

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, October 21, 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, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of September 9, 2014, and September 16, 2014. The motion carried by the following vote:

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

COMMUNICATIONS

There were none.

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

141045 [Formal Policy Discussions - October 21, 2014]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible question submitted from the Supervisor representing District 5. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. As we have all now seen in the news, and some San Franciscans have unfortunately experienced personally, we have a crisis in our Fire Department's ambulance system.

The Department is out of compliance with the service level it is obligated to provide under its "Exclusive Operating Area" with the state. It is also failing to meet its own standards for ambulance response times. The City aims to have ambulances on the scene of emergencies within 10 minutes 90% of the time. In July and August the Fire Department's actual response was almost 50% longer than that. There were 374 occasions when it took more than 20 minutes for an ambulance to arrive-in August alone. "Medic-to-follow" calls, when the Fire Department literally does not have an ambulance available to send to someone in need, have increased over 500% since 2008, averaging eight times per day in 2013 and spiking dramatically since. Meanwhile, the Board of Supervisors has approved funding for 16 new ambulances in the last several years, and the Fire Department has still not completed the purchase or put a single one into service.

I know you have convened a working group to develop short-, medium-, and long-term measures to address this crisis, and I thank you for inviting me to join that process.

But I and every employee group in the Fire Department have lost faith in the current leadership of the Department. We saw this crisis coming. I held my first hearing on it in January of 2014. Why was this allowed to get so bad, and what are you doing to hold the leadership of the Fire Department accountable? (Supervisor Breed, District 5)

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

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

140775 [Planning Code - Amending Definition of Residential Unit and Residential Conversion Requirements]

Sponsor: Avalos

Ordinance amending the Planning Code to amend the definition of Residential Unit and clarify the requirements for a Residential Conversion of a Residential Hotel Unit regulated under Administrative Code, Chapter 41; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 219-14

FINALLY PASSED

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

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.

Ordinance No. 217-14**FINALLY PASSED****Recommendations of the Rules Committee****140965 [Appointment, Commission on Aging Advisory Council - Catherine Russo]**

Motion appointing Catherine Russo, term ending March 31, 2016, to the Commission on Aging Advisory Council. (Rules Committee)

Motion No. M14-167**APPROVED****140992 [Appointment, SRO Task Force - Raul Fernandez-Berriozabal]**

Motion appointing Raul Fernandez-Berriozabal, term ending December 31, 2015, to the SRO Task Force. (Rules Committee)

Motion No. M14-168**APPROVED****140994 [Appointments, Assessment Appeals Board No. 1 - Diane Robinson and Richard Lee]**

Motion appointing Diane Robinson and Richard Lee, terms ending September 4, 2017, to the Assessment Appeals Board No. 1. (Rules Committee)

Motion No. M14-169**APPROVED****140995 [Appointments, Assessment Appeals Board No. 2 - Yosef Tahbazof and Edward Campana]**

Motion appointing Yosef Tahbazof, term ending September 5, 2016, and Edward Campana, term ending September 4, 2017, to the Assessment Appeals Board No. 2. (Rules Committee)

Motion No. M14-170**APPROVED****140996 [Appointment, Assessment Appeals Board No. 3 - Anne Ferrel]**

Motion appointing Anne Ferrel, term ending September 4, 2017, to the Assessment Appeals Board No. 3. (Rules Committee)

Motion No. M14-171**APPROVED**

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

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

Sponsor: Chiu

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

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be AMENDED in Administrative Code, Section 41A.5, by allowing short term rentals for no more than 90 days per year. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee

Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Supervisor Campos, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED in Section 4(a-b), by making the ordinance operative only after the certification by the Treasurer/Tax Collector that all Hosting Platforms have remitted all Transient Occupancy Taxes that are due and payable. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee

Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Supervisor Yee proposed an amendment relating to hosting platforms that have paid their taxes. The motion died due to a lack of a second.

