

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, November 25, 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

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|---|----------------------------------|
| 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, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisors Cohen and Mar were not present. There was a quorum.

Supervisor Cohen Excused from Attendance

Supervisor Farrell, seconded by Supervisor Yee, moved that Supervisor Cohen be excused from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Tang, Wiener, Yee

Excused: 1 - Cohen

Absent: 1 - Mar

AGENDA CHANGES

There were none.

Supervisor Mar was noted present at 2:10 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Tang, moved to approve the Board Meeting Minutes of October 21, 2014. The motion carried by the following vote:

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

Excused: 1 - Cohen

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, acknowledged receipt of the following communications:

- From the Office of Supervisor Cohen, dated November 10, 2014, stating the Supervisor will not be in attendance and requests to be excused from the November 25, 2014, Board of Supervisors meeting; and*
- From Marilyn Amini (Appellant), dated November 14, 2014, for property located at 300 Wawona Street indicating the withdraw of the appeal; and*
- From Jason Mulvaney (Appellant), dated November 20, 2014, for property located at 480 Potrero Avenue indicating the withdraw of the appeal.*

CONSENT AGENDA

Recommendations of the Rules Committee

140947 [Settlement of Lawsuit - Carpenter's Union Local 22 - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Carpenter's Local 22 against the City and County of San Francisco for \$60,000; the lawsuit was filed on April 8, 2014, in United States District Court, Northern District of California, Case No. CV-14-01615 RS; entitled Carpenters Union, Local 22, v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 238-14

FINALLY PASSED

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)

Ordinance No. 242-14

FINALLY PASSED

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)

Ordinance No. 243-14

FINALLY PASSED

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)

Ordinance No. 244-14

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Cohen

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

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.

(Economic Impact)

Ordinance No. 236-14

FINALLY PASSED by the following vote:

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

Excused: 1 - Cohen

141024 [Police Code - Fair Scheduling and Treatment of Formula Retail Employees]

Sponsors: Chiu; Mar and Avalos

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.

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

Ordinance No. 241-14

FINALLY PASSED by the following vote:

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

Excused: 1 - Cohen

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

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

Ordinance No. 245-14**FINALLY PASSED by the following vote:**

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

Excused: 1 - Cohen

Recommendation of the Land Use and Economic Development Committee**140981 [Administrative Code - Street Light Policy]****Sponsors: Wiener; Cohen and Breed**

Ordinance amending the Administrative Code to provide a Street Light Policy; and to make relevant findings.

Ordinance No. 240-14**FINALLY PASSED by the following vote:**

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

Excused: 1 - Cohen

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.

Supervisor Campos, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 5, Lines 19, 20, 24, and 25, by changing 'September 30, 2015' to 'January 31, 2016'; and on Page 6, Lines 1 through 5, by changing '(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' to '(D) If any information in the Equal Pay Report constitutes proprietary financial data, or confidential trade secret, or is protected by the right of privacy under the U.S. or California Constitution, the City shall not disclose such information unless required by law, including under the California Public Records Act and the San Francisco Sunshine Ordinance'. The motion carried by the following vote:

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

Excused: 1 - Cohen

Supervisor Tang, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 13, Line 5, by adding 'Board of Supervisors' after 'Human Rights Commission'. The motion carried by the following vote:

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

Supervisor Avalos duplicated this file pursuant to Board Rule 5.31. See File No. 141209.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

141209 [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.

Supervisor Avalos duplicated this file pursuant to Board Rule 5.31. See File No. 141001.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be RE-REFERRED to the Neighborhood Services and Safety Committee. The motion carried by the following vote:

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

Recommendations of the Rules Committee

140909 [Administrative Code - Catastrophic Illness Programs]

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

Ordinance No. 237-14

FINALLY PASSED by the following vote:

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

140953 [Environment Code - Revising the Urban Forestry Council Composition and Meeting Requirements]

Sponsor: Wiener

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

Ordinance No. 239-14

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance 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)

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Cohen

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 463,300 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)

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Cohen

141121 [Contract Requirements - Municipal Transportation Agency Armed and Unarmed Security Services]**Sponsors: Avalos; Mar**

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)

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Cohen

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

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

Excused: 1 - Cohen

Supervisor Avalos, seconded by Supervisor Breed, moved that this Ordinance be CONTINUED ON FIRST READING to December 9, 2014. The motion carried by the following vote:

