

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, October 28, 2014 - 2:00 PM**

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

**Regular Meeting**

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DAVID CHIU, PRESIDENT

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

<b>Budget and Finance Committee</b> Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
<b>City and School District Select Committee</b> Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
<b>Government Audit and Oversight Committee</b> Supervisors Breed, Tang	2nd and 4th Thursday 11:00 AM
<b>Land Use and Economic Development Committee</b> Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
<b>Neighborhood Services and Safety Committee</b> Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
<b>Rules Committee</b> Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

**Members Present:** John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of September 23, 2014. The motion carried by the following vote:

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

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### 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.

**Ordinance No. 222-14**

**FINALLY PASSED**

**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.

**Ordinance No. 226-14**

**FINALLY PASSED**

**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.

**Ordinance No. 220-14**

**FINALLY PASSED**

**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.

**Ordinance No. 223-14**

**FINALLY PASSED**

**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.

**Ordinance No. 224-14**

**FINALLY PASSED**

**Recommendations of the Rules Committee****141015 [Settlement of Grievance - Wah Eng - \$67,436.01]**

Resolution approving settlement of the unlitigated grievance (ERD No. 02-12-2541) of Wah Eng against the City and County of San Francisco for \$67,436.01; Service Employees International Union, Local 1021, notified the City of the grievance entitled Grievance of Wah Eng on or before July 9, 2012. (City Attorney)

**Resolution No. 409-14**

**ADOPTED**

**141016 [Settlement of Claim - SF Third Street Equity Partners, LLC - \$103,232.10]**

Resolution approving the settlement of the unlitigated claim filed on July 9, 2014, by SF Third Street Equity Partners, LLC, against the City and County of San Francisco for \$103,232.10. (City Attorney)

**Resolution No. 403-14**

**ADOPTED**

**141050 [Appointment, Park, Recreation and Open Space Advisory Committee - Evelyn Fisher]**

Motion appointing Evelyn Fisher, term ending February 1, 2017, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

**Motion No. M14-177**

**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 Budget and Finance Committee

##### 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.

**Ordinance No. 225-14**

**FINALLY PASSED** by the following vote:

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

Noes: 4 - Breed, Farrell, Tang, Wiener

#### Recommendation 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)

**Ordinance No. 221-14**

**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

**141000 [Appropriation - Support for HIV Prevention - Department of Public Health - \$301,600 - FY2014-2015]**

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

Ordinance appropriating \$301,600 from the General Fund Reserve to the Department of Public Health in FY 2014-2015, for HIV prevention support for access to PreExposure Prophylaxis medication to assist in the prevention of HIV infection transmission.  
(Fiscal Impact)

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

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

Noes: 1 - Tang

**140945 [California Environmental Quality Act Findings and Mitigation Agreements - Various Cemeteries and the California Golf Club - Regional Groundwater Storage and Recovery Project]**

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to funding for the Regional Groundwater Storage and Recovery Project; and authorizing the General Manager of the Public Utilities Commission to enter into mitigation agreements with Cypress Lawn Memorial Park Cemetery, Eternal Home Cemetery, Hills of Eternity/Home of Peace/Salem Cemeteries, Holy Cross Catholic Cemetery, Italian Cemetery, Olivet Cemetery, Woodlawn Cemetery, and the California Golf Club for an indefinite term beginning upon execution of the agreements. (Public Utilities Commission)

**Resolution No. 400-14**

**ADOPTED by the following vote:**

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

**140997 [Real Property Leases - Multiple Landlords - Communications Services Facilities in Multiple Locations - \$90,500 Total Annual Initial Year Base Rent]**

