

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 9, 2014 - 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT

JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 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 11:00 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.

COMMUNICATIONS

There were none.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Land Use and Economic Development Committee

140657 [Street Vacation Order - McCoppin Hub City Plaza Project - McCoppin Street]

Sponsors: Kim; Wiener

Ordinance vacating a portion of McCoppin Street west of Valencia Street that is generally bounded by Highway 101 to the west, Valencia Street to the east, Assessor's Block No. 3503, Lot No. 003 to the north, and Assessor's Block No. 3502, Lot No. 113 to the south, for the purposes of the McCoppin Hub City Plaza Project; reducing the official sidewalk width on the southerly side of McCoppin Street, establishing a new sidewalk on the easterly side of Valencia Street adjacent to the street vacation area, and reducing the official right-of-way width of this portion of McCoppin Street; approving an interdepartmental transfer of the vacated area from the Department of Public Works to the Division of Real Estate; making findings under the California Environmental Quality Act and adopting findings that the vacation and public right-of-way changes are consistent with the General Plan, and the eight priority policies of City Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance.

Ordinance No. 197-14

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

140283 [Planning Code - Rezoning McCoppin Plaza to Public Use/Open Space Zoning]

Sponsors: Kim; Wiener

Ordinance amending the Planning Code to rezone McCoppin Street from Valencia Street to its terminus on Market Street from NCT-3/85-X and 40- X (Moderate-Scale Neighborhood Commercial Transit District) to P (Public Use)/OS (Open Space) as part of the establishment of McCoppin Hub Plaza; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1.

Ordinance No. 198-14

FINALLY PASSED by the following vote:

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

140725 [Underground District - Ringold Alley]**Sponsor: Kim**

Ordinance creating Underground District No. 360 on Ringold Alley from 8th Street to 9th Street; and making environmental findings.

Ordinance No. 196-14**FINALLY PASSED by the following vote:**

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

140776 [Police, Business and Tax Regulations Codes - Regulating Mechanical Amusement Devices and Arcades]**Sponsors: Breed; Wiener and Kim**

Ordinance amending the Police Code to reduce restrictions on the location of, and lessen permitting requirements for, mechanical amusement devices and arcades, and remove obsolete Code provisions; amending the Business and Tax Regulations Code to clarify the appeal period for appealing mechanical amusement device permits and other Entertainment Commission permits to the Board of Appeals; and making environmental findings.

Ordinance No. 195-14**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****140595 [Professional Services Agreement - Waiving Competitive Solicitation Requirement to Procure Specialized Environmental Services - East Harbor Marina Sediment Remediation and Facility Renovation Project - Leidos, Inc. - Not to Exceed \$1,970,000]**

Ordinance waiving the competitive solicitation requirement under Administrative Code, Section 6.40, and authorizing the General Manager of the Recreation and Parks Department to enter into a professional services agreement with Leidos, Inc., in an amount not to exceed \$1,970,000 for the purpose of performing specialized environmental services for the San Francisco East Harbor Marina Sediment Remediation and Facility Renovation Project, to commence following Board approval. (Recreation and Park Department)
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

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

140873 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2014-2015]**Sponsor: Mayor**

Ordinance levying property taxes at a combined rate of \$1.1743 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District and establishing a pass-through rate of \$0.0880 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2015.

(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

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

140320 [Accept Gift - Automated External Defibrillators - Approximately \$15,000]**Sponsors: Kim; Breed and Chiu**

Resolution authorizing the Police Department to accept a gift of 10 Automated External Defibrillators from Mr. John Konstin, valued at approximately \$15,000 for the use of the Tenderloin District Station.

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

Resolution No. 326-14

ADOPTED by the following vote:

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

140559 [Accept and Expend Grant - Summer Jobs Connect Program - \$478,000]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Children, Youth, and Their Families to accept and expend grant funding in the amount of \$478,000 from the Cities for Financial Empowerment Fund to support 200 youth employment opportunities and research financial products, services, and education for youth participating in summer employment opportunities for the period of March 1, 2014, through February 28, 2015.

