote:**

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

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

**Sponsor: Mayor**

Ordinance appropriating \$1,712,732 to overtime and de-appropriating \$1,712,732 consisting of \$1,322,877 in salaries and \$389,855 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)

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

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

**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.

**PASSED, ON FIRST READING 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

**140234 [Appropriation - Human Services Agency - Increased Revenues and Expenditures - \$31,391,392 - FY2013-2014]**

**Sponsors: Mayor; Farrell**

Ordinance appropriating \$31,391,392 of In-Home Supportive Services, CalWORKs, and other State and Federal revenue to the Human Services Agency in order to support In-Home Supportive Services, CalWORKs, and other program expenditures in FY2013-2014.

(Fiscal Impact)

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

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

**140288 [Lease of Real Property - North Beach Retail Associates, LLC - 2449 and 2450 Taylor Street - Initial Annual Rate \$7,920]****Sponsor: Chiu**

Resolution retroactively approving a lease between North Beach Retail Associates, LLC, as landlord, and the City and County of San Francisco, acting by and through the San Francisco Municipal Transportation Agency (SFMTA), as tenant, for certain premises at 2449 and 2450 Taylor Street, for a ten-year term to commence retroactively on January 1, 2014, through December 31, 2023, with a ten-year option at an initial annual lease rate of \$7,920 with annual increases, for use as a SFMTA ticket sales room, restroom, and break room for Muni operators and other authorized Muni and City personnel.

**Resolution No. 132-14****ADOPTED by the following vote:**

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

**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)  
(Fiscal Impact)

**Resolution No. 133-14****ADOPTED by the following vote:**

Ayes: 8 - Avalos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee

Noes: 3 - Breed, Campos, Kim

**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.

**Resolution No. 134-14****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****140097 [Planning Code - Medical Cannabis Dispensaries - Ocean Avenue Neighborhood Commercial Transit District]****Sponsor: Yee**

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

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

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

**140411 [Accept and Expend Grant - Nob Hill Foundation - \$350,000]****Sponsor: Chiu**

Resolution authorizing the Recreation and Park Department to accept and expend a grant, of up to \$350,000 from the Nob Hill Foundation, for the design and construction of a renovated playground in Huntington Park, for a three-year term, to commence upon Board approval.

**Resolution No. 135-14****ADOPTED by the following vote:**

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

**Recommendation of the Neighborhood Services and Safety Committee****130390 [Liquor License - 300 Kearny Street]**

Resolution determining that the issuance of a Type 21 off-sale general license to Mouhannad Mannaa and Jim Saxton for Financial District Fine Wine, Inc., located at 300 Kearny Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4. (Neighborhood Services and Safety Committee)

**Resolution No. 136-14****ADOPTED by the following vote:**

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

**Recommendations of the Rules Committee****140336 [Reappointment, Police Commission - Joseph Marshall]****Sponsor: Mayor**

Motion confirming the Mayor's nomination of, and reappointing, Joseph Marshall, for a term ending April 30, 2018, to the Police Commission.

**Motion No.** M14-070

**APPROVED by the following vote:**

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

**140337 [Reappointment, Municipal Transportation Agency Board of Directors - Cheryl Brinkman]****Sponsor: Mayor**

Motion confirming the Mayor's reappointment of Cheryl Brinkman, for a term ending March 1, 2018, to the Municipal Transportation Agency Board of Directors.

**Motion No.** M14-071

**APPROVED by the following vote:**

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

**140359 [Appointment, Police Commission - Victor Hwang]**

Motion appointing Angela Chan, term ending April 30, 2018, to the Police Commission. (Rules Committee)

**Supervisor Tang, seconded by Supervisor Kim, moved to strike 'Angela Chan' and AMEND by adding 'Victor Hwang'. The motion carried by the following vote:**

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener

Noes: 4 - Avalos, Campos, Mar, Yee

Motion appointing Victor Hwang, term ending April 30, 2018, to the Police Commission. (Rules Committee)

