

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, December 9, 2014 - 2:00 PM**

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

**Regular Meeting**

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KATY TANG, PRESIDENT

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

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

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:04 p.m. On the call of the roll, Supervisor Mar was not present. There was a quorum.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

*President Tang inquired whether any Board Member had any corrections to the Board Meeting Minutes of October 28, 2014, and November 4, 2014. There were no corrections. Following general public comment, the above referenced minutes were received without objection.*

## COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that pursuant to the actions taken by the Board at the Regular Meeting of November 18, 2014, and the effective resignation of former President David Chiu, Supervisor Katy Tang assumed the duties in the Office of President of the Board of Supervisors, as of Monday, December 1, 2014, at 12:16 p.m. and President Tang shall continue in this capacity until a new Board President is elected on Thursday, January 8, 2015, at 12:00 p.m.*

## CONSENT AGENDA

### Recommendations of the Rules Committee

#### **141138 [Settlement of Lawsuit - Elvis Taouil - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Elvis Taouil against the City and County of San Francisco for \$50,000; the lawsuit was filed on August 8, 2013, in the United States District Court, Case No. C13-3674 DMR; entitled Elvis Taouil v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

**140375 [Tolling and Standstill Agreement - Yosemite Slough Environmental Claims]**

Resolution approving a Tolling and Standstill Agreement to toll the statute of limitations and forbear the City and other parties that are potentially responsible for environmental contamination at Yosemite Slough from taking action with respect to claims related to costs or expenses arising from the Yosemite Slough Superfund Site. (City Attorney)

**Resolution No. 448-14**

**ADOPTED**

**141160 [Settlement of Claims - Wells Fargo - \$248,565.92]**

Resolution approving the settlement of four unlitigated claims filed by Wells Fargo against the City and County of San Francisco for \$248,565.92; claims were filed on April 25, 2014. (City Attorney)

**Resolution No. 451-14**

**ADOPTED**

**141206 [Appointments, Shelter Monitoring Committee - Nicholas Kimura, Kendra Amick, and Michael Kirkland]**

Motion appointing Nicholas Kimura, Kendra Amick, and Michael Kirkland, terms ending November 23, 2016, to the Shelter Monitoring Committee. (Rules Committee)

**Motion No. M14-205**

**APPROVED**

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Mar

## REGULAR AGENDA

## UNFINISHED BUSINESS

*Supervisor Mar was noted present at 2:07 p.m.*

## 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)

**Ordinance No. 253-14**

**FINALLY PASSED** by the following vote:

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

**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)

**Ordinance No. 254-14**

**FINALLY PASSED by the following vote:**

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

**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)

*FINALLY PASSED by the following vote:*

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

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

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

**Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee  
(Fiscal Impact)

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

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

## **Recommendation 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 Cohen requested to be added as a co-sponsor.*

**Ordinance No. 250-14**

**FINALLY PASSED by the following vote:**

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

## **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.

**Ordinance No. 247-14**

**FINALLY PASSED by the following vote:**

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

**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.

**Ordinance No. 252-14**

**FINALLY PASSED by the following vote:**

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

**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.

**Ordinance No. 248-14**

**FINALLY PASSED by the following vote:**

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

**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.

**Ordinance No. 249-14**

**FINALLY PASSED by the following vote:**

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

**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.

**Ordinance No. 255-14**

**FINALLY PASSED by the following vote:**

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

## **Recommendation 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, Farrell and Cohen**

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.

*Supervisors Cohen requested to be added as a co-sponsor.*

**Ordinance No. 251-14**

**FINALLY PASSED by the following vote:**

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

## **NEW BUSINESS**

## **Recommendations of the Budget and Finance Committee**

### **141037 [Administrative Code - Financial Policy Regarding General Reserve Fund]**

**Sponsors: Mayor; Farrell, Cohen, Avalos and Breed**

Ordinance amending the Administrative Code to revise the binding financial policy under Charter, Section 9.120, regarding a general reserve and required funding levels, and to update provisions regarding the Rainy Day Reserve Fund.