Resolution No. 327-14

ADOPTED by the following vote:

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

140742 [Airport Professional Services Agreement Modification - Bombardier Transportation (Holdings) USA, Inc.- Operation and Maintenance Services - AirTrain System - Not to Exceed \$100,543,834]

Resolution approving Modification No. 2 to Professional Services Agreement, Airport Contract No. 8838, to provide operation and maintenance services for the AirTrain System, between Bombardier Transportation (Holdings) USA, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, to cover the replacement of obsolete AirTrain equipment and to provide a contingency fund for the replacement of any additional equipment over the three-year contract term of March 1, 2014, through February 28, 2017, in an amount not to exceed \$100,543,834 pursuant to Charter, Section 9.118(b). (Airport Commission)
(Fiscal Impact)

Resolution No. 328-14

ADOPTED by the following vote:

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

140747 [Contract Amendment - Toyon Associates, Inc. - Not to Exceed \$4,996,617]

Resolution approving an amendment to the contract between the Department of Public Health and the Toyon Associates, Inc., to provide regulatory reporting/reimbursement and revenue optimization services, for an amount not to exceed \$4,996,617 for an additional three and one-half years, for the term April 1, 2014, through March 31, 2018. (Public Health Department)
(Fiscal Impact)

Resolution No. 329-14

ADOPTED by the following vote:

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

140778 [Accept and Expend Grant - Friends of San Francisco Public Library - Annual Grant Award, FY2014-2015 - Up to \$720,000]

Sponsor: Mayor

Resolution retroactively authorizing the San Francisco Public Library to accept and expend a grant in the amount of up to \$720,000 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services in FY2014-2015.

Resolution No. 330-14

ADOPTED by the following vote:

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

140810 [Exchange Agreement - San Francisco Unified School District and Mayor's Office of Housing and Community Development - 1950 Mission Street, 555 Franklin, and 380 Fulton Streets]

Sponsors: Mayor; Kim, Campos and Mar

Resolution authorizing the exchange of City property located near the intersection of McAllister Street and Ash Alley (555 Franklin and 380 Fulton Streets) under the jurisdiction of the Mayor's Office of Housing and Community Development and an additional fee of \$2,675,000 for real property owned by the San Francisco Unified School District located at 1950 Mission Street, San Francisco; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Fiscal Impact)

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

Resolution No. 331-14

ADOPTED by the following vote:

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

140882 [Contract - Siemens Industry, Inc. - Procurement of New Light Rail Vehicles - Not to Exceed \$1,192,651,577]**Sponsors: Breed; Wiener, Chiu, Mar, Tang, Cohen and Avalos**

Resolution approving a contract with Siemens Industry, Inc., to procure up to 260 light rail vehicles, associated services, spare parts, special tools, training, and documentation in an amount not to exceed \$1,192,651,577 for a term not to exceed 15 years, to commence following Board approval; and making environmental findings.
(Fiscal Impact)

Resolution No. 332-14**ADOPTED by the following vote:**

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

140885 [Accept and Expend Grant - Castro/Upper Market Community Benefit District - Castro Streetscape Improvement Project - \$121,860]**Sponsor: Wiener**

Resolution retroactively authorizing the Department of Public Works to accept and expend a grant of up to \$121,860 from the Castro/Upper Market Community Benefit District for the Castro Streetscape Improvement Project for the period of March 10, 2014, through November 10, 2014.

Resolution No. 333-14**ADOPTED 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 Cohen, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Judge Julie Tang of the Superior Court of California in recognition of 25 years of distinguished service upon her retirement. Supervisors Chiu, Yee, Tang, and Kim shared in the commendation.