**Motion No.** M14-072

**APPROVED AS AMENDED 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 Mar, seconded by Supervisor Yee, 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 Mar introduced, welcomed, and presented a Certificates of Honor to Hansen Yee, Adair Jian Quan Huang, Yones Mana, Jamie Tran, Pedro Raymundo, Frances Hill, Jenny Lee, and the staff of the Washington Positive Peer Pressure Group in recognition of their accomplishments and continued community support.*

## SPECIAL ORDER 3:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### 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)

*The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the proposed continuance. Ray Hartz (San Francisco Open Government); spoke in support of the proposed continuance and in opposition to the appropriation. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.*

Supervisor Farrell, seconded by Supervisor Cohen, moved that this Hearing 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

### Committee of the Whole Adjourn and Report

## SPECIAL ORDER 3:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### **140392 [Hearing - Nonprofit Rent Stabilization Program - FY2013-2014 - \$4,515,000]**

Hearing to consider the release of funds placed on reserve by Ordinance No. 33-14 (File No. 140008) in the amount of \$4,515,000 for Nonprofit Rent Stabilization services in FY2013-2014. (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 the proposed continuance. Ray Hartz (San Francisco Open Government); spoke in support of the proposed continuance and in opposition to the appropriation. Anthony Williams (Meridian Gallery); Male Speaker; Danny Benitiz; Dr. Howard Whitehouse; spoke in support of the appropriation. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.*

**Supervisor Kim, seconded by Supervisor Mar, moved that this Hearing be CONTINUED to May 13, 2014. The motion carried by the following vote:**

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

### Committee of the Whole Adjourn and Report

### ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*David Pilpel; expressed concerns relating to late night transportation and records retention schedule.*

*Keith Dennis (NAACP); expressed concerns relating to divesting of Fillmore.*

*Ace Washington; expressed various concerns.*

*Emil Lawrence; expressed concerns relating to taxi businesses and ride sharing programs.*

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

*Vicky Hoover (Wilderness 50); spoke in support of the Wilderness Act.*

*John DiDonna; shared in poem certain concerns with the Board.*

*Mark Cooper (United Taxi Cabs); expressed concerns relating to late night transportation.*

*Walter Paulson; shared in song certain concerns with the Board relating to taxis and budgets.*

*Male Speaker; expressed concerns relating to public housing and homelessness.*

*Thomas Gilbert; spoke relating to team work, tax breaks, and housing developments.*

*Margaret Bracken; spoke in support for proposed legislation on children's fund.*

*Jose Medina; spoke in support for proposed legislation on children's fund.*

*Chelsea Boilard (Coleman Advocates); spoke in support for proposed legislation on children's fund.*

*Ray Hartz (San Francisco Open Government); expressed various concerns relating to constitutional rights and the laws regarding political free speech. (See additional information submitted on Page 293.).*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **140427 [Public Works Week - April 28-May 2, 2014]**

**Sponsors: Breed; Mar**

Resolution commending the men and women of the Department of Public Works and declaring April 28-May 2, 2014, as Public Works Week in the City and County of San Francisco.

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

**Resolution No. 137-14**

**ADOPTED**

### **140428 [Commemorating the 50th Anniversary of the Wilderness Act]**

**Sponsors: Campos; Avalos and Mar**

Resolution commemorating the 50th Anniversary of the Wilderness Act.

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

**Resolution No. 138-14**

**ADOPTED**

### **140429 [Breathe California Day - April 29, 2014]**

**Sponsor: Mar**

Resolution commending Breathe California on the occasion of its 24th Annual Clean Air Awards and declaring April 29, 2014, as Breathe California Day in the City and County of San Francisco.

**Resolution No. 139-14**

**ADOPTED**

**140330 [Committee of the Whole - Report of Assessment Costs for Blighted Properties]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 13, 2014, at 3:00 p.m., to hold a public hearing on a Resolution approving a 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 Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works Department)

**Motion No. M14-073**

**APPROVED**

**140412 [Final Map 7639A - Octavia Street/Central Freeway]**

Motion approving Final Map 7639A, a subdivision of portions of the former Central Freeway resulting in 12 lots, and being a subdivision of Assessor's Blocks/Lots: AB 0817/33 & 68, AB 0831/23-24, AB 0832/25-26, AB 0838/34-35, AB 0839/29, AB 0853/21-22, AB 0855/51-52, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