Resolution authorizing the General Manager of the Public Utilities Commission to enter into: 1) a new communications site lease with Communication and Control, Inc., as Landlord for existing and new microwave communications antennas, radio communications, and other general telecommunications facilities on Alameda County Assessor's Parcel No. 096-0090-005-007 for a term up to 25 years at an initial rent of approximately \$57,000 with 3% annual rent increases; 2) a new amendment to an existing communications site sublease with Communication and Control, Inc., as sublandlord for existing and new microwave communications, radio communications, and other general telecommunications facilities on Contra Costa County Assessor's Parcel No. 006-070-021 for a term up to 25 years at an initial rent of approximately \$14,900 with 3% annual rent increases; 3) a license with Tri-Star Investors Inc., as Landlord for new microwave communications antennas, radio communications, and other general telecommunications facilities on a portion of Stanislaus County Assessor's Parcel No. 081-012-004-000 for a term up to 25 years at an initial rent of approximately \$18,600 with 3% annual rent increases, for a combined total amount of \$90,500 annual initial year base rent; and 4) adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31. (Public Utilities Commission)

**Resolution No. 401-14**

**ADOPTED by the following vote:**

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

**Recommendations of the Land Use and Economic Development Committee****120796 [Planning Code, Zoning Map - Establishing the Divisadero Street Neighborhood Commercial District and Deleting the Divisadero Street Restricted Use District]  
Sponsor: Breed**

Ordinance amending the Planning Code to establish the Divisadero Street Neighborhood Commercial District (NCD) along Divisadero Street between Haight and O'Farrell Streets, deleting the Divisadero Street Alcohol Restricted Use District (RUD), amending various other Code sections to make conforming and other technical changes, amending the Zoning Map to add the Divisadero Street NCD and deleting the Divisadero Street RUD, 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.

**Supervisor Breed, seconded by Supervisor Cohen, moved that this Ordinance 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

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

**120814 [Planning Code, Zoning Map - Establishing the Fillmore Street Neighborhood Commercial District]****Sponsor: Breed**

Ordinance amending the Planning Code to establish the Fillmore Street Neighborhood Commercial District (NCD) along Fillmore Street between Bush and McAllister Streets; amending various other Code sections to make conforming and other technical changes; amending the Zoning Map to add the Fillmore Street NCD; 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.

**Supervisor Breed, seconded by Supervisor Cohen, moved that this Ordinance 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

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

**141006 [Interim Zoning Controls - New Ground Floor Office Uses Facing 2nd Street, from King and Folsom Streets]****Sponsor: Kim**

Resolution imposing interim zoning controls requiring conditional use authorization for new office uses facing 2nd Street, from King to Folsom Streets, for eighteen months; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

**Resolution No. 402-14**

**ADOPTED by the following vote:**

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

**Recommendation of the Neighborhood Services and Safety Committee****140850 [Liquor License - 507 Columbus Avenue]**

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to 507 Columbus Avenue (District 3), to Sayed Jalal Heydari for Alimento Deli, will serve the public convenience or necessity of City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

**Resolution No. 399-14**

**ADOPTED by the following vote:**

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



## **Recommendations of the Rules Committee**

### **141051 [Appointment, Entertainment Commission - Demetri Moshoyannis]**

Motion appointing Demetri Moshoyannis, term ending July 1, 2017, to the Entertainment Commission. (Rules Committee)

**Motion No.** M14-178

**APPROVED** by the following vote:

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

### **141052 [Appointments, Immigrant Rights Commission - Almudena Bernabeu, Haregu Gaime, Bill Hing, Leah Chen Price, and Elahe Enssani]**

Motion appointing Almudena Bernabeu, Haregu Gaime (residency requirement waived), Bill Hing, Leah Chen Price, and Elahe Enssani, terms ending June 6, 2016, to the Immigrant Rights Commission. (Rules Committee)

