

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, November 4, 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	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 2:06 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 Breed, moved to approve the Board Meeting Minutes of September 30, 2014. The motion carried by the following vote:

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

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Neighborhood Services and Safety Committee

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.

Ordinance No. 230-14

FINALLY PASSED 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

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)

Ordinance No. 229-14

FINALLY PASSED by the following vote:

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

Noes: 1 - Tang

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.

Ordinance No. 227-14

FINALLY PASSED 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.

Ordinance No. 228-14

FINALLY PASSED by the following vote:

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

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.

Ordinance No. 231-14

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

140932 [Accept and Expend Grant - California Department of Parks and Recreation's Habitat Conservation Fund - Youth Stewardship Program - \$200,000]**Sponsor: Chiu**

Resolution authorizing the Recreation and Park Department to accept and expend a grant of \$200,000 from the California Department of Parks and Recreation's Habitat Conservation Fund to support the Youth Stewardship Program.

Resolution No. 410-14

ADOPTED by the following vote:

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

141004 [Accept and Expend Grant - Juvenile Justice Accountability Block Grant - \$75,889]**Sponsor: Campos**

Resolution retroactively authorizing the Public Defender's Office to accept and expend a grant in the amount of \$75,889 from the Board of State and Community Corrections for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant, for the term of July 1, 2014, through June 30, 2015.

Resolution No. 411-14**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**141041 [Fisherman's Wharf, and Fisherman's Wharf Portside Community Benefit Districts - Annual Reports to the City - FYs 2009-2013]****Sponsor: Chiu**

Resolution receiving and approving annual reports for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FYs 2009-2013, submitted as required by the Property and Business Improvement District Law of 1994, Section 36650 (California Streets and Highways Code, Sections 36600, et seq.), and the Districts' management contracts with the City.

Resolution No. 412-14**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**120881 [Planning Code, Zoning Map - Uses, Conformity of Uses, Parking Requirements for Uses, and Special Use Districts]****Sponsor: Chiu**

Ordinance amending the Planning Code, by repealing Section 158 and amending various other Code Sections, to modify controls for uses and accessory uses in Commercial and Residential Commercial (RC) Districts; eliminate minimum parking requirements for the Chinatown Mixed Use Districts, RC Districts, the Broadway and North Beach Neighborhood Commercial Districts (NCDs), and the Washington-Broadway Special Use District (SUD); make maximum residential parking permitted in Downtown Commercial and RC Districts consistent with Neighborhood Commercial Transit (NCT) Districts; make maximum non-residential parking in RC Districts, Chinatown Mixed Use Districts, and Broadway and North Beach NCDs consistent with NCT Districts; make surface parking lots a non-conforming use in Downtown Commercial Districts; modify conformity requirements in various use districts; modify streetscape requirements, public open space requirements, floor-area ratio calculations, and transportation management requirements for various uses in certain districts; permit certain exceptions from exposure and open space requirements for historic buildings; remove references to deleted sections of the Code; amend Zoning Map Sheet SU01 to consolidate the two Washington-Broadway SUDs and revise the boundaries; and making environmental findings, Section 302, findings, and findings of consistency with the General Plan, and the 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

140844 [Planning Code - Formula Retail and Large-Scale Retail Controls]**Sponsor: Mar**

Ordinance amending the Planning Code to amend the definition of Formula Retail to include businesses that have 11 or more outlets worldwide; expand the applicability of Formula Retail controls to other types of uses; require Conditional Use authorization for Formula Retail establishments in the C-3-G district with facades facing Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street; provide a method for calculating the concentration of formula retail establishments in a certain area; require Planning Department staff to recommend disapproval of new formula retail in the Upper Market Neighborhood Commercial District based on concentration of existing Formula Retail; delete the requirement for Conditional Use authorization when a Formula Retail establishment changes operator but remains the same size and use category; define intensification and abandonment for Formula Retail uses; require Formula Retail uses to comply with performance guidelines; amend the Conditional Use criteria for Large-Scale Retail Uses, and for Formula Retail uses of 20,000 gross square feet or greater except for General and Specialty Grocery stores, to require an economic impact study and establish new fees for said study; require 30 days' public notice for conditional use hearings on proposed Formula Retail uses; amend Neighborhood Commercial Districts that required Conditional Use for Financial and Limited Financial Services to principally permit Financial and Limited Financial Services except in the Castro Street Neighborhood Commercial District, Upper Market Neighborhood Commercial Transit District, and 24th Street - Noe Valley Neighborhood Commercial District; delete the Conditional Use requirement for Walk-Up Facilities that are not set back 3 feet; and correct various Code provisions to ensure accuracy of cross-references; and adopting findings, including environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 80, Line 18, by adding 'complete' before 'application', deleting 'for a proposed Formula Retail use', and changing 'City' to 'Planning Department'. 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