**Motion No. M14-074**

**APPROVED**

**140424 [Committee of the Whole - Consent to Provisions in Mission Bay South Agreements Related to Affordable Housing]**

**Sponsor: Kim**

Motion scheduling the Board of Supervisors, acting in its capacity as the legislative body of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, on May 6, 2014, at 3:00 p.m., to hold a public hearing to consent to provisions in Mission Bay South agreements as they relate to affordable housing obligations that would effectuate the transfer of Block Nos. 33 and 34 in the Mission Bay South Plan Area to the Regents of the University of California for the future development of up to 500,000 gross square feet in the Mission Bay South Redevelopment Project Area; and making environmental findings under the California Environmental Quality Act.

**Motion No. M14-075**

**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 Wiener requested that File No. 140430 be severed so that it may be considered separately.*

**140430 [Urging the Creation of a Late Night Transportation Working Group]**

**Sponsors: Wiener; Mar and Chiu**

Resolution urging the Entertainment Commission and the Office of Economic and Workforce Development to convene and co-chair a Late Night Transportation Working Group, with the express purpose of creating a Late Night Integrated Transportation Plan to improve late night transportation options for San Francisco residents, workers, and visitors.

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

**Resolution No. 140-14**

**ADOPTED by the following vote:**

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

*Supervisor Chiu requested that File No. 140391 be severed so that it may be considered separately.*

**140391 [Committee of the Whole - Release of Reserve - Nonprofit Rent Stabilization Program - FY2013-2014 - \$4,515,000]**

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

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. 33-14 (File No. 140008) in the amount of \$4,515,000 for Nonprofit Rent Stabilization services in FY2013-2014.

**Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be AMENDED to change 'April 29, 2014' to 'May 13, 2014' . The motion carried by the following vote:**

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

**Motion No. M14-076**

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

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

*Supervisor Chiu requested that File No. 140431 be severed so that it may be considered separately.*

**140431 [Records Retention and Destruction Schedule]**

Motion approving the Board of Supervisors revised Records Retention Schedule and Records Retention and Destruction Policy and authorizing the Clerk of the Board to adjust the schedule to increase retention periods and requiring Board approval for additions and/or reduction in retention periods. (Clerk of the Board)

**Motion No. M14-077**

**APPROVED 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.*

### Charter Amendments

#### **140441 [Charter Amendment - Children and Youth Fund; Commission on Children, Youth, and Their Families]**

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

Charter Amendment (First Draft) to amend the Charter, Section 16.108, adding a new Section 4.133, and repealing former Section 4.133, to: 1) renew and rename the Children's Fund and eliminate the Fund's expiration date; 2) increase the property tax set-aside for the Fund from three cents per \$100 of assessed valuation to five cents; 3) provide for services for at-risk youth 18 to 24 years old; 4) revise and expand the planning process for expenditures from the Fund; 5) modify the advisory committee for the Fund; 6) create a Commission on Children, Youth and Their Families; and 7) repeal an obsolete section of the Charter, at an election to be held on November 4, 2014.

04/29/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/29/2014.

#### **140442 [Charter Amendment - Public Education Enrichment Fund]**

**Sponsors: Kim; Yee, Avalos, Campos, Mar and Cohen**

Charter Amendment (First Draft) to amend the Charter, Sections 16.123-2, 16.123-4, 16.123-5, 16.123-6, and 16.123-8, and repealing Sections 16.123-7 and 16.123-10, to: 1) renew the Public Education Enrichment Fund and eliminate its expiration date; 2) change the allocation for universal preschool, overseen by the First Five Commission, to an allocation for universal early education, overseen by the Office of Early Care and Education, and create a citizens advisory committee; 3) eliminate the City's ability to use in-kind services to satisfy its obligations to the Fund; and 4) modify certain technical requirements for the Fund and delete obsolete provisions, at an election to be held on November 4, 2014.

04/29/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/29/2014.

**140443 [Charter Amendment - Children and Families Council; San Francisco Children and Families Plan]****Sponsors: Yee; Avalos, Kim, Mar, Campos, Cohen and Breed**

Charter Amendment (First Draft) to amend the Charter, by adding Section 16.126, to create a Children and Families Council, which shall prepare and maintain a San Francisco Children and Families Plan for making the City more supportive of children and families, at an election to be held on November 4, 2014.