**Motion No.** M14-179

**APPROVED** by the following vote:

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

## **SPECIAL ORDER 3:00 P.M.**

### **141018 [Public Hearing - Appeal of Tentative Map - 639 Peralta Avenue]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated September 18, 2014, approving a Tentative Map for a 2-Unit New Construction Condominium Project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (District 9) (Appellant: Alexander M. Weyand, on behalf of William H. Bradley) (Filed September 29, 2014). (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Board. Alexander Weyand (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. There were no speakers in support of the appeal. Bruce Storrs, City Surveyor, provided an overview of the decision of Public Works. Dave Dolmen (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of Public Works. There were no speakers in support of the project. Alexander Weyand and William Bradley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.*

*HEARD AND FILED.*

*Supervisor Campos, seconded by Supervisor Wiener, moved to rescind the previous action, thereby reopening the public hearing. The motion carried by the following vote:*

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

**Supervisor Campos, seconded by Supervisor Mar, moved that this Hearing be CONTINUED OPEN to December 16, 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

**141019 [Approving Decision of Public Works and Approving the Tentative Parcel Map - 639 Peralta Avenue]**

Motion approving decision of Public Works and approving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

**Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to December 16, 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

**141020 [Disapproving Decision of Public Works and Disapproving the Tentative Parcel Map - 639 Peralta Avenue]**

Motion disapproving decision of Public Works and disapproving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

**Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to December 16, 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

**141021 [Preparation of Findings Related to the Tentative Parcel Map - 639 Peralta Avenue]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (Clerk of the Board)

**Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to December 16, 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

## SPECIAL ORDER 3:00 P.M.

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

#### **141112 [Hearing - Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 181 Fremont Street - Transbay Redevelopment Project Area]**

Hearing to consider the proposed Resolution of the Board of Supervisors (File No. 141022), acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 181 Fremont Street in the Transbay Redevelopment Project Area. (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Committee of the Whole. Supervisor Kim provided opening remarks. Courtney Pash (Mayor's Office of Community Investment and Infrastructure) provided an overview of the proposed modifications and development agreement and responded to questions raised throughout the discussion. Dale Seymour; spoke in opposition to the modifications and development agreement. Larry Edmund Juizye; Male Speaker; spoke neither in support nor opposition to the modifications and development agreement. Supervisor Kim provided closing remarks. 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.*

HEARD AND FILED

### Committee of the Whole Adjourn and Report

#### **141022 [Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 181 Fremont Street - Transbay Redevelopment Project Area] Sponsor: Kim**

Resolution of the Board of Supervisors, acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 181 Fremont Street in the Transbay Redevelopment Project Area.

**Resolution No. 404-14**

**ADOPTED by the following vote:**

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

## **Recommendation of the Land Use and Economic Development Committee**

### **141023 [Development Agreement - 181 Fremont Street, LLC - 181 Fremont Street - Transbay Redevelopment Project Area]**

**Sponsors: Mayor; Kim**

Ordinance approving a Development Agreement between the City and County of San Francisco and 181 Fremont Street, LLC, for certain real property, known as 181 Fremont Street, located in the Transbay Redevelopment Project Area, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets; making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56, and Planning Code, Section 249.28.

**PASSED, ON FIRST READING 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 Kim, 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

#### *FILIPINO-AMERICAN HERITAGE MONTH*

*Supervisor Avalos provided some opening remarks. Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Filipino-American Heritage Month, their accomplishments, and their continued community support as referenced below:*

*Supervisor Kim recognized Bayanihan Community Center and Dr. Manual Borja; and  
Supervisor Breed recognized Chris Punongbayan; and  
Supervisor Tang recognized Dick Cerbatos (posthumous); and  
Supervisor Chiu recognized Amor Santiago; and  
Supervisor Mar recognized Tony Robles; and  
Supervisor Farrell recognized Al Perez; and  
Supervisor Avalos recognized Filipino Community Center and Pin@y Educational Partnerships;  
and  
Supervisor Cohen recognized Augusto De La Cruz; and  
Supervisor Wiener recognized Allied Quijano Paningbatan-Swan; and  
Supervisor Campos recognized Carmela Clendering; and  
Supervisor Yee recognized Arsenio "Art" Belenson.*