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

Excused: 1 - Cohen

141014 [Construction Management Services Agreement Modification - Jacobs Project Management, Co. - General Hospital Rebuild Program - Not to Exceed \$20,813,950]

Resolution authorizing the Director of Public Works to execute Modification No. 6 to a professional construction management services agreement with Jacobs Project Management Co. for the General Hospital Rebuild Program, increasing the contract not to exceed amount from \$16,400,000 to \$20,813,950. (Public Works)
(Fiscal Impact)

Resolution No. 434-14**ADOPTED by the following vote:**

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

Excused: 1 - Cohen

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

Resolution authorizing the lease of 15,083 square feet at 3801 Third Street for the Human Services Agency with Bayview Plaza, LLC, merging Suites 200, 205, 210, 230, 235, 240, and adding Suite 220, commencing upon approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion, at the monthly rent of \$39,215.80 during improvements and alterations, and then \$41,478.25 per month for five years after substantial completion of the tenant improvements, for a base year's rent total of \$373,304; and Construction of Tenant Improvements in an estimated cost to the City of \$865,098. (Real Estate Department)
(Fiscal Impact)

Resolution No. 433-14**ADOPTED by the following vote:**

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

Excused: 1 - Cohen

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

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

Resolution No. 435-14

ADOPTED by the following vote:

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

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)

Resolution No. 436-14

ADOPTED by the following vote:

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

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

Sponsor: Cohen

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

Resolution No. 437-14

ADOPTED by the following vote:

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

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.

Resolution No. 441-14**ADOPTED by the following vote:**

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

Excused: 1 - Cohen

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)

Resolution No. 443-14**ADOPTED by the following vote:**

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

Excused: 1 - Cohen

Referred Without Recommendation from the Budget and Finance Committee**141102 [Mills Act Historical Property Contract - 68 Pierce Street]****Sponsor: Wiener**

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

Resolution No. 438-14**ADOPTED by the following vote:**

Ayes: 9 - Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee

Noes: 1 - Avalos

Excused: 1 - Cohen

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

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

Resolution No. 439-14

ADOPTED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee

Noes: 1 - Avalos

Excused: 1 - Cohen

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

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

Resolution No. 440-14

ADOPTED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee

Noes: 1 - Avalos

Excused: 1 - Cohen

Recommendation of the Government Audit and Oversight 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]****Sponsors: Wiener; Chiu, Breed and Campos**

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.

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

Resolution No. 442-14

ADOPTED by the following vote:

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

Excused: 1 - Cohen

Recommendations of the Land Use and Economic Development Committee

140875 [Planning Code - Amending the Third Street Alcohol Restricted Use District]

Sponsor: Cohen

Ordinance amending the Planning Code to amend the Third Street Alcohol Restricted Use District to allow Alcoholic Beverage Control Type 23, "Small Beer Manufacturer" Licenses; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Cohen

140878 [Administrative, Police Codes - Criminal History Inquiries for Employment and Housing]

Sponsors: Kim; Cohen and Breed

Ordinance amending the Administrative and Police Codes to narrow the definition of Property Contracts that are subject to limitations on criminal history inquiries; allow employers and City contractors to inquire about and consider infractions on driving records for positions involving driving; allow employers and City contractors to inquire about and consider a conviction that is more than seven years old for positions involving the supervision or care of minors, dependent adults, or seniors; authorize the City to bring a civil action against a housing provider that violates restrictions on criminal history inquiries; and provide that the criminal history inquiry restrictions in these Codes prevail over any existing conflicting City law.

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Cohen

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.

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Cohen

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

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Avalos, 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: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee

Excused: 1 - Cohen

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Sensei Eric Reed, Martial Arts Instructor, in recognition of his accomplishments and continued community support upon his retirement.

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. Steve Williams (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Bobby Cohen (Tenants' Union); Sue Vaughn (Sierra Club); Beverly Upton; spoke in support of the appeal. Walter Paulson; shared in song neither support nor opposition to the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Commission and responded to questions raised throughout the discussion. Jon Givner, Deputy City Attorney, responded to questions raised throughout the discussion. Alice Barkley (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. George Jew; Amy Lee; Jeffrey; Ryan Canoe; Andy Chen; Sharon Hilbert; spoke in support of the project and in opposition to the appeal. Steve Williams (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

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 Wiener, seconded by Supervisor Yee, moved to CONTINUE this Motion to December 9, 2014. Supervisor Wiener withdrew the motion.