04/29/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/29/2014.

**Ordinances****130374 [Campaign and Governmental Conduct Code - Lobbying and Ethics Regulations]****Sponsor: Chiu**

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

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

05/02/13; REFERRED TO DEPARTMENT.

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

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

04/29/14; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

**140260 [Administrative Code - Workforce Development - Establishing the Committee on City Workforce Alignment]****Sponsors: Chiu; Cohen and Breed**

Ordinance amending the Administrative Code to establish the Committee on City Workforce Alignment, to give the Committee responsibility for planning and coordinating the City's Workforce Development programs, and to make other changes to the procedures governing the planning and implementation of Workforce Development Programs.

03/18/14; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

03/27/14; REFERRED TO DEPARTMENT.

04/29/14; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

**140319 [Public Works Code - Surface-Mounted Facility Site Permits]****Sponsors: Wiener, Breed and Chiu**

Ordinance amending the Public Works Code to establish the requirements for Surface-Mounted Facility Site Permits; to set fees for obtaining such permits; to make the provisions of the Ordinance retroactive; and making environmental findings.

04/01/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/1/2014.

04/14/14; REFERRED TO DEPARTMENT.

04/16/14; RESPONSE RECEIVED.

04/24/14; NOTICED.

04/29/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**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.

04/22/14; REFERRED TO DEPARTMENT.

04/29/14; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

**140444 [Development Agreement - Schlage Lock Project - Visitacion Development, LLC]****Sponsors: Mayor; Cohen**

Ordinance approving a Development Agreement between the City and County of San Francisco and Visitacion Development, LLC, for certain real property located in Visitacion Valley, bounded approximately to the north and west by McLaren Park and the Excelsior and Crocker Amazon Districts, to the east by the Caltrain tracks, and to the south by the San Francisco/San Mateo County line and the City of Brisbane; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56.

(Fiscal Impact)

(Economic Impact)

04/29/14; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 5/29/2014.

**140445 [Planning Code, Zoning Map - Visitacion Valley/Schlage Lock Special Use District]****Sponsors: Mayor; Cohen**

Ordinance amending the Planning Code, Section 249.45, to provide for use controls, including controls for formula retail uses, building standards, and procedural requirements, including noticing and community participation procedures, for applications for development, including design review and modifications, among other controls, in Zone 1 of the Schlage Lock/Visitacion Valley Special Use District (also referred to as the Schlage Lock site); amending the Zoning Map by amending Sectional Maps ZN10 and HT10 to reflect the Visitacion Valley/Schlage Lock 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.

04/29/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/29/2014.

**140453 [Street Vacation - Quint Street Railroad Crossing Improvement Project - Quint Street, McKinnon Ave, and Newcomb Ave]****Sponsor: Cohen**

Ordinance ordering the vacation of portions of Quint Street, McKinnon Avenue, and Newcomb Avenue as part of the Quint Street Railroad Crossing Improvement Project; quitclaiming the City's interest in the vacation areas to the Peninsula Corridor Joint Powers Board; reserving easement rights for the benefit of the City for its utilities; accepting a Department of Public Works Order concerning the street vacation; and authorizing official acts in connection with this Ordinance, making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/29/14; ASSIGNED UNDER 30 DAY RULE to Board of Supervisors, expires on 5/29/2014.

**140455 [Administrative Code - Cancer Presumption for Fire and Police Retirement Benefits]****Sponsors: Chiu; Wiener**

Ordinance amending the Administrative Code to create a cancer presumption for firefighter and police officer industrial disability and death as a result of duty retirement benefits.  
(Fiscal Impact)

04/29/14; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

**Resolutions****140446 [Urging the Planning Commission to Initiate and Consider Amendments to the General Plan Concerning the Schlage Lock/Visitation Valley Special Use District]****Sponsors: Mayor; Cohen**

Resolution urging the Planning Commission to initiate and consider amendments to Maps 1, 2, 4, and 5 of the Commerce and Industry Element, Map 6 of the Transportation Element, Maps 4 and 5 of the Urban Design Element, and the Land Use Index of the San Francisco General Plan to implement the Visitation Valley/Schlage Lock Special Use District.