## COMMITTEE REPORTS

### Recommendations of the Neighborhood Services and Safety Committee

#### **141001 [Administrative Code - Requiring City Contractors to Submit an Equal Pay Report and Establishing an Equal Pay Advisory Board]**

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

Ordinance amending the Administrative Code to require certain City contractors and subcontractors with 20 or more employees to submit an Equal Pay Report regarding compensation paid to employees; and establishing the Equal Pay Advisory Board to analyze and recommend the best methods of data collection that will identify wage gaps, and setting forth the membership and duties of the Advisory Board.

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

*A motion was made by Supervisor Tang, seconded by Supervisor Breed, to re-refer this matter to the Neighborhood Services and Safety Committee. Supervisor Tang withdrew the motion.*

*A motion was made by Supervisor Avalos, seconded by Supervisor Mar, to duplicate the matter. Supervisor Avalos withdrew the motion.*

**Supervisor Campos, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 5, Line 24, by adding '(D) To the extent any information in the Equal Pay Report qualifies as proprietary financial data or trade secret, the City shall not disclose the information unless required by law, including the California Public Records Act and the San Francisco Sunshine Ordinance.' 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 Tang, moved that this Ordinance be AMENDED on Page 12, Line 11, by deleting 'with experience advocating for equal pay for equal work' and adding 'employed by a nonprofit organization that contracts with the City'. The motion carried by the following vote:**

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

**Supervisor Tang, seconded by Supervisor Cohen, moved that this Ordinance be CONTINUED AS AMENDED to November 25, 2014. The motion carried by the following vote:**

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

#### **141002 [Police Code - Access to Reproductive Health Care Facilities]**

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

Ordinance amending the Police Code to repeal the prohibition on entering or remaining within a 25 foot buffer zone of a reproductive health care facility; to prohibit individuals from following or harassing others within 25 feet of the entrance to such a facility; to prohibit impeding access to the door of such a facility; and to prohibit excessive noise through yelling or amplification of sound within 50 feet of such a facility.

*Supervisor Cohen 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

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Male Speaker; expressed various religious concerns.*

*Christopher Dahl; expressed various concerns relating to sea level, economists, and politics.*

*Jackie Flynn; spoke in support for proposed legislation relating to solar vision goals.*

*Tio Grandes; spoke in support for proposed legislation relating to solar vision goals.*

*Jeanine Carter; spoke in support for proposed legislation relating to solar vision goals.*

*Andy Schwartz; spoke in support for proposed legislation relating to solar vision goals.*

*Walker Wright; spoke in support for proposed legislation relating to solar vision goals.*

*Male Speaker; spoke in support for proposed legislation relating to solar vision goals.*

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

*Danny Rose; expressed various concerns relating to breast cancer.*

*Jessica Inouye; spoke in support for proposed legislation relating to rights of workers to unionize.*

*Nancy Lee; spoke in support for proposed legislation relating to rights of workers to unionize.*

*Otto Duffy; expressed various concerns relating to blight and taxi vouchers.*

*Larry Edmund Juizye; expressed various concerns.*

*Male Speaker; expressed various concerns relating to safety in SRO's.*

## 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 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 Clerk of the Board inquired as to whether any member of the public wished to address the Board regarding convening in closed session during General Public Comment. There were no speakers.*

**Supervisor Farrell, seconded by Supervisor Yee, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**From the Budget and Finance Committee Without Recommendation****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 NEW TITLE. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee  
Resolution urging that a study of a potential Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority as well as other possible approaches to assist homeowners with troubled mortgages.