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

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

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 Wiener, seconded by Supervisor Yee, moved to CONTINUE this Motion to December 9, 2014. Supervisor Wiener withdrew the motion.

Motion No. M14-197

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

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

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 Wiener, seconded by Supervisor Yee, moved to CONTINUE this Motion to December 9, 2014. Supervisor Wiener withdrew the motion.

Motion No. M14-198

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

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

SPECIAL ORDER 3:00 P.M.

141083 [Public Hearing - Appeal of Exemption from Environmental Review - 2853-2857 Broderick Street]

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on July 3, 2014, and approved during the Discretionary Review Hearing of the Planning Commission on September 18, 2014, to permit an existing three-story-over-basement, two-unit building located at 2853-2857 Broderick Street, Assessor's Block No. 0947, Lot No. 002, to be lifted 3 feet to insert a two-car garage within the basement level, as well as additional work including a dwelling unit merger from 2 units to 1 unit, a side horizontal addition at the south side façade, and vertical additions and rear façade alteration to construct dormers and a deck at the roof/attic level. (District 2) (Appellants: Irving Zaretsky, on behalf of himself, Zeeva Kardos, and Kate Polevoi; Tim Arcuri) (Filed October 20, 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. There were no speakers. The President declared public comment closed.

Supervisor Farrell, seconded by Supervisor Kim, moved that this Hearing be CONTINUED to December 9, 2014, at 3:00 p.m. The motion carried by the following vote:

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

The President CONTINUED the Hearing to December 9, 2014, at 3:00 p.m.

141084 [Affirming the Exemption Determination - 2853-2857 Broderick Street]

Motion affirming the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Kim, moved that this Motion be CONTINUED to December 9, 2014, at 3:00 p.m. The motion carried by the following vote:

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

141085 [Reversing the Exemption Determination - 2853-2857 Broderick Street]

Motion reversing the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Kim, moved that this Motion be CONTINUED to December 9, 2014, at 3:00 p.m. The motion carried by the following vote:

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

141086 [Preparation of Findings to Reverse the Exemption Determination - 2853-2857 Broderick Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Kim, moved that this Motion be CONTINUED to December 9, 2014, at 3:00 p.m. The motion carried by the following vote:

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

SPECIAL ORDER 3:00 P.M.**141087 [Public Hearing - Appeal of Exemption from Environmental Review - 300 Wawona Street]**

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on May 12, 2014, and approved during the Discretionary Review Hearing of the Planning Commission on September 18, 2014, for the proposed project at 300 Wawona Street. (District 7) (Appellant: Marilyn Amini) (Filed October 20, 2014). (Clerk of the Board)

The President restated the Clerk of the Board's communication of the withdrawal from the appellant and inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

141088 [Affirming the Exemption Determination - 300 Wawona Street]

Motion affirming the determination by the Planning Department that a proposed project at 300 Wawona Street is exempt from environmental review. (Clerk of the Board)

Motion No. M14-195

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

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

141089 [Reversing the Exemption Determination - 300 Wawona Street]

Motion reversing the determination by the Planning Department that a proposed project at 300 Wawona Street is exempt from environmental review. (Clerk of the Board)

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

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

141090 [Preparation of Findings to Reverse the Exemption Determination - 300 Wawona Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 300 Wawona Street is exempt from environmental review. (Clerk of the Board)

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

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

Excused: 1 - Cohen

SPECIAL ORDER 3:00 P.M.**141139 [Public Hearing - Appeal of Tentative Map - 480 Potrero Avenue]**

Hearing of persons interested in or objecting to the decision of Public Works dated October 24, 2014, approving a Tentative Map for a 75 Residential Unit and One Commercial Unit Mixed-use New-Construction Condominium Project located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C. (District 10) (Appellant: Jason Mulvaney) (Filed November 3, 2014). (Clerk of the Board)

The President restated the Clerk of the Board's communication of the withdrawal from the appellant and inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

141140 [Approving Decision of Public Works and Approving the Tentative Map - 480 Potrero Avenue]