Supervisor Yee, seconded by Supervisor Mar, moved that this Ordinance be AMENDED in Section 41A.5(g)(2) by limiting short term rentals to 90 days and adding other restrictions for residential units located in RH-1(D) zoning districts. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee

Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Ordinance No. 218-14

FINALLY PASSED by the following vote:

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

Noes: 4 - Avalos, Campos, Mar, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140798 [Business and Tax Regulations Code - Amendments to Common Administrative Provisions, Business Registration, Payroll Expense Tax, and Gross Receipts Tax]
Sponsor: Chiu

Ordinance amending the Business and Tax Regulations Code by revising the minimum filing amounts for the payroll expense tax and gross receipts tax and making the amounts consistent with administrative requirements for the small business exemptions; clarifying penalty and interest provisions; clarifying that each member of a combined group engaged in business in San Francisco must register with the Tax Collector; clarifying when annual adjustments must be made to the business registration fee; clarifying the basis of the business registration fee; and deleting obsolete registration provisions.

Supervisor Chiu requested to be added as the sponsor.

PASSED, ON FIRST READING by the following vote:

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

140874 [Administrative, Subdivision Codes - Tenant Buyout Agreements]
Sponsors: Campos; Avalos, Kim and Mar

Ordinance amending the Administrative Code to require landlords to provide tenants with a disclosure of the tenants' rights before the landlord commences buyout negotiations; to require landlords to file a form with the Rent Board indicating the address of the unit that may become the subject of buyout negotiations; to require all buyout agreements to be in writing and to include certain statements about the tenant's rights; to allow tenants to rescind buyout agreements for up to 45 days after the agreements are fully executed; to require landlords to file a copy of buyout agreements with the Rent Board; to require the Rent Board to create a publically available searchable database of buyout agreements; to require the Rent Board to provide an annual report to the Board of Supervisors regarding tenant buyouts; to authorize tenants to bring civil actions for actual damages and civil penalties against landlords who fail to provide the required disclosures about the tenants' rights; to authorize certain non-profits to bring civil actions for a landlord's failure to file a buyout agreement with the Rent Board; and amending the Subdivision Code to prohibit buildings from entering the condominium conversion lottery if the owners of the building have entered certain tenant buyout agreements.

Supervisor Campos, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 7, Line 12, by changing '52' to '59'. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Noes: 4 - Breed, Farrell, Tang, Wiener

140979 [Park Code - Flexible Pricing at Gleneagles Golf Course; Lease Amendment - Gleneagles Golf Partners, LP - Operation of Gleneagles Golf Course - Percentage of Gross Revenues]

Sponsor: Cohen

Ordinance amending the Park Code to authorize flexible pricing at Gleneagles Golf Course in McLaren Park; approving the amendment and extension of a lease with Gleneagles Golf Partners, LP, for operation of the Gleneagles Golf Course commencing on the effective date of this Ordinance and ending November 30, 2022, for 7% of gross revenues, subject to conditions, incentives, participation rent, and rent credits; and affirming the Planning Department's determination under the California Environmental Quality Act.

PASSED, ON FIRST READING by the following vote:

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

140759 [Mental Health Services Act 2014-2017 Integrated Plan]

Resolution adopting the Mental Health Services Act 2014-2017 Integrated Plan. (Public Health Department)

Resolution No. 390-14

ADOPTED by the following vote:

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

140848 [Grant Agreement Modifications - Institute on Aging - Not to Exceed \$38,993,299]

Sponsor: Mar

Resolution approving the grant agreements between the City and County of San Francisco and the non-profit Institute on Aging to provide Adult Day Health/Adult Day Care, Alzheimer's Day Care Resource Center, Case Management, Center for Elderly Suicide Prevention, Citywide Information and Assistance Supervisor, Clinical Supervision Collaborative, Community Living Fund, Elder Abuse Prevention, Forensic Center, Linkages, and Young Adults with Disabilities Home-Delivered Meals Assessment services to seniors and adults with disabilities during the period of July 1, 2010, to June 30, 2019, for a total not to exceed the amount of \$38,993,299.
(Fiscal Impact)

Supervisor Mar requested to be added as the sponsor.