(Fiscal Impact)

*Supervisors Cohen and Avalos requested to be added as co-sponsors.*

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

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

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

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

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

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

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

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

**Resolution No. 450-14****ADOPTED by the following vote:**

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

**141182 [Accept and Expend Grant - Financial Empowerment Innovation Fund Contract - \$442,996]****Sponsor: Mayor**

Resolution retroactively authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to accept and expend an Innovation Fund Research Contract in the amount of \$442,996 from the U.S. Department of the Treasury, Internal Revenue Service, for the period of September 30, 2014, through December 21, 2016.

**Resolution No. 453-14****ADOPTED by the following vote:**

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

**141183 [Authorizing Participation in the CaliforniaFIRST Program - Renewable Energy Efficiency Program]****Sponsors: Mayor; Farrell**

Resolution authorizing the City and County of San Francisco to join the CaliforniaFIRST Program; authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of the City and County; and authorizing related actions as defined in the Resolution.

**Resolution No. 454-14****ADOPTED by the following vote:**

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

**141184 [Authorizing Participation in the California Home Energy Renovation Opportunity Program - Renewable Energy Financing Program and Joint Powers Agreement Amendment]****Sponsors: Mayor; Farrell**

Resolution consenting to the inclusion of properties within the City's jurisdiction in the California Home Energy Renovation Opportunity Program to finance distributed generation renewable energy sources, energy and water efficiency improvements, and electric vehicle charging infrastructure; and approving the amendment to a certain Joint Powers Agreement related thereto.

**Resolution No. 455-14****ADOPTED by the following vote:**

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



**141185 [Authorizing Participation in the California Statewide Communities Development Authority Open PACE Program - Soft Story and Renewable Energy Financing]****Sponsors: Mayor; Farrell**

Resolution consenting to the inclusion of properties within the territory of the City and County of San Francisco in the California Statewide Communities Development Authority (CSCDA) Open PACE Program; authorizing the CSCDA to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of the City and County; and authorizing related actions as defined in the Resolution.

**Resolution No. 456-14****ADOPTED by the following vote:**

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

**140977 [Airport Professional Services Agreement Modification - TransCore, LP - Ground Transportation and Taxi Management System - Not to Exceed \$10,626,200]**

Resolution approving Modification No. 1 to Professional Services Agreement, Airport Contract 8841R, to design, develop, install, and maintain an integrated Ground Transportation and Taxi Management System between TransCore, LP, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$10,626,200 pursuant to Charter, Section 9.118(b), and extending the term for one year through June 30, 2016. (Airport Commission)  
(Fiscal Impact)

**Resolution No. 449-14****ADOPTED by the following vote:**

Ayes: 8 - Breed, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Noes: 2 - Avalos, Campos

**Recommendations of the Land Use and Economic Development Committee****141163 [Approval to Grant Easement for Installation of Subsurface Tiebacks and Related Surface Access - TUP Folsom, LLC - 923 Folsom Street Development Project]**

Resolution approving the grant of an Easement for installation of subsurface tiebacks and related surface access on Assessor's Parcel Block No. 3753, Lot No. 313 to TUP Folsom, LLC, in connection with construction of the residential development project at 923 Folsom Street; making environmental findings, and adopting findings that the grant of easement is consistent with the General Plan, and the eight priority policies of 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. (Real Estate Department)

*ADOPTED by the following vote:*

*Ayes: 8 - Breed, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

*Noes: 2 - Avalos, Campos*

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

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

**Resolution No. 452-14****ADOPTED by the following vote:**

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

**141190 [Authorizing the Nullification of the Current Four Priority Conservation Areas - Sutro Tower, Aquavista/Twin Peaks, Palou/Phelps Open Space, and Bayview Radio Property]**

**Sponsor: Mar**

Resolution authorizing the nullification of the current four Priority Conservation Areas: Sutro Tower, Aquavista/Twin Peaks, Palou/Phelps Open Space, and Bayview Radio Property and allowing the Planning Department to further study the topic in order for the Board of Supervisors to consider new designations at a later date that align more closely with the policies and goals adopted by the City.

**Resolution No. 457-14**

**ADOPTED by the following vote:**

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

**Recommendations of the Rules Committee**

**141003 [Campaign and Governmental Conduct Code - Conflict of Interest Code Amendments]**

**Sponsor: Tang**

Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code for the City, the Community College District, the Local Agency Formation Commission, the San Francisco Unified School District, the County Transportation Authority, and the Successor Agency to the Redevelopment Agency, by adding, deleting, and changing titles of designated officials and employees to reflect organizational and staffing changes, and by refining the disclosure requirements applicable to some designated officials and employees.