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to the Equity on Young Black Women's Health Collaborative Group in recognition of their work and accomplishments on black infant health and mortality.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140836 [Public Hearing - Establishing the Community Facilities District (CFD) 2014-1 (Transbay Transit Center)]

Public hearing of persons interested in or objecting to the proposed Resolution of Formation for Special Tax District No. 2014-1, establishing the Transbay Transit CFD and determining other matters in connection therewith; Resolution determining necessity to incur bonded indebtedness for the CFD; and Resolution calling for a special election in the City and County of San Francisco to submit the issues of the special tax, the incurring of bonded indebtedness and the establishment of the appropriations limit to the qualified electors of the CFD. (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 Nos. 140814, 140815, and 140816. Adam Varat (Planning Department), Nadia Sesay, Director, Mayor's Office of Public Finance, Scott Boule (Transbay Joint Powers Authority), and Ken Rich (Office of Economic and Workforce Development) provided an overview of the proposed district and responded to questions raised throughout the discussion. Jane Morrison; Bruce Agid; Dana Levine; Male Speaker; Bob Feinbaum; Tom Radulavich; Steve Hargrove; Peter Strauss; Hannah Frisbee; Madeleine Savit; Thea Selby; Michael Theriault; Joel Kappal; Anna LaForte; Alice Rogers; expressed various concerns and spoke in support of the district. Francisco Da Costa; expressed various concerns and spoke in opposition to the district. Male Speaker: Ken Cleveland; Jim Lazarus; Chris Crowdahl; expressed various concerns and spoke neither in support nor opposition to the district. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED open to September 23, 2014, at 3:00 p.m. The motion carried by the following vote:

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

The President CONTINUED the Hearing open to September 23, 2014, at 3:00 p.m.

Committee of the Whole Adjourn and Report

140814 [Resolution of Formation - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution of formation of the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

Supervisor Kim, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

Supervisor Kim, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED AS AMENDED to September 23, 2014, at 3:00 p.m. The motion carried by the following vote:

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

140815 [Determining Necessity to Incur Bonded Indebtedness - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]**Sponsor: Mayor**

Resolution determining necessity to incur bonded indebtedness for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters therewith.

Supervisor Kim, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

Supervisor Kim, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED AS AMENDED to September 23, 2014, at 3:00 p.m. The motion carried by the following vote:

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

140816 [Special Election for the Community Facilities District No. 2014-1 (Transbay Transit Center)]**Sponsor: Mayor**

Resolution calling for a special election in the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center).

Supervisor Kim, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

Supervisor Kim, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED AS AMENDED to September 23, 2014, at 3:00 p.m. 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.

Privilege of the floor was unanimously granted to the mother of Ashanti Dudley who made a statement and spoke on the scholarship fund set up in her son's honor.

PUBLIC COMMENT

Reuben Goodman; invited persons to the Walk to End Alzheimer's on Saturday, September 20, 2014, at 10:00 a.m. at Mission Creek Park.

Peter Warfield; expressed concerns relating to the SF Public Library's war on the homeless.

Male Speaker; expressed various religious concerns.

Shivana Jorawar; spoke in support of the resolution opposing "sex-selective abortion bans."

Jennifer Chou; spoke in support of the resolution opposing "sex-selective abortion bans."

Linda Yang; spoke in support of the resolution opposing "sex-selective abortion bans."

Jenny Lam; spoke in support of the resolution opposing "sex-selective abortion bans."

Noel Leon; spoke in support of the resolution opposing "sex-selective abortion bans."

Lily Benedict; spoke in support of the resolution opposing "sex-selective abortion bans."

Ashley Morris; spoke in support of the resolution opposing "sex-selective abortion bans."

Charlie Goss; spoke in opposition to the short term renters legislation.

Tom Gilberty; expressed various concerns relating to noise pollution.

Dave Mathis; expressed concerns regarding the climate crisis and the economy.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

140888 [Closed Session - Anticipated Litigation - Buffer Zone at Reproductive Health Care Facilities]

Sponsor: Campos

Motion that the Board of Supervisors convene in closed session on September 9, 2014, for the purpose of conferring with, or receiving advice from the City Attorney regarding anticipated litigation as defendant relating to Police Code, Article 43, prohibiting entering or remaining in buffer zones at reproductive healthcare facilities, in light of *McCullen v. Coakley* (2014) 573 U.S. ____; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the anticipated litigation.

The President inquired as to whether any member of the public wished to address the Board regarding the proposed motion to table the closed session. There were no speakers. The President declared public comment closed.