Motion approving decision of Public Works and approving the Tentative Map for a 75 Residential Unit and One Commercial Unit Mixed-use New-Construction Condominium Project located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C; making environmental findings and findings of consistency with the City's General Plan and eight priority policies of San Francisco Planning Code, Section 101.1. (Clerk of the Board)

Motion No. M14-196

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

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

Excused: 1 - Cohen

141141 [Disapproving Decision of Public Works and Disapproving the Tentative Map - 480 Potrero Avenue]

Motion disapproving decision of Public Works and disapproving the Tentative Map for a 75 Residential Unit and One Commercial Unit Mixed-use New-Construction Condominium Project located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C; making environmental findings and findings of consistency with the City's General Plan and eight priority policies of San Francisco Planning Code, Section 101.1. (Clerk of the Board)

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

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

Excused: 1 - Cohen

141142 [Preparation of Findings Related to the Tentative Map - 480 Potrero Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for a 75 Residential Unit and One Commercial Unit Mixed-use New-Construction Condominium Project located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C. (Clerk of the Board)

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

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

Excused: 1 - Cohen

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

140999 [Administrative Code - 14B Local Business Enterprise Program]

Sponsors: Mayor; Farrell and Cohen

Ordinance amending the Administrative Code to comprehensively revise the Local Business Enterprise (LBE) and Non-Discrimination in Contracting Ordinance (Chapter 14B) to: 1) codify the transfer of implementation and enforcement of Chapter 14B from the Human Rights Commission to the City Administrator and Contract Monitoring Division; 2) require the Mayor to annually set an overall City-wide LBE participation goal of not less than 40% of the value of upcoming contracts; 3) increase the LBE certification size thresholds for small and micro LBEs; 4) increase the bid discount allowed to SBA-LBEs on contracts between \$10,000 and \$10,000,000; 5) require Administrative Code, Chapter 56, development agreements to include an LBE utilization plan and be subject to certain Chapter 14B provisions; 6) authorize preparation of an implementation plan for a LBE contractor advance program to fund loans to subcontractors; 7) require the City to make good faith efforts to obtain at least three bids from micro or small LBEs for contracts under the threshold or minimum competitive amounts; 8) establish a Mentor-Protégé Program between established successful contractors and LBEs; 9) require separate LBE participation on design and construction portions of design-build construction contracts; 10) repeal Ordinance No. 97-10 relating to completion of the Bayview Branch Library Construction Project; and 11) make various other changes in Chapter 14B.

(Fiscal Impact)

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Cohen

141161 [Contract Agreement - Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger - Refuse Collection - Not To Exceed \$40,000,000]
Resolution approving under Charter, Section 9.118(b), a Contract Agreement between the City and County of San Francisco and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger (Contractors), for refuse services, resulting in total compensation to Contractors in an amount not to exceed \$44,000,000 for the term of December 1, 2014, through November 30, 2020. (City Administrator)

Resolution No. 444-14

ADOPTED by the following vote:

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

Excused: 1 - Cohen

Recommendations of the Land Use and Economic Development Committee

140704 [Administrative Code - Providing Electric Power to City Departments and New Developments]

Sponsors: Wiener; Breed and Kim

Ordinance amending the Administrative Code to clarify the requirement for the City to provide electric service to City departments and facilities and to evaluate the feasibility of providing electric power to new developments and projects.

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Cohen

141096 [Planning Code - Height Exemptions for Hospitals]

Sponsor: Wiener

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Cohen

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various religious concerns.

Christopher Dahl; expressed various concerns relating to electing the President of the Board and associated process.

Mark Major; expressed various concerns relating to civil rights and hate crimes.

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

Nancy Ross; expressed gratitude to the current President of the Board.

Beverly Upton; expressed gratitude to the current President of the Board.

Tom Gilberty; expressed various concerns relating to celebration of life.

Larry Edmund Juizye; expressed various concerns.

David Choi; expressed various concerns relating to courses at City College of San Francisco.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141194 [Committee of the Whole - Transbay Transit Center - Option Agreement Amendment for the Purchase and Sale of Real Property - Credit Agreement for an Amount Not to Exceed \$171,000,000 - December 9, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 9, 2014, at 3:00 p.m., to hold a public hearing to authorize execution of the First Amendment to the Option Agreement for the Purchase and Sale of Real Property, and execute a consent to the conditions of the Transbay Joint Powers Authority's Bridge Loan Agreement; and approve a Credit Agreement for an amount not to exceed \$171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority.