140970 [Administrative Code - Calculating Interest on Residential Rental Security Deposits]

Ordinance amending the Administrative Code to provide a new method for calculating the interest on residential rental security deposits beginning March 1, 2015. (Rent Stabilization and Arbitration Board)

PASSED, ON FIRST READING by the following vote:

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

140980 [Summary Street Vacation - Portion of Raccoon Drive]**Sponsor: Wiener**

Ordinance ordering the summary street vacation of a portion of Raccoon Drive, between Twin Peaks Boulevard and Saint Germain Avenue; approving a quitclaim of the City's interest in the vacation area; approving a public access easement over a portion of the vacation area; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

PASSED, ON FIRST READING by the following vote:

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

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Yee, 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 family of the following individual. The motion carried by the following vote:

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

Supervisor Yee presented an In Memoriam for Sandy Siegal in recognition of his accomplishments and life achievements.

SPECIAL ORDER 3:00 P.M.

141046 [Public Hearing - Appeal of Conditional Use Authorization - 395-26th Avenue]

Hearing of persons interested in or objecting to the Planning Commission's decision of September 4, 2014, Motion No. 19229, relating to approval of a Conditional Use Authorization (Case No. 2013.0205CEKSV), to demolish two residential units on a property within the Outer Clement Street Neighborhood Commercial District (NCD), located at 395-26th Avenue, Assessor's Block No. 1407, Lot No. 017. (District 1) (Appellant: Stephen M. Williams) (Filed October 6, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. Nina Frankel, and John Hadden; spoke in support of the appeal. There were no other speakers.

Supervisor Mar, seconded by Supervisor Campos, moved that this Hearing be CONTINUED OPEN to November 25, 2014, at 3:00 p.m. The motion carried by the following vote:

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

The President CONTINUED OPEN the Hearing to November 25, 2014, at 3:00 p.m.

141047 [Approving the Conditional Use Authorization Decision - 395-26th Avenue]

Motion approving the decision of the Planning Commission by its Motion No. 19229, approving Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 25, 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

141048 [Disapproving the Conditional Use Authorization Decision - 395-26th Avenue]

Motion disapproving the decision of the Planning Commission by its Motion No. 19229, approving a Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 25, 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

141049 [Preparation of Findings Related to the Conditional Use Authorization - 395-26th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 25, 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.**141064 [Public Hearing - Appeal of Conditional Use Authorization - 115 Telegraph Hill Boulevard]**

Hearing of persons interested in or objecting to the Planning Commission's decision of September 11, 2014, Motion No. 19232, relating to approval of a Conditional Use Authorization (Case No. 2013.1375EC), to allow the construction of three new dwelling units (for a lot total of four units) with three off-street parking spaces within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill - North Beach Residential Special Use District and a 40-X Height and Bulk District located at 115 Telegraph Hill Boulevard, Assessor's Block No. 0105, Lot No. 065. (District 3) (Appellant: Vedica Puri, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance pursuant to Planning Code, Section 31.16(b)(3), which requires that a California Environmental Quality Act (CEQA) appeal decision (see Board File Nos. 141059-141062) be affirmed by the Board prior to any project approvals. There were no speakers.

Supervisor Mar, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED OPEN to November 18, 2014, at 3:00 p.m. The motion carried by the following vote:

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

The President CONTINUED OPEN the Hearing to November 18, 2014, at 3:00 p.m.

141065 [Approving the Conditional Use Authorization Decision - 115 Telegraph Hill Boulevard]

Motion approving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to November 18, 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

141066 [Disapproving the Planning Commission's Conditional Use Authorization Decision - Approving a Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Motion disapproving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to November 18, 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

141067 [Preparation of Findings Related to the Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to November 18, 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.**141068 [Public Hearing - Appeal of Conditional Use Authorization - 431 Balboa Street]**

Hearing of persons interested in or objecting to the Planning Commission's decision of September 18, 2014, Motion No. 19237, relating to approval of a Conditional Use Authorization (Case No. 2012.0059C), to allow a macro wireless telecommunications services (WTS) facility operated by AT&T Mobility, located at 431 Balboa Street, Assessor's Block No. 1639, Lot No. 047. (District 1) (Appellant: John Umekubo) (Filed October 16, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Dr. John Umekubo (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Chowvatee Boonyaratanakornkit; Michael Murphy; Carol Pragides; Sophie Lau; Female Speaker; Female Speaker; spoke in support of the appeal. AnMarie Rodgers, and Omar Masry (Planning Department) provided an overview of the decision of the Planning Commission and responded to questions raised throughout the discussion. Cindy Greenhouse (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Dr. John Umekubo (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

141069 [Approving the Conditional Use Authorization Decision - 431 Balboa Street]