Resolution No. 391-14

ADOPTED by the following vote:

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

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. (Public Health Department)
(Fiscal Impact)

Resolution No. 392-14

ADOPTED by the following vote:

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

140920 [Lease Disposition and Development Agreement and Lease and Access License - Geneva Office Building and Powerhouse Rehabilitation - Cameron Beach Rail Yard]
Sponsors: Avalos; Farrell and Mar

Resolution approving and authorizing a Lease Disposition and Development Agreement and 55-year Lease and Access License to the Friends of the Geneva Office Building and Powerhouse for the rehabilitation and use of the Geneva Office Building and Powerhouse for Cameron Beach Rail Yard; affirming a community plan exemption determination by the Planning Department and adopting findings pursuant to the California Environmental Quality Act; authorizing the San Francisco Municipal Transportation Agency Director of Transportation, or designee, to execute and make certain modifications to the Access License; and authorizing the General Manager of the Recreation and Park Department, or designee, to execute certain documents, make certain modifications, and take certain actions in furtherance of this Resolution.

(Fiscal Impact)

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

Resolution No. 393-14

ADOPTED by the following vote:

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

141025 [Apply for Grant - Continuum of Care Program - Not to Exceed \$27,000,000]
Sponsor: Mayor

Resolution approving the 2014 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Program with an amount not to exceed \$27,000,000; and fulfilling the Board of Supervisors review and approval process for all annual or otherwise recurring grants of \$5,000,000 or more.

Resolution No. 394-14

ADOPTED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee

140247 [Follow-Up Board Response - Civil Grand Jury Report - Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock]
Sponsor: Mar

Motion responding to the Civil Grand Jury request to provide a status update on the Board of Supervisors' response to Recommendation No. 13 contained in the 2011-2012 Civil Grand Jury Report, entitled "Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock;" and urging the Mayor to cause implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget.

Supervisor Mar requested to be added as the sponsor.

Motion No. M14-172

APPROVED 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

130412 [Public Works Code - Installation of Communications Infrastructure in Excavation Projects]

Sponsors: Chiu; Wiener, Cohen and Mar

Ordinance amending the Public Works Code to require the installation of City-owned communications infrastructure in excavation projects where the City has determined that it is both financially feasible and consistent with the City's long-term goals to develop the City's communications infrastructure.

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

PASSED, ON FIRST READING by the following vote:

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

140804 [Planning Code - Arcades in the Haight Street Neighborhood Commercial District]

Sponsors: Breed; Wiener and Kim

Ordinance amending the Planning Code to permit arcades in the Haight Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

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

140806 [Health, Building Codes - Ventilation Requirement for Urban Infill Development and Establishing Fees]

Sponsors: Cohen; Kim and Mar

Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

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

PASSED, ON FIRST READING by the following vote:

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

Recommendations of the Neighborhood Services and Safety Committee

140306 [Health Code - Extending Involuntary Psychiatric Holds]

Ordinance amending the Health Code to authorize the use of an additional 30-day involuntary psychiatric hold, as permitted under California Welfare and Institutions Code, Sections 5270.10-5270.65, and making a finding that this authorization will not result in increased costs to the City or in the reduction of current services. (Human Services Agency)

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 1, Line 12, by adding 'to' before 'Article 41', and 'a Division I' after 'Article 41'; and Line 15, by adding 'DIVISION I: PSYCHIATRIC HOLDS'. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

140881 [2014 Hazard Mitigation Plan]

Sponsor: Mayor

Resolution adopting the 2014 City and County of San Francisco Hazard Mitigation Plan.