Motion No. M14-199

APPROVED

141202 [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. M14-200

APPROVED

141176 [Final Map 7747 - 1541 Filbert Street]

Motion approving Final Map 7747, a six residential unit condominium project, located at 1541 Filbert Street, being a subdivision of Assessor's Block No. 0527, Lot No. 022, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-201

APPROVED

141177 [Final Map 7930 - 188-194 Noe Street]

Motion approving Final Map 7930, a six residential unit condominium project, located at 188-194 Noe Street, being a subdivision of Assessor's Block No. 3540, Lot No. 013, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-202

APPROVED

141178 [Final Map 8202 - 2194-2198 15th Street and 179-183 Noe Street]

Motion approving Final Map 8202, a five residential unit and one commercial unit, mixed-use condominium project, located at 2194-2198 15th Street and 179-183 Noe Street, being a subdivision of Assessor's Block No. 3541, Lot No. 027, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-203

APPROVED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Cohen

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Tang requested that File No. 141175 be severed so that it may be considered separately.

141175 [Commending Supervisor David Chiu]

Sponsor: Board of Supervisors

Resolution commending and honoring Supervisor David Chiu for his distinguished service as President of the San Francisco Board of Supervisors.

Resolution No. 415-14

ADOPTED by the following vote:

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

Excused: 1 - Cohen

Supervisor Wiener requested that File No. 141203 be severed so that it may be considered separately.

141203 [Board of Supervisors Regular Meeting Schedule - 2015]

Motion establishing the 2015 Board of Supervisors Regular Meeting Schedule by cancelling the Board meetings of January 6th and 20th, February 17th, May 26th, June 30th, September 8th, October 13th, November 10th, and December 1st; and by further cancelling all Board and Committee meetings during the summer and winter breaks from July 29th through August 31st, and December 16, 2015, through January 4, 2016. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Avalos, moved that this Motion be AMENDED by suspending Board Rule 4.2 and striking 'December 1, 2015' and replacing with 'November 24, 2015'; and on Page 2, beginning on Line 10, by adding 'FURTHER MOVED, That there shall be no Committee meetings during the week of November 23, 2015, to enable staff to finalize the Board agenda and packet materials during the holiday week of Thanksgiving; and, be it'. The motion carried by the following vote:

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

Excused: 1 - Cohen

Motion establishing the 2015 Board of Supervisors Regular Meeting Schedule by suspending Board Rule 4.2 and by cancelling the Board meetings of January 6th and 20th, February 17th, May 26th, June 30th, September 8th, October 13th, November 10th, and November 24th; and by further cancelling all Board and Committee meetings during the summer and winter breaks from July 29th through August 31st, and December 16, 2015, through January 4, 2016. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Wiener, moved that this Motion be AMENDED by suspending Board Rule 4.2 and striking 'September 8, 2015' and replacing with 'September 1, 2015'. The motion carried by the following vote:

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

Excused: 1 - Cohen

Motion establishing the 2015 Board of Supervisors Regular Meeting Schedule by suspending Board Rule 4.2 and by cancelling the Board meetings of January 6th and 20th, February 17th, May 26th, June 30th, September 1st, October 13th, November 10th, and November 24th, and by further cancelling all Board and Committee meetings during the summer and winter breaks from July 29th through August 31st, and December 16, 2015, through January 4, 2016. (Clerk of the Board)

Motion No. M14-204

APPROVED AS AMENDED by the following vote:

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

Excused: 1 - Cohen

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

110548 [Planning Code - Signs, Awnings, Canopies, and Marquees]

Sponsor: Wiener

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; 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.

05/03/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/2/2011.

05/12/11; REFERRED TO DEPARTMENT.

08/25/11; RESPONSE RECEIVED.

10/13/11; RESPONSE RECEIVED.

04/09/12; RESPONSE RECEIVED.

05/31/12; RESPONSE RECEIVED.

09/06/12; REMAIN ACTIVE.

05/09/13; REMAIN ACTIVE.

10/29/13; REMAIN ACTIVE.

06/02/14; REMAIN ACTIVE.

06/24/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

07/16/14; REFERRED TO DEPARTMENT.

07/25/14; RESPONSE RECEIVED.