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED on Page 31, Line 20, by striking 'filter' and adding 'filler.' The motion carried by the following vote:**

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

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

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

**141133 [Appointments, Park, Recreation and Open Space Advisory Committee - Mark Scheuer and Richard Ivanhoe]**

Motion appointing Mark Scheuer and Richard Ivanhoe, terms ending February 1, 2016, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

**Motion No. M14-206**

**APPROVED by the following vote:**

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

**141168 [Appointment, Health Authority - Irene Conway]**

Motion appointing Irene Conway, term ending January 15, 2018, to the San Francisco Health Authority. (Rules Committee)

**Motion No. M14-207**

**APPROVED by the following vote:**

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

**141169 [Appointment, Bicycle Advisory Committee - Bert Hill]**

Motion appointing Bert Hill, term ending November 19, 2016, to the Bicycle Advisory Committee. (Rules Committee)

**Motion No.** M14-208

**APPROVED by the following vote:**

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

**141170 [Appointments, Local Homeless Coordinating Board - Deleano Seymour, Kim Armbruster, and Erick Brown]**

Motion appointing Deleano Seymour (residency requirement waived), Kim Armbruster, and Erick Brown, terms ending October 21, 2018, to the Local Homeless Coordinating Board. (Rules Committee)

**Motion No.** M14-209

**APPROVED by the following vote:**

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

**141171 [Reappointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Marily Mondejar]  
Sponsor: Mayor**

Motion confirming the Mayor's reappointment of Marily Mondejar to the Commission on Community Investment and Infrastructure, Seat 2, for a four-year term ending November 3, 2018.

**Motion No.** M14-210

**APPROVED by the following vote:**

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

**141172 [Reappointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Mara Rosales]  
Sponsor: Mayor**

Motion confirming the Mayor's reappointment of Mara Rosales to the Commission on Community Investment and Infrastructure, Seat 4, for a four-year term ending November 3, 2018.

**Motion No.** M14-211

**APPROVED by the following vote:**

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

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

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

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

*Supervisors Tang, Campos, Wiener, Farrell, Breed, and Mar requested to be added as co-sponsors.*

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

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

**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)

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

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

**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.

*Supervisors Cohen and Kim requested to be added as co-sponsors.*

**Supervisor Wiener, seconded by Supervisor Mar, moved that this Resolution be AMENDED on Page 1, Line 4, by striking 'California Association of Voting Officials and'; on Page 4, Lines 11-21, by striking the Whereas clause; and on Page 5, Lines 1-3, by striking the Whereas clause. The motion carried by the following vote:**

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

Resolution committing the City and County of San Francisco to work with 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.

**Resolution No. 460-14**

**ADOPTED AS AMENDED by the following vote:**

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

**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.

**Resolution No. 458-14**

**ADOPTED by the following vote:**

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

**141205 [Appointments, Market and Octavia Community Advisory Committee - Krute Singa, Joshua Marker, Raymond Gary McCoy, Kenneth Wingard, Paul Olsen, and Jason Henderson]**

Motion appointing Krute Singa, Joshua Marker, Raymond Gary McCoy, Kenneth Wingard, Paul Olsen, Jason Henderson, terms ending December 16, 2016, to the Market and Octavia Community Advisory Committee. (Rules Committee)

**Motion No. M14-212**

**APPROVED by the following vote:**

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

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

### **Privilege of the Floor**

**Supervisor Tang, seconded by Supervisor Wiener, 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, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*Supervisor Tang introduced, welcomed, and presented an In Memoriam to the friends and family of Jennifer Entine Matz in recognition of her accomplishments upon her untimely passing. Supervisors Farrell, Kim, Wiener, Avalos, and Campos; Angela Calvillo, Clerk of the Board; Todd Rufo, Director, Mayor's Office of Economic and Workforce Development; and Alan Entine, Jennifer's father shared in this in memoriam.*

*Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Sharon Adams, on behalf of Michael Baxter of the Department of Public Health in recognition of his years of dedicated service upon his departure of the City and County of San Francisco due to unforeseen health reasons. Supervisors Campos and Avalos shared in this commendation.*

*Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Ben Schwartz in recognition of his recent acts of heroism during an attack of violence.*

*Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Terri Goodwin of the Center for the Arts for her accomplishments and continued community support.*

**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. Irving Zaretsky and Paul Wythes (Appellants) provided an overview of the appeal and further requested the Board to approve the appeal. Patricia Vaughey; spoke in support of the appeal. Tina Tam (Planning Department) provided an overview of the decision of the Planning Department. Ilene Dick and Gregory Cook (Project Sponsors) provided an overview of the project 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. Irving Zaretsky (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**

**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)

**Motion No. M14-213**

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

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

**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 Campos, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**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 Campos, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**SPECIAL ORDER 3:00 P.M.****Board of Supervisors Sitting as a Committee of the Whole****141153 [Hearing - Transbay Transit Center - Consent to Successor Agency Actions Facilitating Interim Financing - First Amendment to the Option Agreement]**

Hearing to consider the proposed Resolution of the Board of Supervisors (File No. 141154), acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, 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. (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 141154. Supervisor Kim provided some opening remarks. Tiffany Bohee, Director, Mayor's Office of Community Investment and Infrastructure, provided an overview of the project. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

**Committee of the Whole Adjourn and Report**

*Supervisor Campos was noted absent at 4:20 p.m. and noted present at 4:24 p.m.*



**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.

**Resolution No. 445-14**

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Breed, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Absent: 1 - Campos

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

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

**141204 [Hearing - Transbay Joint Powers Authority - First Amendment to Option Agreement; Consent to Conditions of Bridge Loan - Credit Agreement from Goldman Sachs Bank - Not to Exceed \$171,000,000]**

Hearing to consider a Resolution (File No. 141155) to authorize the 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 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"; and a Resolution (File No. 141189) to approve a Credit Agreement for an amount not to exceed \$171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority, and making certain public benefit findings for the Transbay Transit Center program under California Government Code, Section 6586.5. (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 141189. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## **Committee of the Whole Adjourn and Report**



**141189 [Credit Agreement - Goldman Sachs Bank USA - Transbay Joint Powers Authority - Not to Exceed \$171,000,000]****Sponsor: Kim**

Resolution approving a Credit Agreement for an amount not to exceed \$171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority and making certain public benefit findings for the Transbay Transit Center program under California Government Code, Section 6586.5.

**Resolution No. 447-14****ADOPTED by the following vote:**

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

**Recommendation of the Budget and Finance Committee****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'.

**Resolution No. 446-14****ADOPTED by the following vote:**

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

## COMMITTEE REPORT

### Recommendation of the Neighborhood Services and Safety Committee

#### **141098 [Health, Business and Tax Regulations Codes - Tobacco Sales Permits and Associated Fees]**

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

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

*Supervisors Campos, Avalos, and Cohen requested to be added as co-sponsors.*

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

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

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

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

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

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

*Privilege of the floor was granted, without objection, to the family of Rosa Mena.*

## PUBLIC COMMENT

*Female Speaker; expressed various concerns relating to oath of office and public office.*

*John Jenkel; expressed various concerns relating to oath of office, public office, and police homicides.*

*Peter Alexander; shared in poem various concerns relating to racism and religion.*

*Male Speaker; expressed various religious concerns.*

*Peter Warfield; expressed various concerns relating to public comment time, privacy technology proposed at the Library, and censorship.*

*Christopher Dahl; expressed various concerns relating to sea level, public comment time, commendations time, and in memoriams.*

*Ace Washington; expressed various concerns relating to public comment time and African-American community.*

*Tom Gilbert; expressed various concerns relating to metaphors, sale of property, and landlord/tenant taxes.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **141241 [Final Map 8071 - 100 Van Ness Avenue]**

Motion approving Final Map 8071, a 400 residential unit and 3 commercial unit, mixed-use condominium project, located at 100 Van Ness Avenue Street, being a subdivision of Assessor's Block No. 0814, Lot No. 20, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

**Motion No. M14-214**

**APPROVED**

### **141242 [Final Map 7665 - 240-250 Precita Avenue]**

Motion approving Final Map 7665, a six residential unit condominium project, located at 240-250 Precita Avenue, being a subdivision of Assessor's Block No. 5517, Lot No. 098, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