Resolution No. 395-14

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

140990 [Appointments, Sunshine Ordinance Task Force - Pixie (Rishi) Chopra and Fiona Hinze]

Motion appointing Pixie (Rishi) Chopra (residency requirement waived) and Fiona Hinze, terms ending April 27, 2015, to the Sunshine Ordinance Task Force. (Rules Committee)

Motion No. M14-173

APPROVED by the following vote:

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

140991 [Appointments, Reentry Council - Joseph Calderon, Dominique Rosa Leslie, Ernest Kirkwood, and Kimberli Courtney]

Motion appointing Joseph Calderon, Dominique Rosa Leslie, Ernest Kirkwood, and Kimberli Courtney, terms ending June 1, 2016, to the Reentry Council. (Clerk of the Board)

Motion No. M14-174

APPROVED by the following vote:

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

140993 [Appointments, Citizen's Advisory Committee for the Central Market Street and Tenderloin Area - John Bogacki and Rob Gitin]

Motion appointing John Bogacki, term ending August 2, 2015, and Rob Gitin, term ending August 2, 2017, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Rules Committee)

Motion No. M14-175

APPROVED by the following vote:

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

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**Privilege of the Floor**

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

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

RESTAURANT APPRECIATION MONTH

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Restaurant Appreciation Month, their accomplishments, and their continued community support, as referenced below:

*Supervisor Avalos recognized Roxie Food Center (1901 San Jose Avenue);
Supervisor Cohen recognized Eat Drink Play (28 Leland Avenue);
Supervisor Campos recognized Louisiana Po-Boy (3030 San Bruno Avenue);
Supervisor Wiener recognized Firefly (4288-24th Street);
Supervisor Yee recognized K's Kitchen (757 Monterey Boulevard);
Supervisor Kim recognized Delancey Street Restaurant (600 Embarcadero) and Crossroads Café (699 Delancey Street);
Supervisor Breed recognized Sheba's Lounge (1419 Fillmore Street);
Supervisor Tang recognized John's Ocean Beach Cafe (2898 Sloat Boulevard);
Supervisor Farrell recognized Delarosa (2175 Chestnut Street);
Supervisor Mar recognized Velo Rouge (798 Arguello Boulevard);
Supervisor Chiu recognized Farm Table (754 Post Street).*

Joaquin Torres (Mayor's Office) introduced, welcomed, and presented a Certificate of Honor on behalf of Mayor Lee to 1300 on Fillmore (1300 Fillmore Street) in recognition of Restaurant Appreciation Month.

COMMITTEE REPORTS

Recommendation of the Rules Committee

140975 [Confirming Reappointment, Public Utilities Commission - Anson Moran]

Sponsor: Mayor

Motion confirming the Mayor's reappointment of Anson Moran to the Public Utilities Commission, term ending August 1, 2018.

Motion No. M14-176

APPROVED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Peter Warfield; spoke in remembrance of Ted Gullickson and expressed concerns regarding full disclosure.

Male Speaker; expressed various religious concerns.

Male Speaker; expressed concerns regarding gang violence.

Walter Paulson; shared in song certain concerns with the Board.

Male Speaker; shared a media clip regarding artificial turf and diseases.

Lauren Maxwell; expressed concerns regarding the preservation of arts.

Male Speaker; expressed concerns regarding the Municipal Transportation Agency.

Trisha Fogleman; expressed concerns regarding domestic violence and politics.

Merrie Jo Musni; expressed concerns regarding domestic violence and politics.

Hilda Perez; expressed concerns regarding domestic violence and politics.

Maria Guillen; expressed concerns regarding domestic violence and politics.

Female Speaker; expressed concerns regarding domestic violence and politics.

Tami Bryant; expressed concerns regarding domestic violence and politics.

Pilar Schiavo; expressed concerns regarding domestic violence and politics.

Jamie Brooks; expressed concerns regarding greenhouse gas disclosures.

Eddie Ahn; expressed support for the introduction of the environmental legislation.

Jeanine Hunter; shared her support of solar energy and legislation on climate change.

Male Speaker; shared his support of the whales and dolphins proposed legislation.

Laura Fisherman; shared her support of the whales and dolphins proposed legislation.