11/25/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140884 [Administrative Code - Establishing the Gun Violence Prevention Task Force]**Sponsors: Cohen; Avalos**

Ordinance amending the Administrative Code to establish the Gun Violence Prevention Task Force to advise City departments and policymakers on methods to reduce gun violence in the City; and setting forth the membership and duties of the Task Force.

07/29/14; RECEIVED AND ASSIGNED to Rules Committee.

08/05/14; REFERRED TO DEPARTMENT.

11/25/14; SUBSTITUTED AND ASSIGNED to Rules Committee.

141210 [Planning and Administrative Codes - Definition and Controls for Homeless Shelters to Comply with State Law]**Sponsor: Mayor**

Ordinance amending the Planning Code to define Homeless Shelter and to establish zoning, open space, and parking policies for this use in compliance with California Government Code requirements; amending the Administrative Code to require contracts between the City and shelter operators to contain operational standards; and affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the City's General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/25/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/24/2014.

141211 [De-Appropriation and Re-Appropriation - \$1,400,000 of Water System Improvement Program for Public Utilities Commission - FY2014-2015]**Sponsor: Mayor**

Ordinance de-appropriating \$1,400,000 in existing Water System Improvement Program (WSIP) Regional Groundwater & Recovery Project budgets approved by Ordinance No. 311-08 and re-appropriating the funds to Water System Improvement Program (WSIP) Bond/Commercial Paper expense.
(Fiscal Impact)

11/25/14; ASSIGNED to Budget and Finance Committee.

141214 [Appropriation - General Obligation Refunding Bonds of \$430,000,000 - FY2014-2015]**Sponsor: Mayor**

Ordinance appropriating \$430,000,000 of one or more series of General Obligation Refunding Bond proceeds and placing all of these funds on Controller's Reserve pending the sale of the General Obligation Refunding Bond Proceeds in one or more series.

11/25/14; ASSIGNED to Budget and Finance Committee.

141215 [Administrative Code - Establishing the Children, Youth and Their Families Oversight and Advisory Committee and a Service Provider Working Group]**Sponsor: Avalos**

Ordinance amending the Administrative Code to establish a Children, Youth and Their Families Oversight and Advisory Committee, and a Service Provider Working Group, as provided in Charter, Section 16.108-1.

11/25/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/24/2014.

141216 [Campaign and Governmental Conduct Code - Removal of Permit Consultant Disclosure Requirement - Income Received for Services]**Sponsor: Breed**

Ordinance amending the Campaign and Governmental Conduct Code to remove the requirement that permit consultants disclose income received for their services.

11/25/14; ASSIGNED to Government Audit and Oversight Committee.

141217 [Accept and Expend Grant - Alcohol and Drug Impaired Driver Vertical Prosecution Program - Amendment to the Annual Salary Ordinance - \$287,624]**Sponsor: Cohen**

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$287,624 from the California Office of Traffic Safety for the Alcohol and Drug Impaired Driver Vertical Prosecution Program, and amending Ordinance No. 147-14 (Annual Salary Ordinance, FYs 2014-2015 and 2015-2016) to reflect the addition of one grant-funded Class 8177 Attorney position (FTE 0.75) for the period of October 1, 2014, through September 30, 2015.

11/25/14; ASSIGNED to Budget and Finance Committee.

Resolutions**141105 [Supporting the Creation of Open Source Voting Systems - Studying New Models of Voting System Development]****Sponsors: Wiener; Mar, Cohen and Kim**

Resolution committing the City and County of San Francisco to work with the California Association of Voting Officials and other jurisdictions and organizations to create new voting systems using open source software; and to study the feasibility of the City and County of San Francisco developing and using a new voting system, either whole or in part, through a collaborative model like the Los Angeles County Voting Systems Assessment Project.

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

10/28/14; REFERRED TO DEPARTMENT.

11/25/14; SUBSTITUTED AND ASSIGNED to Rules Committee.