04/29/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140447 [Accept and Expend Grant - Federal Railroad Administration Grant Funds for the Rebuilding of the Quint Street Lead Track - \$2,970,000]****Sponsor: Mayor**

Resolution retroactively authorizing the Port of San Francisco to accept and expend \$2,970,000 in grant funds from the Federal Railroad Administration for the rebuilding of the Quint Street Lead Track for the term of April 1, 2012, through July 31, 2015.

(Fiscal Impact)

04/29/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140448 [Transfer Agreement, Option to Ground Lease, and Ground Lease in the amount of \$4,558,269, \$0 and \$1, respectively - 1500 Page Street LLC and Mercy Housing California 57 - 1500 Page Street]**

**Sponsor: Breed**

Resolution authorizing the execution and performance of a Transfer Agreement between the City and County of San Francisco and 1500 Page Street, LLC, a California limited liability company, for the transfer of real property and improvements located at 1500 Page Street, for the development of 16 units of affordable housing for persons with developmental disabilities and one manager's unit; authorizing the execution and performance of an Option to Ground Lease and a Ground Lease between the City and County of San Francisco and Mercy Housing California 57, a California limited partnership; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/29/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140449 [Supporting Senate Bill 962 (Leno) - Smartphone Theft Prevention]**

**Sponsors: Chiu; Mar and Campos**

Resolution supporting Senate Bill 962, introduced by Senator Leno, the Smartphone Theft Prevention Act, to require the installation of theft-detering technological solutions on all smartphones sold in the State of California.

04/29/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140450 [Real Property Lease Amendment - Spectrum Realty, L.P. - 833 Mission Street]**

**Sponsor: Kim**

Resolution authorizing the Municipal Transportation Agency to execute the lease amendment (Third Amendment) to the retail lease dated February 18, 2004, with Sprint Spectrum Realty, L.P., (Tenant) for 2,152 sq. ft. retail space at the Fifth and Mission/Yerba Buena Garage, located at 833 Mission Street; said amendment to extend the retail lease for an additional five years beginning June 1, 2014, and provide additional rent of \$689,049 plus provide a one five-year option that will, if exercised, provide additional rent of \$798,813.

(Fiscal Impact)

04/29/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140451 [Accept and Expend Grant - Golden Gate Park Community Garden - EcoMedia - \$100,000]**

**Sponsor: Mar**

Resolution authorizing the Recreation and Park Department to accept and expend a grant of \$100,000 from Yellow Pages, made possible by a partnership with EcoMedia, to support the construction of the Vertical Garden component at the Golden Gate Park Community Garden, for the period of August 1, 2013, through November 30, 2013.

04/29/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140452 [Resolution of Intent - Street Vacation - Quint Street Railroad Crossing Improvement Project - Quint Street, McKinnon Ave and Newcomb Ave]****Sponsor: Cohen**

Resolution declaring the intention of the Board of Supervisors to vacate a portion of Quint Street, McKinnon Avenue, Newcomb Avenue as a part of the Quint Street Railroad Crossing Improvement Project; and setting a hearing date of June 3, 2014, for all persons interested in the proposed vacation of said street areas.

04/29/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140457 [North Beach Branch Library Grand Opening - May 10, 2014]****Sponsor: Chiu**

Resolution recognizing the grand opening of the new North Beach Branch Library and commending the San Francisco Public Library, Department of Public Works, and members of the North Beach community for their hard work to bring the new branch to fruition.

04/29/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140458 [Supporting California Assembly Bill 2175 (Daly and Ting) - The Renter's Tax Assistance Act]****Sponsors: Chiu; Campos**

Resolution supporting Assembly Bill 2175, introduced by Assemblymembers Daly and Ting, a tax rebate program for low-income renters to create financial security for low-income tenants and address the affordable housing needs in the State of California.