Supervisor Campos, seconded by Supervisor Cohen, moved the Closed Session be TABLED by the following vote:

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

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

140938 [Closed Session - Anticipated Litigation - Establishing Community Facilities District 2014-1 (Transbay Transit Center)]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on September 9, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential formation of Special Tax District 2014-1, also known as the Transbay Transit Community Facilities District; in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permits this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. Tom Gilberty; expressed concerns on open information and government. There were no other speakers. The President declared public comment closed.

Motion No. M14-153

APPROVED by the following vote:

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

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 5:31 p.m. to convene in closed session pursuant to the above motion. The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Persons in attendance: Jon Givner, James Emery, Jesse Smith, and Mark Blake (Office of the City Attorney); Adam Varat (Planning Department); Nadia Sesay, Director (Mayor's Office of Public Finance); Ken Rich and Lisa Pagan (Office of Economic and Workforce Development); Courtney Cash (Mayor's Office); Chris Lynch (Jones Hall); and Rick Caldeira, Legislative Deputy Director, and Alisa Somera (Office of the Clerk of the Board). Matter was heard in closed session, no action was taken, and the hearing was filed.

RECONVENING OF THE BOARD

The Board reconvened at the hour of 6:05 p.m. The following Supervisors were noted present: Supervisors 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 Kim, seconded by Supervisor Breed, 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

Supervisor Kim was noted absent at 5:12 p.m., and noted present at 5:25 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**140923 [Intention to Develop Competitive Grant Program to Fund Community Recidivism and Crime Reduction Services]**

Sponsors: Cohen; Chiu

Resolution affirming the Board of Supervisors' intention to develop, in collaboration with the Community Corrections Partnership, a competitive grant program to fund community recidivism and crime reduction services with funds awarded to the City and County of San Francisco by the California Board of State and Community Corrections.

Resolution No. 334-14

ADOPTED

140929 [Supporting Bans on Nontherapeutic Uses of Antibiotics in Livestock Production]

Sponsor: Avalos

Resolution supporting State and national bans on nontherapeutic uses of antibiotics in livestock production.

Resolution No. 335-14

ADOPTED

140930 [Urging Enactment of a Revenue-Neutral Carbon Tax]**Sponsors: Avalos; Breed, Mar and Yee**

Resolution urging the United States Congress to enact a revenue-neutral carbon tax.

*Supervisors Breed, Mar, and Yee requested to be added as co-sponsors.***Resolution No. 336-14****ADOPTED****140912 [Final Map 7832 - 75 Lily Street]**

Motion approving Final Map 7832, a five residential unit condominium project, located at 75 Lily Street, being a subdivision of Assessor's Block No. 0837, Lot No. 009, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-151**APPROVED****140913 [Final Map 7820 - 124-5th Avenue]**

Motion approving Final Map 7820, a six residential unit condominium project, located at 124-5th Avenue, being a subdivision of Assessor's Block No. 1364, Lot No. 034, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-152**APPROVED***The foregoing items were acted upon by the following vote:**Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee**Absent: 1 - Kim**Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:**Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee***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 Cohen requested that File No. 140933 be severed so that it may be considered separately.

140933 [Infant Mortality Awareness Month - September]

Sponsor: Cohen

Resolution declaring September "Infant Mortality Awareness Month" in the City and County of San Francisco.

Supervisor Cohen, seconded by Supervisor Tang, moved to AMEND the Resolution on Page 1, Line 11, by changing 'week' to 'year'. The motion carried by the following vote:

*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim*

ADOPTED AS AMENDED by the following vote:

*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim*

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous votes. The motion carried by the following vote:

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

Supervisor Cohen, seconded by Supervisor Tang, moved that this Resolution be AMENDED on Page 1, Line 11, by changing 'week' to 'year'. The motion carried by the following vote:

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

Resolution No. 337-14

ADOPTED AS AMENDED by the following vote:

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

Supervisor Farrell requested that File No. 140934 be severed so that it may be considered separately.