141187 [Authorizing the Issuance and Sale of Farebox Revenue Bonds by the Peninsula Corridor Joint Powers Board - Not to Exceed \$11,000,000]**Sponsor: Cohen**

Resolution authorizing the issuance and sale by the Peninsula Corridor Joint Powers Board of Farebox Revenue Bonds in an aggregate principal amount not to exceed \$11,000,000; and authorizing related actions as defined in herein.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

11/25/14; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

141212 [Accept and Expend Grant - Regional Groundwater Storage and Recovery Project Phase 1A - South Westside Groundwater Basin, Northern San Mateo County - \$1,400,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$1,400,000 from the California Department of Water Resources for the Regional Groundwater Storage and Recovery Project Phase 1A - South Westside Groundwater Basin, Northern San Mateo County.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141213 [General Obligation Refunding Bonds Issuance - Not to Exceed \$430,000,000]

Sponsors: Mayor; Breed

Resolution authorizing the issuance of One or More Series of City and County of San Francisco General Obligation Refunding Bonds in an amount not to exceed \$430,000,000; approving the form of and authorizing the distribution of a Preliminary Official Statement relating to the issuance of City and County of San Francisco General Obligation Refunding Bonds and authorizing the preparation, execution, and delivery of a final Official Statement; ratifying the approvals and terms and conditions of Resolution No. 448-11; and related matters as defined herein.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141218 [Issuance of Special Tax Bonds - Community Facilities District No. 2014-1 - Not to Exceed \$1,400,000,000]

Sponsors: Mayor; Kim

Resolution authorizing the issuance and sale of not to exceed \$1,400,000,000 Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141219 [Accept and Expend Grant - H-1B Ready to Work Partnership Grant - \$980,000]

Sponsor: Mayor

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$980,000 from the North Valley Workforce Board for the H-1B Ready to Work projects during the period of November 1, 2014, through October 31, 2018.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141220 [Accept and Expend Grant - GO-Biz Capital Infusion Program - \$60,000]

Sponsor: Mayor

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$60,000 from the Humboldt State University Sponsored Programs Foundation for the GO-Biz Capital Infusion Program for the period of October 1, 2014, through September 30, 2015.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141221 [Accept and Expend Grant - Large Landscape Water Conservation Program - \$234,300]**Sponsor: Mayor**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$234,000 from State grant funds for its Large Landscape Water Conservation Program.

(Fiscal Impact; No Budget and Legislative Analyst Report.)

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141222 [Extending the Term for the Balboa Park Station Community Advisory Committee]**Sponsor: Avalos**

Resolution extending the term for the Balboa Park Station Area Plan Community Advisory Committee to provide continued input and community oversight to area transportation and other public improvements.

11/25/14; RECEIVED AND ASSIGNED to Rules Committee.

141223 [Declaration of Election Results - November 4, 2014 - Consolidated General Election]**Sponsor: Tang**

Resolution declaring the results of the November 4, 2014, Consolidated General Election.

11/25/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141224 [Agreement - New Flyer of America, Inc. - Purchase of Low-Floor Diesel-Hybrid Buses - Not to Exceed \$68,257,536]**Sponsors: Cohen; Breed and Mar**

Resolution approving an agreement with New Flyer of America, Inc., for the purchase of 61 60-foot low-floor diesel-hybrid buses, related tools, training, and spare parts in an amount not to exceed \$68,257,536 and for a term not to exceed six years to commence following Board approval. (Fiscal Impact)

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141225 [Multifamily Housing Revenue Bonds - Alice Griffith Phase 1 Apartments Project - Not to Exceed \$32,500,000]**Sponsor: Cohen**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$32,500,000 for the purpose of providing financing for the acquisition and construction of a 93-unit multifamily rental housing project known as Alice Griffith Phase 1 Apartments Project, 2600 Arelious Walker Drive, in San Francisco, California; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary as defined herein to implement this Resolution; and related matters as defined herein.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141226 [Multifamily Housing Revenue Bonds - Alice Griffith Phase 2 Apartments Project - Not to Exceed \$32,500,000]**Sponsor: Cohen**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$32,500,000 for the purpose of providing financing for the acquisition and construction of a 91-unit multifamily rental housing project known as Alice Griffith Phase 2 Apartments Project, 2600 Arelious Walker Drive, San Francisco, California; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary as defined herein to implement this Resolution; and related matters as defined herein.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141227 [Association of Bay Area Governments Revenue Bond Issuance - Presidio Knolls School - Not to Exceed \$13,500,000]**Sponsor: Kim**

Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Bonds by the Association of Bay Area Governments Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$13,500,000 to finance or refinance the acquisition, construction, equipping and/or furnishing of K-12 educational facilities to be owned and operated by Presidio Knolls School, a California nonprofit public benefit corporation.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141228 [Real Property Conveyance - Land Dedication by Archstone Concourse, LLC - 600-7th Street - Inclusionary Affordable Housing]**Sponsor: Kim**

Resolution approving and authorizing an agreement for the conveyance of a parcel of real estate, consisting of approximately 37,800 square feet (approximately 0.87 acre) of land, within Block No. 3783 in San Francisco County to the Mayor's Office of Housing and Community Development pursuant to the land dedication process permitted under Planning Code, Section 419; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan, and the eight priority policies of City Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution as defined herein.