**Resolution No. 398-14****ADOPTED AS AMENDED by the following vote:**

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

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

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

**Resolution No. 407-14****ADOPTED**



**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.

**Resolution No. 408-14**

**ADOPTED**

**141080 [Final Map 7722 - 4752-4760 17th Street]**

Motion approving Final Map 7722, a five unit residential condominium project, located at 4752-4760 17th Street, being a subdivision of Assessor's Block No. 1286, Lot No. 018, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

**Motion No. M14-181**

**APPROVED**

**141081 [Final Map 7914 - 1940-1944 Mason Street and 15A and 15B Scotland Street]**

Motion approving Final Map 7914, a five unit residential condominium project, located at 1940-1944 Mason Street and 15A and 15B Scotland Street, being a subdivision of Assessor's Block No. 0090, Lot No. 018, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

**Motion No. M14-182**

**APPROVED**

**141082 [Phased Final Map 7470 - 901 Rankin Street]**

Motion approving Phased Final Map 7470, a one lot subdivision project, located at 901 Rankin Street, being a merger of Assessor's Block No. 5281, Lot Nos. 003 and 005, and a portion of former Kirkwood Avenue and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

**Motion No. M14-183**

**APPROVED**



**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)

**Motion No.** M14-184

**APPROVED**

**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)

**Motion No.** M14-185

**APPROVED**

**The foregoing items were acted upon by the following vote:**

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

**Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Chiu requested that File No. 141111 be severed so that it may be considered separately.*

**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.

*The President inquired as to whether any member of the public wished to address the Board relating to File No. 141111. There were no speakers. The President declared public comment closed.*

**Motion No.** M14-180

**APPROVED by the following vote:**

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

Supervisor Campos requested that File No. 141106 be severed so that it may be considered separately.

**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.

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

**Resolution No. 405-14**

**ADOPTED by the following vote:**

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

*Supervisor Chiu requested that File Nos. 141107 and 141108 be severed so that they may be considered separately.*

**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.

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

**Resolution No. 406-14**

**ADOPTED by the following vote:**

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

**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.

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

**Supervisor Chiu, seconded by Supervisor Campos, 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 Chiu, seconded by Supervisor Campos, moved that this Resolution be CONTINUED AS AMENDED to November 4, 2014. The motion carried 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

#### **140981 [Administrative Code - Street Light Policy]**

**Sponsors: Wiener; Cohen and Breed**

Ordinance amending the Administrative Code to provide a Street Light Policy; and affirming the Planning Department's determination under the California Environmental Quality Act.

09/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/16/2014.

09/29/14; REFERRED TO DEPARTMENT.

10/17/14; RESPONSE RECEIVED.

10/28/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

#### **141117 [Appropriation - Site Development and a Conditional Loan for an Office Project on Van Ness Avenue - Department of Building Inspection - \$8,072,300 - FY2014-2015] Sponsor: Mayor**

Ordinance appropriating \$8,072,300 from reserves to the Department of Building Inspection in FY2014-2015, for site development and a conditional loan for an office project on Van Ness Avenue.

(Fiscal Impact)

10/28/14; ASSIGNED to Budget and Finance Committee.

#### **141118 [Building Code - Building Façade Inspection and Maintenance and Establishing Fee]**

**Sponsors: Mayor; Farrell, Mar, Tang, Wiener, Breed and Yee**

Ordinance amending the Building Code to require that 1) the façades of certain buildings having five or more stories be inspected periodically by a qualified licensed architect or engineer; 2) inspection reports be submitted to the owner and the Department of Building Inspection according to an inspection and reporting schedule; 3) maintenance of the façades be conducted in accordance with an Administrative Bulletin that is based on a national standard; 4) establishing a fee to compensate the Department for review and related evaluation processing; 5) making findings, including environmental findings, and findings under the California Health and Safety Code; and 6) directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

(Fiscal Impact; No Budget and Legislative Analyst report)

10/28/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/27/2014.