04/29/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing****140454 [Hearing - Street Vacation Order - Quint Street Railroad Crossing Improvement Project - Quint Street, McKinnon Avenue, and Newcomb Avenue]**

Hearing of persons interested in or objecting to the proposed Ordinance ordering the vacation of portions of Quint Street, McKinnon Avenue, and Newcomb Avenue as part of the Quint Street Railroad Crossing Improvement Project; quitclaiming the City's interest in the vacation areas to the Peninsula Corridor Joint Powers Board; reserving easement rights for the benefit of the City for its utilities; accepting a Department of Public Works Order concerning the street vacation; and authorizing official acts in connection with this Ordinance 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)

04/29/14; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**140459 [Hearing - Size of the Fire Department's Fire Trucks and the Procurement Processes for Purchasing New Vehicles]****Sponsors: Wiener; Breed**

Hearing regarding the size of the Fire Department fire trucks and whether the trucks should be somewhat smaller in order to better navigate San Francisco's varied streets, including narrow streets in various parts of the city that have less than 20 feet of street clearance; the Department should be prepared to discuss its vehicle procurement process and specifications to secure vehicles, as well as any changes in vehicle size over time; the hearing will also consider a report by the Budget and Legislative Analyst (BLA) identifying best practices from other cities on the procurement of fire vehicles for local conditions, including use of smaller trucks in order to navigate narrow streets; the BLA will also evaluate changes in the Department's vehicle sizes over time.

04/29/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140460 [Hearing - Street Widths in Hunters Point Shipyard and Candlestick Point Developments]****Sponsors: Wiener; Breed**

Hearing requesting a report from the Fire Department, Department of Public Works, and the Office of Community Investment and Infrastructure on the proposal to widen certain streets in the Hunters Point Shipyard and Candlestick Point developments, including why certain departments desired to make such a change so late in the process, the departments are requested to discuss their policy rationale for requesting such changes, including if and how the Better Streets Plan, the Pedestrian Safety Strategy, and the "Vision Zero" policy were factored and why prior Board of Supervisors and Mayoral approval of street cross sections for these developments was disregarded.

04/29/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140461 [Hearing - State of Wi-Fi and High Speed Broadband Internet Connectivity in San Francisco]****Sponsor: Farrell**

Hearing on the state of Wi-Fi and high speed broadband Internet connectivity in San Francisco; review of the current broadband infrastructure and discussion on the current gaps and challenges to closing those gaps to provide internet access to all residents in San Francisco.

04/29/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**Introduced at the Request of a Department**

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

**PROPOSED ORDINANCES**

**140402 [Settlement of Lawsuit - Jon Gatto - \$26,000]**

Ordinance authorizing settlement of the lawsuit filed by Jon Gatto against the City and County of San Francisco for \$26,000; the lawsuit was filed on December 10, 2012, in San Francisco Superior Court, Case No. CGC-12-518200; entitled Jon Gatto v. City and County of San Francisco. (City Attorney)

04/18/14; RECEIVED FROM DEPARTMENT.

04/29/14; ASSIGNED to Rules Committee.

**140403 [Settlement of Lawsuit - Jameson Ashley - \$150,000]**

Ordinance authorizing settlement of the lawsuit filed by Jameson Ashley against the City and County of San Francisco for \$150,000; the lawsuit was filed on January 26, 2012, in the United States District Court for the Northern District of California, Case No. C-12-0045-JST; entitled Jameson Ashley v. City and County of San Francisco, et al. (City Attorney)

04/18/14; RECEIVED FROM DEPARTMENT.

04/29/14; ASSIGNED to Rules Committee.

**140404 [Settlement of Lawsuit - Stantec Consulting Services, Inc. - City to Receive \$15,285,000]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Stantec Consulting Services, Inc., and Stantec Architecture, Inc., for \$15,285,000; the lawsuit was filed on December 12, 2011, in Alameda County Superior Court, Case No. RG13679711; entitled City and County of San Francisco v. Stantec Consulting Services Inc., et al. (City Attorney)

04/18/14; RECEIVED FROM DEPARTMENT.

04/29/14; RECEIVED AND ASSIGNED to Rules Committee.

**140405 [Settlement of Lawsuit - Chris Escher - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Chris Escher against the City and County of San Francisco for \$40,000; the lawsuit was filed on August 14, 2012, in San Francisco Superior Court, Case No. CGC-12-523236; entitled Chris Escher v. City and County of San Francisco, et al. (City Attorney)

04/18/14; RECEIVED FROM DEPARTMENT.