140934 [Apply for Grant - State-County Assessors' Partnership Agreement Program - Not to Exceed \$530,000 Annually Plus Required Matching Funds]

Sponsor: Farrell

Resolution authorizing the Office of the Assessor-Recorder to apply for the State-County Assessors' Partnership Agreement Program to improve the administration of the county property tax rolls and related essential duties for an amount not to exceed \$530,000 annually plus required dollar-for-dollar matching funds for FYs 2014-2015 through 2016-2017 to commence no later than September 15, 2014, if approved.

ADOPTED by the following vote:

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

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

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

Resolution No. 325-14

ADOPTED by the following vote:

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

IMPERATIVE AGENDA

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Wiener, seconded by Supervisor Campos, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

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

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Wiener, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

140948 [Support for San Francisco to Host AIDS 2018]

Sponsors: Wiener; Campos, Chiu and Cohen

Resolution supporting San Francisco's bid to host the 22nd International AIDS Conference in 2018.

Resolution No. 338-14

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

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

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Breed, seconded by Supervisor Avalos, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

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

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Breed, seconded by Supervisor Avalos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

140949 [Denouncing the 49ers for Allowing Ray McDonald to Continue Playing While Facing Felony Domestic Violence Charges]**Sponsor: Breed**

Resolution denouncing the 49ers franchise for allowing Ray McDonald to continue playing during an active investigation for felony domestic violence charges and urging both the 49ers and the NFL to strengthen their policies against domestic violence.

Resolution No. 339-14

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

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

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**140950 [Administrative Code - Passenger Fleet Reduction and Car Sharing Services Ordinance and Master Agreements for Procurement]****Sponsors: Farrell; Avalos and Kim**

Ordinance amending the Administrative Code to mandate reduction of the nonessential City vehicle fleet, implement modern technology-based systems in measuring utilization of the fleet and vehicle access, and allow the City Administrator to document the existence of and restrict assignments of underutilized vehicles; require that officers and employees seek to use car sharing services first instead of City owned vehicles; authorize the City Administrator to enter into master agreements with vendors for the procurement of car sharing services; and making environmental findings.

09/09/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/9/2014.

140951 [Zoning - Interim Moratorium on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]**Sponsors: Kim; Avalos, Campos, Chiu, Mar and Cohen**

Urgency Ordinance approving an interim zoning moratorium to prohibit the conversion or replacement of Production, Distribution, and Repair uses in the proposed Central South of Market Plan Area bounded by Market Street on the north, Townsend Street on the south, 2nd Street on the east, and 6th Street on the west, for 45 days; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

09/09/14; ASSIGNED to Land Use and Economic Development Committee.

140952 [Administrative Code - Better Streets Policy - Including the National Association of City Transportation Officials Urban Design Guides]**Sponsor: Wiener**

Ordinance amending the Administrative Code to include the National Association of City Transportation Officials Urban Street Design Guide and Urban Bikeway Design Guide as an additional reference in City transportation planning and design projects and programs.

09/09/14; ASSIGNED to Land Use and Economic Development Committee.

140953 [Environment Code - Revising the Urban Forestry Council Composition and Meeting Requirements]**Sponsor: Wiener**

Ordinance amending the Environment Code to revise the composition and meeting schedule requirements for the Urban Forestry Council.

09/09/14; ASSIGNED to Rules Committee.

140954 [Planning Code - Exceptions from Dwelling Unit Density Limits and from Other Specified Code Requirements]**Sponsors: Wiener; Breed**

Ordinance amending the Planning Code to permit exceptions from dwelling unit density limits and other requirements of the Code when adding Dwelling Units to existing buildings undergoing seismic retrofitting; deleting the requirement that a new In-Law Unit constructed in and near the Castro Street Neighborhood Commercial District be limited to 750 square feet; correcting outdated cross-references and Code language; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/09/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/9/2014.

Resolutions**140939 [Board Response - Civil Grand Jury - The Port of San Francisco, Caught Between Public Trust and Private Dollars]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "The Port of San Francisco, Caught Between Public Trust and Private Dollars;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

06/19/14; REFERRED TO DEPARTMENT.

08/12/14; RESPONSE RECEIVED.

08/15/14; RESPONSE RECEIVED.

08/15/14; RESPONSE RECEIVED.

08/15/14; RESPONSE RECEIVED.