Motion approving the decision of the Planning Commission by its Motion No. 19237, approving a Conditional Use Authorization identified as Planning Case No. 2012.0059C on property located at 431 Balboa Street, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Mar, seconded by Supervisor Kim, moved that this Motion be TABLED. The motion FAILED by the following vote:

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

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

Motion No. M14-186

Supervisor Farrell, seconded by Supervisor Breed, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener

Noes: 5 - Campos, Chiu, Kim, Mar, Yee

141070 [Disapproving the Conditional Use Authorization Decision - 431 Balboa Street]

Motion disapproving the decision of the Planning Commission by its Motion No. 19237, approving a Conditional Use Authorization identified as Planning Case No. 2012.0059C on property located at 431 Balboa Street, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Mar, seconded by Supervisor Kim, moved that this Motion be APPROVED. The motion FAILED by the following vote:

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

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

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

Ayes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener

Noes: 5 - Campos, Chiu, Kim, Mar, Yee

141071 [Preparation of Findings Related to the Conditional Use Authorization - 431 Balboa Street]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2012.0059C on property located at 431 Balboa Street. (Clerk of the Board)

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Mar, seconded by Supervisor Kim, moved that this Motion be APPROVED. The motion FAILED by the following vote:

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

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

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

Ayes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener

Noes: 5 - Campos, Chiu, Kim, Mar, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various concerns.

Male Speaker; expressed concerns regarding the World Series celebrations.

Male Speaker; expressed concerns regarding pedestrian safety.

Yaman Salahi; spoke in support of the resolution condemning the Anti-Arab and Anti-Muslim bus advertisements.

Brice Hamack; spoke in support of the resolution condemning the Anti-Arab and Anti-Muslim bus advertisements.

Carol Sanders; spoke in support of the resolution condemning the Anti-Arab and Anti-Muslim bus advertisements.

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

Nina Frankel; expressed concerns regarding traffic control.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141127 [#LOVELOCALSF Day - November 5, 2014]

Sponsor: Chiu

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

Resolution No. 414-14

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 Chiu requested that File No. 141108 be severed so that it may be considered separately.

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.

Resolution No. 413-14

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**140880 [Police Code - Hours and Retention Protections for Formula Retail Employees]**

Sponsors: Mar; Chiu, Campos and Avalos

Ordinance amending the Police Code to regulate the operation of Formula Retail Establishments, including requiring employers to offer additional hours of work, when available, to current part-time employees; and requiring successor employers to retain employees for 90 days upon a change in control of the business.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/28/2014.

08/20/14; REFERRED TO DEPARTMENT.

10/30/14; TRANSFERRED to Budget and Finance Committee.

11/04/14; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

141024 [Police Code - Fair Scheduling and Treatment of Formula Retail Employees]**Sponsors: Chiu; Mar**

Ordinance amending the Police Code to require Formula Retail Establishments to provide employees with two weeks' notice of work schedules, notice of changes to work schedules, and compensation for schedule changes made on less than seven days' notice and unused on-call shifts; and to provide part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees.

09/30/14; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 10/30/2014.

10/06/14; REFERRED TO DEPARTMENT.

10/30/14; TRANSFERRED to Budget and Finance Committee.

11/04/14; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

141145 [Levy and Collection of Special Taxes - Community Facilities District No. 2014-1 (Transbay Transit Center)]**Sponsors: Mayor; Kim**

Ordinance authorizing the levy and collection of special taxes within City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center).

11/04/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/4/2014.

141146 [Business and Tax Regulations Code - Hotel Tax Exemption Increase]**Sponsor: Mayor**

Ordinance amending the Business and Tax Regulations Code, Article 7 (Tax on Transient Occupancy of Hotel Rooms), to increase the daily exemption amount from \$30 to \$40; and to require future review by the Controller of the daily and weekly exemption amounts.

11/04/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/4/2014.

141147 [Appropriation and De-Appropriation - Hosting the PGA World Golf Championship Tournament - Recreation and Park - \$1,300,000 - FY2014-2015]**Sponsor: Mayor**

Ordinance appropriating \$1,300,000 to the Recreation and Park Department for the costs associated with hosting the PGA World Golf Championship Tournament at TPC Harding Park Golf Course; and appropriating and de-appropriating \$500,000 to reimburse the Recreation and Park Department for revenue lost during the closure of the golf course.

(Fiscal Impact)

11/04/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/4/2014.