04/29/14; RECEIVED AND ASSIGNED to Rules Committee.

**140406 [Settlement of Lawsuit - LaVaughan Butler-Moore - \$43,000]**

Ordinance authorizing settlement of the lawsuit filed by LaVaughan Butler-Moore against the City and County of San Francisco for \$43,000; the lawsuit was filed on April 2, 2009, in San Francisco Superior Court, Case No. CGC-09-486869; entitled LaVaughan Butler-Moore v. City and County of San Francisco, et al. (City Attorney)

04/18/14; RECEIVED FROM DEPARTMENT.

04/29/14; RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTIONS

**140093 [Contract Amendment and Property Use License - TEGSCO, LLC - San Francisco AutoReturn Towing]**

Resolution approving the first amendment to the amended and restated Towing Agreement and Property Use License for towing, storage and disposal of abandoned and illegally parked vehicles, between the San Francisco Municipal Transportation Agency and TEGSCO, LLC, dba San Francisco AutoReturn, for a period to commence upon Board approval through July 31, 2015. (Municipal Transportation Agency)  
(Fiscal Impact)

02/03/14; RECEIVED FROM DEPARTMENT.

02/11/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

04/21/14; RECEIVED FROM DEPARTMENT.

04/29/14; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

**140407 [Settlement of Claim - Barbara Kay Hamblin - \$250,000]**

Resolution approving the settlement of the unlitigated claim filed by Barbara Kay Hamblin against the City and County of San Francisco for \$250,000; claim was filed on June 5, 2013. (City Attorney)

04/18/14; RECEIVED FROM DEPARTMENT.

04/29/14; RECEIVED AND ASSIGNED to Rules Committee.

**140408 [Emergency Contract - Amending Resolution No. 265-13 - Repair Public Utilities Commission Southeast Water Pollution Control Plant Digesters - Not to Exceed \$14,545,427]**

Resolution amending Resolution No. 265-13 to revise the scope of work for an emergency contract from six to five digesters at the Southeast Water Pollution Control Plant, and increase the contract not-to-exceed amount to \$14,535,427. (Public Utilities Commission)  
(Fiscal Impact)

04/21/14; RECEIVED FROM DEPARTMENT.

04/29/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140409 [Contract Approval - Procurement of a Type II Fireboat - Vigor Fab, Inc. - \$11,637,660]**

Resolution approving the award of a contract for Procurement of a Type II Fireboat to Vigor Fab, Inc. (US Fab, Inc.), in an amount not-to-exceed \$11,637,660 pursuant to San Francisco Charter, Section 9.118(b), for the term ending December 31, 2015, to commence upon Board approval. (Office of Contract Administration)

04/21/14; RECEIVED FROM DEPARTMENT.

04/29/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140410 [Agreement - Use of Fast Pass on BART]**

Resolution approving the Special Transit Fare (Fast Pass®) Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District, with a term of July 1, 2014, through June 30, 2020. (Municipal Transportation Agency)

04/21/14; RECEIVED FROM DEPARTMENT.

04/29/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**In Memoriams**

*John Shu-Tsu Lu - Board President David Chiu*

*Steven Lee - Board President David Chiu*

*John Legnitto - Full Board*

*Eseta Rene Ioane - Full Board*

*Santana Williams - Full Board*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 4:56 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 June 3, 2014.*

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Angela Calvillo, Clerk of the Board

**ADDENDUM**

*The following information is provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.*

*Ray Hartz submitted the following additional information during Public Comment as follows: Members of the BOS Edmund Burke said: "The Only Thing Necessary for the Triumph of Evil is that Good Men Do Nothing." Over the last several years the members of this BOS have remained silent while your Pres. David Chiu has engaged in a systematic effort to undermined democracy in the City of San Francisco. I believe some of you are good people afraid to act and others are complicit in the effort to silence public participation especially comment. I believe David Chiu is truly evil! I base this on the fact that he is an attorney who is fully aware of all the laws regarding constitutionally protected political free speech. And yet, he chose to utter the following: "I don't think we will allow public comment for the next speaker." I will be here each week to layout a long, sordid story of the evil that is David Chiu.*