08/19/14; RESPONSE RECEIVED.

08/27/14; RESPONSE RECEIVED.

09/09/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140940 [Board Response - Civil Grand Jury - Rising Sea Levels...At Our Doorstep]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "Rising Sea Levels...At Our Doorstep;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

06/25/14; REFERRED TO DEPARTMENT.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

09/09/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140941 [Board Response - Civil Grand Jury - Ethics in the City: Promise, Practice or Pretense]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "Ethics in the City: Promise, Practice or Pretense;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

06/26/14; REFERRED TO DEPARTMENT.

08/21/14; RESPONSE RECEIVED.

08/25/14; RESPONSE RECEIVED.

08/25/14; RESPONSE RECEIVED.

08/25/14; RESPONSE RECEIVED.

08/28/14; RESPONSE RECEIVED.

09/09/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140955 [Increase of Wastewater Enterprise Commercial Paper Program - Not to Exceed \$500,000,000]**Sponsor: Mayor**

Resolution authorizing an increase of the principal amount of the Wastewater Enterprise's Commercial Paper Program by \$200,000,000 from a principal amount not to exceed \$300,000,000 to a principal amount not to exceed \$500,000,000 to be issued from time to time by the Public Utilities Commission to finance various capital projects benefitting the Wastewater Enterprise, each pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact)

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140956 [Recognizing San Francisco's Camp Mather and Commending Those Who Helped Save it from the Rim Fire of 2013]**Sponsors: Avalos; Tang, Kim and Farrell**

Resolution recognizing the 90th Anniversary of San Francisco's Camp Mather, and commending those who helped save Camp Mather, located in the Stanislaus National Forest, from the devastating Rim Fire of August 17, 2013, through October 25, 2013.

09/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140957 [Urging Pacific Gas and Electric Company to Grant the Police Department to Install Gunshot Tracking Technology on Their Telephone and Power Poles Throughout San Francisco]**Sponsors: Campos; Kim, Breed and Mar**

Resolution urging Pacific Gas and Electric Company (PG&E) to grant the Police Department the ability to install gunshot tracking technology on PG&E telephone and power poles throughout San Francisco without charge for the purpose of furthering community policing and curbing gun violence.

09/09/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

140958 [Supporting California Proposition 47 - The Safe Neighborhoods and Schools Initiative]**Sponsor: Chiu**

Resolution supporting California Proposition 47 to reduce the penalties for certain non-serious and non-violent property and drug crimes, save the State money, and invest in crime prevention programs.

09/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140959 [Opposing Sex-Selective Abortion Bans]**Sponsors: Chiu; Kim, Tang, Breed, Cohen and Mar**

Resolution affirming San Francisco's opposition to "Sex-Selective Abortion Bans" that perpetuate racial stereotypes.

09/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

140960 [Cost of Living Adjustment to the Contract for Budget and Legislative Analyst Services - FYs 2014-2015 and 2015-2016]

Motion to enact a 3.00 percent Cost of Living Adjustment (COLA) to the current \$2,000,000 contract for Budget and Legislative Analyst Services, to be effectuated no earlier than October 1, 2014, resulting in a 2.25 percent, or \$45,000, increase to the contract in FY2014-2015 and directing the Clerk of the Board to take all necessary administrative action to amend the contract accordingly and further directing the Clerk of the Board to include the annualized cost of the 3.00 percent COLA in the Department of the Board of Supervisors' FY2015-2016 proposed budget. (Clerk of the Board)

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140961 [Reappointment, Peninsula Corridor Joint Powers Board - Supervisor Malia Cohen]

Motion reappointing Supervisor Malia Cohen to the Peninsula Corridor Joint Powers Board, for the unexpired portion of a two-year term ending June 30, 2016. (Clerk of the Board)

09/09/14; RECEIVED AND ASSIGNED to Rules Committee.

Requests for Hearing

140962 [Hearing - City's Policies for Planning for New Student Enrollment Due to Increased Residential Development]

Sponsor: Kim

Hearing requesting presentations from the San Francisco Unified School District, Planning Department, and Controller's Office on residential development pipeline projections, enrollment projections, and related educational and school infrastructure needed to accommodate new student enrollment due to increased residential development.