141148 [Contracting Process - Van Ness Bus Rapid Transit Project]**Sponsor: Kim**

Ordinance modifying the requirements of Administrative Code, Section 6.68, as applied to the proposed construction of the Van Ness Bus Rapid Transit Project, to authorize the Municipal Transportation Agency to, instead of a formal Request for Qualifications, issue a Request for Proposals (RFP) to potential construction managers/general contractors (CM/GC), to include their teams of core trade subcontractors, which RFP will contain minimum qualifications for the CM/GC and certain subcontractors; evaluate the CM/GC primarily on non-cost criteria; negotiate a guaranteed maximum price with the selected CM/GC when the design is sufficiently complete, provided the price is fair and reasonable; and making environmental findings.

11/04/14; ASSIGNED to Land Use and Economic Development Committee.

141149 [Administrative Code - Language Access Requirements for Departments]**Sponsor: Tang**

Ordinance amending the Administrative Code to expand the scope of the Language Access Ordinance to apply to all City Departments that provide information or services directly to the public or interacts with the public, revise compliant procedures; and enhance the annual departmental compliance plan requirement.

11/04/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/4/2014.

Resolutions**141150 [Master Tournament Agreement Amendment - PGA TOUR, Inc. - Not to Exceed \$6,875,000]****Sponsor: Mayor**

Resolution approving and authorizing the execution of a Fourth Amendment to the Master Tournament Agreement with PGA TOUR, Inc., for the use of Harding Park Golf Course for certain professional golf tournaments for a period beginning in 2015 and ending in 2025 which will result in a value not to exceed \$6,875,000.

11/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141151 [Planning and Engineering Services Contract - Carollo Engineers, Inc. - New Southeast Plant Headworks Facility - Not to Exceed \$14,000,000]**Sponsor: Mayor**

Resolution authorizing the General Manager of the Public Utilities Commission to execute an agreement with Carollo Engineers, Inc., for specialized planning and engineering services for the proposed new headworks facility at the Southeast Water Pollution Control Plant for an amount not-to-exceed \$14,000,000 and a six-year term to commence following Board approval. (Fiscal Impact)

11/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141154 [Consent to Successor Agency Actions Facilitating Interim Financing - Transbay Transit Center - Transbay Redevelopment Project Area - Amendment to Option Agreement Affecting Affordable Housing Requirement]**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 actions by the Commission on Community Investment and Infrastructure to subordinate property interest in a site designated for affordable housing in the Transbay Redevelopment Project Area; and to facilitate interim financing by the Transbay Joint Powers Authority for the construction of Transbay Transit Center.

11/04/14; RECEIVED AND ASSIGNED to Board of Supervisors.

141155 [Approval of First Amendment to Option Agreement for the Purchase and Sale of Real Property - Transbay Joint Powers Authority - Consent to Conditions of Transbay Joint Power Authority's Bridge Loan - \$171,000,000]

Sponsor: Kim

Resolution authorizing the Director of Property to execute the First Amendment to Option Agreement for the Purchase and Sale of Real Property between the City, Transbay Joint Powers Authority, and Successor Agency to the Redevelopment Agency of City and County of San Francisco; execute a consent to the conditions of the Transbay Joint Powers Authority's Bridge Loan with a value of \$171,000,000; and acknowledge the Subordination of the Option Agreement for the Purchase and Sale of Real Property for Transbay Parcels F, O, O', and O''.

11/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141156 [Approval of a 60-Day Extension for Planning Commission Review of an Ordinance Amending the Planning Code to Permit Exceptions from Dwelling Unit Density Limits and from Other Specified Code Requirements (File No. 140954)]

Sponsor: Wiener

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 140954) amending the Planning Code to permit exceptions from dwelling unit density limits and other requirements of the Code when adding Dwelling Units to existing buildings undergoing seismic retrofitting; deleting the requirement that a new In-Law Unit constructed in and near the Castro Street Neighborhood Commercial District be limited to 750 square feet; correcting outdated cross-references and Code language; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141157 [Urging the Municipal Transportation Agency to Negotiate a Provision in the Upcoming Towing Contract that Eliminates or Reduces Fees Imposed on Victims of Motor Vehicle Theft]

Sponsors: Wiener; Tang

Resolution urging the Municipal Transportation Agency to include a provision in its 2015 towing contract that either waives all fees imposed on all victims of motor vehicle theft in San Francisco, or significantly reduces the towing fee and significantly extends the grace period during which victims of motor vehicle theft can recover their vehicles before incurring storage fees.

11/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

141152 [Committee of the Whole - Consent to Successor Agency Actions Facilitating Interim Financing for Transbay Transit Center - Transbay Redevelopment Project Area - December 9, 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 December 9, 2014, at 3:00 p.m., to hold a public hearing to approve actions by the Commission on Community Investment and Infrastructure to subordinate property interest in a site designated for affordable housing in the Transbay Redevelopment Project Area for the construction of the Transbay Transit Center.

11/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

In Memoriam

Sandy Siegel - Supervisor Yee

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:17 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.

Angela Calvillo, Clerk of the Board