Jackee Bryson; spoke on eviction protection issues.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

141028 [Closed Session - Anticipated Litigation - Establishing a Homeownership Stabilization Authority]

Sponsor: Farrell

Motion that the Board of Supervisors convene in closed session on October 21, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, 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 permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Motion be AMENDED to change the date from 'October 21, 2014', to 'October 28, 2014'. The motion carried by the following vote:

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

Motion that the Board of Supervisors convene in closed session on October 28, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, 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 permit 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 the proposed continuance to October 28, 2014. There were no speakers. The President declared public comment closed.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Motion be CONTINUED AS AMENDED to October 28, 2014. The motion carried by the following vote:

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

Referred Without Recommendation from the Budget and Finance Committee

140709 [Studying a Homeownership Stabilization Authority and Other Approaches to Assist Homeowners with Troubled Mortgages]

Sponsors: Avalos; Campos, Mar and Kim

Resolution authorizing negotiation of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages.

Supervisor Avalos, seconded by Supervisor Farrell, 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 Avalos, seconded by Supervisor Campos, moved that this Resolution be CONTINUED AS AMENDED to October 28, 2014. The motion carried by the following vote:

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141043 [Ernest "Ernie" Garduno Day - October 15, 2014]

Sponsor: Farrell

Resolution declaring October 15, 2014, as Ernest "Ernie" Garduno Day in the City and County of San Francisco.

Resolution No. 396-14

ADOPTED by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Farrell requested that File No. 141042 be severed so that it may be considered separately.

141042 [San Francisco Children's Outdoor Bill of Rights - October 18, 2014]

Sponsor: Farrell

Resolution recognizing the inauguration of the San Francisco Children's Outdoor Bill of Rights, as detailed in this Resolution, on October 18, 2014.

Supervisor Farrell requested this matter be REFERRED to the Neighborhood Services and Safety Committee.

Supervisor Wiener requested that File No. 141044 be severed so that it may be considered separately.

141044 [Free and Safe Passage of Whales and Dolphins in San Francisco's Coastal Waters]

Sponsor: Wiener

Resolution supporting the free and safe passage of whales and dolphins in San Francisco's coastal waters, San Francisco Bay, and its estuaries.

Resolution No. 397-14

ADOPTED by the following vote:

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

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

141093 [Zoning - Interim Moratorium Extension on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]

Sponsors: Kim; Avalos, Campos and Mar

Urgency Ordinance approving an extension of the 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 22 months and 15 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.

10/21/14; ASSIGNED to Land Use and Economic Development Committee.

141094 [Environment Code - Greenhouse Gas Information Labels for Gas Pumps]

Sponsors: Avalos; Mar and Breed

Ordinance amending the Environment Code to require service station operators to place labels on gas pumps advising the public of the amount of carbon dioxide generated by burning a gallon of fuel; and making environmental findings.

10/21/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/20/2014.

141095 [Environment Code - Safe Drug Disposal]

Sponsors: Breed; Mar

Ordinance amending the Environment Code to require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources; to provide for implementation, enforcement, fees, and penalties; and making environmental findings.

10/21/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/20/2014.

141096 [Planning Code - Height Exemptions for Hospitals]

Sponsor: Wiener

Ordinance amending the Planning Code to allow exemptions above the height limit for hospital mechanical equipment in hospitals that are legal non-compliant structures with regard to height; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/21/14; ASSIGNED to Land Use and Economic Development Committee.

141097 [Administrative Code - Department of Public Health Managed Care Contracts]**Sponsors: Farrell; Chiu and Campos**

Ordinance amending the Administrative Code to authorize the Director of Health to enter into managed care contracts for the provision of services to individuals covered under federal and state programs including subsidized health coverage for low income populations.

10/21/14; ASSIGNED to Budget and Finance Committee.

141098 [Health, Business and Tax Regulations Codes - Tobacco Sales Permits and Associated Fees]**Sponsors: Mar; Kim and Wiener**

Ordinance amending the Health Code by adding density, proximity, and sales establishment limitations on the granting of new tobacco sales permits, and renumbering all sections in Article 19H; amending the Business and Tax Regulations Code by increasing the annual license and application fees; and making environmental findings.

10/21/14; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 11/20/2014.