**141120 [Conditional Purchase Agreement - Goodwill SF Urban Development, LLC - 1500-1580 Mission Street - \$326,690,953 Anticipated Project Cost]**

**Sponsor: Mayor**

Ordinance approving and authorizing the Director of Property to execute a Conditional Land Disposition and Acquisition Agreement with Goodwill SF Urban Development, LLC, a Delaware limited liability company ("Developer") for the proposed City acquisition of a portion of the real property at 1500-1580 Mission Street, located at the corner of South Van Ness Avenue and Mission Street (Assessors Block No. 3506, Lot Nos. 2 and 3), for approximately \$30,296,640 plus approximately \$25,884,132 in predevelopment costs, together with a Construction Management Agreement for the completion of an approximately 466,400 gross square foot office building anticipated to cost \$270,510,181 for a total anticipated project cost of \$326,690,953; exempting the project from contracting requirements in Administrative Code, Chapter 6, and Chapter 14B; and approving the Developer, architect, and general contractor without competitive bidding, but requiring the payment of prevailing wages, implementation of a local business enterprise utilization program, and compliance with the City's local hire policy and first source hiring Ordinance. (Fiscal Impact)

10/28/14; ASSIGNED to Land Use and Economic Development Committee.

**141121 [Contract Requirements - Municipal Transportation Agency Armed and Unarmed Security Services]**

**Sponsor: Avalos**

Ordinance authorizing the Municipal Transportation Agency to include, in any contract for security services it executes within the next year after issuing a competitive solicitation, provisions that require: payment of prevailing wages by both the contractor and subcontractors to any individual providing security services under the contract, and transitional employment and retention for the prior contractor's employees as set forth in Administrative Code, Section 21C.7. (Fiscal Impact)

10/28/14; ASSIGNED to Budget and Finance Committee.

**141122 [Administrative Code - Annual Reports on Evictions from Subsidized Housing]**

**Sponsors: Farrell; Breed**

Ordinance amending the Administrative Code to require recipients of City-funded contracts for the administration or development of housing to submit annual reports to departments awarding the contracts on the number of tenants who receive notices of eviction or are evicted; and to require the awarding departments to submit annual reports on the same to the Mayor and Board of Supervisors.

10/28/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/27/2014.

**141123 [Administrative Code - Establishing the Duties of the Office of Early Care and Education and Creating the Office of Early Care and Education Citizens' Advisory Committee]**

**Sponsors: Yee; Avalos and Kim**

Ordinance amending the Administrative Code to establish the duties of the Office of Early Care and Education and to create the Office of Early Care and Education Citizens' Advisory Committee.

10/28/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/27/2014.

## **Resolutions**

### **141005 [Street Encroachment - Automated Waste Collection System within Candlestick Point-Hunters Point Shipyard]**

**Sponsor: Cohen**

Resolution granting revocable permission to Recology, Inc., to occupy a portion of the public right-of-way to construct and maintain various improvements for the below-grade Automated Waste Collection System (AWCS), which will be located within the Candlestick Point-Hunters Point Phase 2 Redevelopment Project Areas, to transport streams of solid waste in the AWCS pipe network from multiple private indoor and public outdoor waste inlets to separate enclosed centralized waste collection facilities for transport to off-site landfill, recycling, or compost facilities; conditioning the permit; making environmental findings 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.

09/23/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/09/14; REFERRED TO DEPARTMENT.

10/28/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

### **141124 [Issuance of Tax-Exempt Obligation - California College of the Arts - Not to Exceed \$26,000,000]**

**Sponsor: Cohen**

Resolution approving in accordance with the Internal Revenue Code, Section 147(f), the issuance of tax-exempt obligations by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$26,000,000 to finance and refinance various capital facilities owned by California College of the Arts or an affiliate.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **141125 [Accept and Expend Grant - San Francisco Alternative Fuels Readiness Project - \$300,000]**