11/25/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141229 [Authorizing Expenditures - SoMa Community Stabilization Fund - \$500,000]**Sponsor: Kim**

Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund in the amount of \$500,000 for the acquisition of a community facility and for college preparatory service connection.

(Fiscal Impact)

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141230 [Multifamily Housing Revenue Bonds - 588 Mission Bay Boulevard North (also known as Mission Bay South Block 7 West) - Not to Exceed \$62,500,000]**Sponsor: Kim**

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$62,500,000 for 588 Mission Bay Boulevard North (also known as Mission Bay South Block 7 West), San Francisco, California 94107; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$ 62,500,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141231 [Interim Zoning Controls - New Massage Establishments]**Sponsor: Tang**

Resolution imposing interim zoning controls requiring conditional use authorization for any new massage establishments, for eighteen months; and making findings, including environmental findings, and findings of consistency with the eight priority policies of Planning Code, Section 101.1.

11/25/14; ASSIGNED to Land Use and Economic Development Committee.

141234 [Affirming the Board of Supervisors Commitment to Equal Justice and the Right to Protest and Urging Reforms in National Policing and Judicial Practices]**Sponsor: Avalos**

Resolution urging the Department of Justice to expedite its investigation of the fatal shooting of Michael Brown, to initiate reforms of the Ferguson Police Department and St. Louis County Police Department, and to investigate the St. Louis County Grand Jury process.

11/25/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**141232 [Hearing - Update on the City Complaint that Pacific Gas and Electric has Unreasonably Denied Service to the City]****Sponsor: Avalos**

Hearing to receive updates on the complaint filed by the City Attorney against Pacific Gas and Electric (PG&E), which alleges that PG&E has unreasonably denied services to the City, on negotiations between the City and PG&E regarding the expiration of the Interconnection Agreement in July 2015, and on what possible recourse the City has if PG&E fails to negotiate in good faith.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141233 [Hearing - Proposed Uniform Shelter Rules]**Sponsor: Kim**

Hearing on proposed uniform shelter rules, including, but not limited, to the underlying reasons necessitating the promulgation of such rules and alternative options other than immediate denial of services and the imposition of uniform rules; and requesting the Human Services Agency, the Department of Public Health, and the Mayor's Office on Disability to report.

11/25/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced at the Request of a Department

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

PROPOSED ORDINANCE**141174 [Settlement of Lawsuit - Paul Haynes - \$110,000]**

Ordinance authorizing settlement of the lawsuit filed by Paul Haynes against the City and County of San Francisco, Andrew Guillory, Lenida Reyes and Stephen Yeung, for \$110,000; the lawsuit was filed on April 8, 2013, in United States District Court for the Northern District of California, Case No. 13-1567 MEJ; entitled Paul Haynes v. City and County of San Francisco, et al. (City Attorney)

11/17/14; RECEIVED FROM DEPARTMENT.

11/25/14; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION**141180 [Contract Agreement - State Department of Health Care Services - Substance Use Disorder Services - FYs 2014-2017 - \$33,250,026]**

Resolution retroactively authorizing the San Francisco Department of Public Health, Behavioral Health Services (DPH-BHS) to enter into a multi-year contract for Substance Use Disorder Services with the State Department of Health Care Services (DHCS) for the term of July 1, 2014, through June 30, 2017, in the amount of \$33,250,026 and authorizing and designating the DPH County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. (Public Health Department)
(Fiscal Impact; No Budget and Legislative Analyst Report.)

11/17/14; RECEIVED FROM DEPARTMENT.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

*Michael Marquez - Supervisor Wiener
Enrique Del Valle - Supervisor Campos*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:37 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 16, 2014.

Angela Calvillo, Clerk of the Board