Resolutions**141034 [Street Encroachment - Avalon Bay Communities - Hickory Street Frontage of 307-323-325 Octavia Street]****Sponsor: Breed**

Resolution granting revocable permission to Avalon Bay Communities to occupy a portion of the public right-of-way to construct and maintain improvements within Hickory Street between Octavia and Laguna Streets fronting 307-323-325 Hickory Street (Assessor's Block No. 0831, Lot No. 023), and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/03/14; RECEIVED FROM DEPARTMENT.

10/21/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141099 [Urging the Fire Commission to Critically Evaluate the Current Leadership of the Fire Department]**Sponsor: Breed**

Resolution urging the Fire Commission to critically evaluate the current leadership of the Fire Department (Department) and carefully heed the messages of the Department's employee organizations in light of the ongoing Emergency Medical Services crisis within the Department.

10/21/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

141100 [Accept and Expend Grant - Racial and Ethnic Approaches to Community Health - Heart Healthy SF- \$799,159]**Sponsors: Cohen; Mar**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$799,159 from Centers for Disease Control and Prevention to participate in a program entitled "Racial and Ethnic Approaches to Community Health - Heart Healthy SF" for the period of September 30, 2014, through September 29, 2015.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141101 [Multifamily Housing Revenue Note - Hunters View Phase IIA - Not to Exceed \$41,000,000]**Sponsor: Cohen**

Resolution authorizing the issuance and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$41,000,000 for the purpose of providing financing for the acquisition and construction of a 107-unit multifamily rental housing project known as Hunters View Phase IIA; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141102 [Mills Act Historical Property Contract - 68 Pierce Street]**Sponsor: Wiener**

Resolution approving a Mills Act historical property contract under Administrative Code, Chapter 71, between Diarmuid R. Russell and Heather Podruchny, the owners of 68 Pierce Street, and the City and County of San Francisco for an initial term of ten years and for an amount to be defined to commence following Board approval; and authorizing the Planning Director and the Assessor to execute the historical property contract.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141103 [Mills Act Historical Property Contract - 563-567 Waller Street]**Sponsor: Wiener**

Resolution approving a Mills Act historical property contract under Administrative Code, Chapter 71, between Brandon Miller and Jay Zalewski, the owners of 563-567 Waller Street, and the City and County of San Francisco for an initial term of ten years and for an amount to be defined to commence following Board approval; and authorizing the Planning Director and the Assessor to execute the historical property contract.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141104 [Mills Act Historical Property Contract - 621 Waller Street]**Sponsor: Wiener**

Resolution approving an historical property contract under Administrative Code, Chapter 71, between Renee and Claude Zellweger, the owners of 621 Waller Street, and the City and County of San Francisco for an initial term of ten years and for an amount to be defined to commence following Board approval; and authorizing the Planning Director and the Assessor to execute the historical property contract.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141105 [Supporting the Creation of Open Source Voting Systems - Studying New Models of Voting System Development]**Sponsor: Wiener**

Resolution committing the City and County of San Francisco to become a member of the California Association of Voting Officials and pledging to join efforts with participating jurisdictions to create new voting systems utilizing free open source software for elections.

10/21/14; RECEIVED AND ASSIGNED to Rules Committee.

141106 [Urging Support for the Right of Workers to Unionize at Le Meridien San Francisco and Hyatt Fisherman's Wharf]**Sponsors: Campos; Mar**

Resolution urging the City and County of San Francisco to support the rights of workers to unionize and boycott the Le Meridien San Francisco and Hyatt Fisherman's Wharf.

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141107 [Solar Vision Goals for San Francisco by 2020]**Sponsors: Chiu; Mar**

Resolution urging the City and County of San Francisco to make GoSolarSF a permanent program, to require solar installation on all new construction or substantial retrofits in the City, establishing Solar Vision goals for 2020, and establishing an overall megawatt solar energy goal for the City.