**Sponsor: Farrell**

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant of \$300,000 from the California Energy Commission to accelerate the adoption of Alternative Fuel Vehicles in the City and County of San Francisco for the term of June 30, 2014, through September 30, 2016.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **141126 [Authorizing the Use of the City Seal for The Imperial Council of San Francisco's 50th Anniversary Gala; "The Imperial Council of San Francisco, Inc., 50th Anniversary Gala Day" - February 15, 2015]**

**Sponsor: Wiener**

Resolution authorizing the use of the Official Seal of the City and County of San Francisco by The Imperial Council of San Francisco in the promotion of its 50th Anniversary Gala at San Francisco City Hall on February 15, 2015; and declaring February 15, 2015, to be "The Imperial Council of San Francisco, Inc., 50th Anniversary Gala Day" in the City and County of San Francisco.

10/28/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**141127 [#LOVELOCALSF Day - November 5, 2014]****Sponsor: Chiu**

Resolution declaring November 5, 2014, as #LOVELOCALSF day in the City and County of San Francisco.

10/28/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing****141128 [Hearing - Distressed Mortgages]****Sponsor: Avalos**

Hearing to consider new programmatic approaches in the Mayor's Office of Housing to support households with distressed mortgages, including underwater mortgages needing principal reduction, mortgages with pending interest rate increases and balloon payments, mortgages held in private label securitization trusts, and the difficulty of providing true relief to homeowners through loan modification.

10/28/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**141129 [Hearing - Central Market/Tenderloin Payroll Tax Exclusion]****Sponsor: Chiu**

Hearing on the Controller's review of the impact of the Central Market/Tenderloin Payroll Tax Exclusion.

10/28/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**141130 [Hearing - Ending HIV Infections in San Francisco]****Sponsors: Wiener; Campos**

Hearing on the status of San Francisco's Getting to Zero effort, a collaboration among public health agencies, non-profit healthcare providers, and HIV advocates with the goal of eliminating new HIV infection in San Francisco; including the City's current strategies to curb the spread of the disease, and what steps need to be taken to "Get to Zero" by ending HIV infections in San Francisco.

10/28/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**141132 [Hearing - Review and Approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines - FYs 2015-2016 and 2016-2017]**

Hearing to consider the review and approval of the Board of Supervisors/Clerk of the Board annual budget guidelines for FYs 2015-2016 and 2016-2017. (Clerk of the Board)

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## **Introduced at the Request of a Department**

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

## **PROPOSED ORDINANCES**

### **141056 [Settlement of Lawsuit - Michael P. Walsh, Trustee of the John L. Stevenson Trust - Execution of Long-Term Lease - Mowry East Shopping Center, Fremont, California]**

Ordinance authorizing settlement of the lawsuit filed by Michael P. Walsh, Trustee of The John L. Stevenson Trust against the City and County of San Francisco by executing a long-term lease of the City's property for shopping center parking, access and landscaping at the Mowry East Shopping Center, Fremont, California; the lawsuit was filed on November 29, 2011, in Alameda County Superior Court, Case No. RG 11606118; entitled Michael P. Walsh, Trustee of The John L. Stevenson Trust v. City and County of San Francisco; other material terms of said settlement are that the plaintiff will pay fair market rent for portions of the leased premises used for parking, the parties will suspend their current dispute for the duration of the lease and the lease will govern the parties' relationship during the lease term, upon expiration or other termination of the lease, each party will retain its ability to assert the claims presented in the lawsuit, and the plaintiff will dismiss the lawsuit. (City Attorney)

10/16/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

### **141057 [Settlement of Lawsuit - Heinz Hofmann and Thomas Buckley - \$200,000]**

Ordinance authorizing settlement of the lawsuit filed by Heinz Hofmann and Thomas Buckley against the City and County of San Francisco for \$200,000; the lawsuit was filed on May 7, 2012, in United States District Court for the Northern District of California, Case No. 11-4016 CW; entitled Heinz Hofmann and Thomas Buckley v. City and County of San Francisco, et al. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

### **141058 [Settlement of Lawsuit - Brian Hill - \$30,400]**

Ordinance authorizing settlement of the lawsuit filed by Brian Hill against the City and County of San Francisco for \$30,400; the lawsuit was filed on March 5, 2009, in the San Francisco Superior Court, Case No. CGC 14-538953; entitled Brian Hill v. San Francisco Water Power Sewer, and Does 1 to 10. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.