09/09/14; RECEIVED AND ASSIGNED to City and School District Select Committee.

140963 [Hearing - San Francisco's Pre-Kindergarten and Transitional Kindergarten Programs]

Sponsor: Kim

Hearing requesting presentations from the San Francisco Unified School District, Department of Children, Youth, and Their Families, Controller's Office, and the Mayor's Office of Education on the current statistics and data of the City and County of San Francisco's pre-kindergarten and transitional kindergarten programs, including the demographics of students served in these programs, an analysis of the achievement gap between students who attended pre-kindergarten and those who did not, and information on how to achieve a universal pre-kindergarten program where every pre-kindergarten student has access to early childhood education.

09/09/14; RECEIVED AND ASSIGNED to City and School District Select 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 ORDINANCE

140909 [Administrative Code - Catastrophic Illness Programs]

Ordinance amending the Administrative Code to authorize the Department of Public Health to designate another City department to carry out various functions in the administration of the Catastrophic Illness Program for City employees and the Catastrophic Illness Program for family members of City employees. (Public Health Department)

08/29/14; RECEIVED FROM DEPARTMENT.

09/09/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/9/2014.

PROPOSED RESOLUTIONS

140907 [Annual Performance Contract Renewal - California Department of Health Care Services - Mental Health Services]

Resolution retroactively approving Performance Contract No. 14-90344, between Community Behavioral Health Services and the Department of Health Care Services, incorporating the Mental Health Services Act, Projects for Assistance in Transition from Homelessness, the Mental Health Plan, and Community Mental Health Services Grant for the period of July 1, 2014, through June 30, 2015; and authorizing the Department of Public Health, Community Behavioral Health Services Director, to sign said agreement and any and all amendments in the future. (Public Health Department)

(Fiscal Impact)

08/26/14; RECEIVED FROM DEPARTMENT.

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140908 [Street Encroachment - 157-24th Avenue]

Resolution granting revocable permission to Kristina Baker to occupy a portion of the public right-of-way to construct and maintain a portion of a new two car garage, new terraced concrete retaining walls, reconstruct existing public concrete stairway, and install and maintain additional landscaping within the existing sloped and landscaped portion of the 24th Avenue public right-of-way, to access and provide off-street parking for the property at 157-24th Avenue (Assessor's Block No. 1334, Lot No. 006) and making findings of consistency with the eight priority policies of Planning Code, Section 101.1. (Public Works)

08/28/14; RECEIVED FROM DEPARTMENT.

09/09/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140910 [Lease Renewal - 617 Mission Street - Conner Children's Trust No. 2 - Child Support Services - \$1,453,414.56 Total Rent in the First Year]

Resolution authorizing the exercise of an option to extend the term for five years of a lease of 33,998 sq. ft. at 617 Mission Street/109 New Montgomery Street with Edward J. Connor and Douglas G. Moore, Co-Trustees under the Connor Children's Trust No. 2, for the Department of Child Support Services at \$121,117.88 monthly for \$1,453,414.56 total rent in the first year for the period of January 1, 2015, through December 31, 2019. (Real Estate Department)
(Fiscal Impact)

08/29/14; RECEIVED FROM DEPARTMENT.

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140911 [Operating Budget Amendment - Municipal Transportation Agency - Free Muni for Special Education Services Students - FY2015-2016]

Resolution approving an amendment to the San Francisco Municipal Transportation Agency's FY2015-2016 Operating Budget to provide free Muni service to 19 to 22 year-old students enrolled in the San Francisco Unified School District's Special Education Services Program.

08/29/14; RECEIVED FROM DEPARTMENT.

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Gwing Der - Board President Chiu, Supervisors Mar and Wiener

Lillian Lincoln Howell - Board President Chiu

Rashawn Williams - Supervisor Campos

Arturo Galster - Supervisors Campos and Wiener

Ashanti Dudley - Supervisor Kim

James Rich - Supervisors Avalos and Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:24 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 October 21, 2014.

Angela Calvillo, Clerk of the Board