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141108 [Condemning Anti-Arab and Anti-Muslim Bus Advertisements]**Sponsors: Chiu; Mar**

Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141109 [Urging Support for Reconvening Domestic Violence Death Review Team]**Sponsors: Kim; Cohen, Tang, Breed and Mar**

Resolution urging the City and County of San Francisco to support the reconvening of a multidisciplinary Domestic Violence Death Review Team to conduct an in-depth review of domestic violence-related fatalities; make recommendations to strengthen system policies and procedures, if needed; and identify additional prevention strategies to prevent future incidents of domestic violence-related injuries and deaths.

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141110 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Amending the Downtown Support Special Use District; Fees in Lieu of On-Site Open Space (File No. 140877)]**Sponsor: Kim**

Resolution extending by 90-days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 140877) amending the Planning Code, Section 247, to allow the Planning Commission to authorize a monetary contribution to satisfy on-site open space requirements; to exclude certain features from floor area ratio and gross floor area calculations; to establish a fund to accept the monetary contributions and provide that the monies deposited shall be used for recreation and open space in the South of Market (SoMa) area; to provide that the SoMa Community Stabilization Fund Community Advisory Committee shall advise on the administration of the fund; affirming the Planning Department's California Environmental Quality Act determination; and making findings consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

141111 [Committee of the Whole - Consent to Provisions of a Variation Decision - October 28, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, on October 28, 2014, at 3:00 pm., to hold a public hearing to conditionally consent to the Provisions of a Variation Decision by the Commission on Community Investment and Infrastructure modifying the On-Site Affordable Housing Requirement for 181 Fremont, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets, in the Transbay Redevelopment Project Area.

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141113 [Zoning - Report on Interim Moratorium on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]

Motion adopting the Planning Department's report on the 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. (Clerk of the Board)

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141115 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

141114 [Hearing - Transbay Transit Center and Downtown Extension Platform Compatibility]

Sponsor: Kim

Hearing requesting presentations from Peninsula Corridor Joint Powers Board (JBP), California High Speed Rail Authority (CHSRA), and Transbay Joint Powers Authority on the issue of platform compatibility, vehicle width, and its impact on the CHSRA program, Caltrain passenger and freight corridor, and the Transbay Transit Center and Downtown Extension including presentations from JPB and CHSRA status on the Request for Proposals for vehicle procurement.

10/21/14; 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 ORDINANCE

141053 [Business and Tax Regulations Code - Parking Stations; Revenue Control Equipment]

Ordinance amending the Business and Tax Regulations Code to authorize methods of electronic payment for parking; reduce parking ticket requirements; increase small lot exemptions; amend valet parking requirements; and clarify revenue control equipment requirements. (Treasurer-Tax Collector)

10/10/14; RECEIVED FROM DEPARTMENT.

10/21/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/20/2014.

PROPOSED RESOLUTIONS

141033 [Real Property Lease - Tenant Improvements - Bayview Plaza, LLC - 3801 Third Street - \$373,304 Rent in the Base Year - \$865,098 Estimated Improvements Cost]

Resolution authorizing the lease of 15,083 square feet at 3801 Third Street for the Human Services Agency with Bayview Plaza, LLC, merging Suites 200, 205, 210, 230, 235, 240, and adding Suite 220, commencing upon approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion, at the monthly rent of \$39,215.80 during improvements and alterations, and then \$41,478.25 per month for five years after substantial completion of the tenant improvements, for a base year's rent total of \$373,304; and Construction of Tenant Improvements in an estimated cost to the City of \$685,098.10. (Real Estate Department) (Fiscal Impact)

09/30/14; RECEIVED FROM DEPARTMENT.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141035 [Engineering Services Agreement Amendment - URS Corporation - New Irvington Tunnel Project - \$14,873,561]

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 4 to the professional services agreement for the New Irvington Tunnel Project with URS Corporation to increase the amount by \$500,000 for a total revised agreement amount of \$14,873,561 and extend the agreement term by one year for a total revised agreement term of ten years, through June 30, 2016, pursuant to Charter, Section 9.118. (Public Utilities Commission) (Fiscal Impact)

10/06/14; RECEIVED FROM DEPARTMENT.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:23 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 November 25, 2014.

Angela Calvillo, Clerk of the Board