**141091 [Health Code - Animal Care and Control Adoption Fee Waiver]**

Ordinance amending the Health Code to authorize the Animal Control Officer to waive adoption fees and other applicable charges upon finding that such a waiver will maintain or increase the live release rate. (City Administrator)

10/20/14; RECEIVED FROM DEPARTMENT.

10/28/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/27/2014.

## PROPOSED RESOLUTIONS

**141072 [Settlement of Claim - Riverbed Technology, Inc. - \$125,760.77]**

Resolution approving the settlement of the unlitigated claim filed on January 31, 2014, by Riverbed Technology, Inc., against the City and County of San Francisco for \$125,760.77. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

**141073 [Settlement of Claim - Susquehanna Financial Group, LP - \$49,385.04]**

Resolution approving the settlement of the unlitigated claim filed on April 10, 2014, by Susquehanna Financial Group, LP, against the City and County of San Francisco for \$49,385.04. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

**141074 [Settlement of Claims - Oak River Insurance Company - \$480,838.45]**

Resolution approving the settlement of the unlitigated claims filed by Oak River Insurance Company against the City and County of San Francisco on February 26, 2014, for \$480,838.45. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

**141075 [Settlement of Claim - Net Power and Light, Inc. - \$26,743.72]**

Resolution approving the settlement of the unlitigated claim filed on April 7, 2014, by Net Power and Light, Inc., against the City and County of San Francisco for \$26,743.72. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

**141076 [Settlement of Claim - The Trustees of the University of Pennsylvania - \$134,808.36]**

Resolution approving the settlement of the unlitigated claim filed by The Trustees of the University of Pennsylvania, on behalf of The Wharton School of the University of Pennsylvania against the City and County of San Francisco for \$134,808.36; claim was filed on April 10, 2014. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.



**141077 [Lease Amendment - Marina's Café - Rental Car Center Café, a Small Business Set-Aside - \$11,280 Minimum Annual Guarantee]**

Resolution approving Amendment No.1 to the Rental Car Center Café Lease No. 12-0221, a Small Business Set-Aside, between Marina's Café and the City and County of San Francisco, acting by and through its Airport Commission, with a Minimum Annual Guarantee of \$11,280 and a term of five years, plus one option to extend the term by two years. (Airport Commission)

10/14/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**141078 [Lease Amendment - Early Termination and Buyout - Baysubway Airport (Subway) - Not to Exceed \$1,200,000]**

Resolution approving an early termination and buyout of Baysubway Airport's (Subway) Domestic Terminal Food and Beverage Program Lease No. 03-0185 in an amount not-to-exceed \$1,200,000 between Subway and the City and County of San Francisco, acting by and through its Airport Commission, to commence following Board approval. (Airport Commission)  
(Fiscal Impact; No Budget and Legislative Analyst report)

10/14/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**141079 [Fixed Base Operator Lease and Operating Agreement Modification - Signature Flight Support Corporation - \$70,511,537 Estimated Minimum Guarantee]**

Resolution approving Modification No. 1 to Fixed Base Operator Lease and Operating Agreement No. 07-0106 between Signature Flight Support Corporation, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the lease by five years, for a new expiration date of September 30, 2022, for an estimated minimum guarantee of \$70,511,537 during the extension of the term. (Airport Commission)

10/14/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**In Memoriams**

*Priscila "Precy" Moreto - Full Board*  
*Louis Van Velzen - Supervisor Tang*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 6:22 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 December 9, 2014.*

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Angela Calvillo, Clerk of the Board