**Motion No. M14-215**

**APPROVED**

### **141243 [Final Map 8234 - 1601 Larkin Street]**

Motion approving Final Map 8234, a 27 residential unit condominium project, located at 1601 Larkin Street, being a subdivision of Assessor's Block No. 0620, Lot No. 006, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

**Motion No. M14-216**

**APPROVED**

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

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

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

*Supervisor Tang requested that File No. 141223 be severed so that it may be considered separately.*

### **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.

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Resolution be AMENDED on Page 4, Line 7, by striking 'Z'. The motion carried by the following vote:**

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

**Resolution No. 459-14**

**ADOPTED AS AMENDED by the following vote:**

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

Supervisor Avalos requested that File No. 141234 be severed so that it may be considered separately.

**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.

**Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

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

Resolution affirming the San Francisco Board of Supervisors commitment to equal justice under the law and the First Amendment right to protest, recognizing the United States' broken and racially biased police and justice systems, and urging the Department of Justice, Congress, and President Obama to review national policing and judicial practices to truly bring equal justice under the law.

**Supervisor Avalos, seconded by Supervisor Mar, moved that this Resolution be CONTINUED AS AMENDED to December 16, 2014. The motion carried by the following vote:**

Ayes: 10 - Avalos, Breed, Campos, 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

#### **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.

12/01/14; REFERRED TO DEPARTMENT.

12/03/14; RESPONSE RECEIVED.

12/09/14; SUBSTITUTED AND ASSIGNED to Rules Committee.

#### **141265 [Police Code - Property Services Contractors at Formula Retail Establishments]**

**Sponsor: Breed**

Ordinance amending the Police Code to require Formula Retail Establishments that have entered into contracts with Property Services Contractors that are in effect between April 1, 2015, and July 3, 2015, to provide such contractors with copies of Police Code, Articles 33F, and 33G, which establish certain rights of employees of such contractors.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2015.

#### **141266 [Planning Code - Off-Street Parking Exceptions]**

**Sponsor: Breed**

Ordinance amending the Planning Code to permit certain exceptions from off-street parking and loading requirements for lots that front on curbside transit lanes or bicycle paths, for lots in Residential Mixed districts, and in order to bring buildings into greater conformity with yard, setback, and other building requirements; to include parking in excess of what is principally permitted and located above ground in the floor area ratio calculation; modifying other floor area ratio provisions; and 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.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2015.

**141267 [Accept and Expend Grant - Bureau of Justice Assistance, Smart Prosecution Initiative: Predictive Analytics for Strategic Prosecution - Amendment to the Annual Salary Ordinance - \$435,253]**

**Sponsor: Wiener**

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$435,253 from the U.S. Department of Justice, Bureau of Justice Assistance for the Smart Prosecution Initiative, in support of Predictive Analytics for Strategic Prosecution, to enhance data driven prosecution and strategies that effectively address and prevent crime and victimization in San Francisco, and amending Ordinance No. 147-14 (Annual Salary Ordinance, FYs 2014-2015 and 2015-2016) to reflect the addition of one grant-funded Class 1822 Administrative Analyst position (0.5 FTE) for the period of October 1, 2014, through September 30, 2016.

12/09/14; ASSIGNED to Budget and Finance Committee.

## **Resolutions**

**141192 [Interim Zoning Controls Six-Month Extension - Upper Market Street Neighborhood Commercial Transit District]**

**Sponsor: Wiener**

Resolution extending, for an additional six-month period, interim zoning controls requiring conditional use authorization for limited financial service and business or professional service uses in the Upper Market Neighborhood Commercial Transit District; and affirming the Planning Department's California Environmental Quality Act determination.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

12/03/14; REFERRED TO DEPARTMENT.

12/09/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**141268 [Five-Year Financial Plan - FYs 2015-2016 through 2019-2020]**

**Sponsor: Mayor**

Resolution adopting the City's Five-Year Financial Plan for FYs 2015-2016 through 2019-2020 pursuant to Charter, Section 9.119.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**141269 [Real Property Acquisition - 1995 Evans Street - Claire A. Spencer, Trustee of the William D. Spencer and Claire A. Spencer 1995 Living Trust - \$15,475,000]**

**Sponsor: Mayor**

Resolution authorizing the acquisition of real property at 1995 Evans Street (Assessor's Block No. 5231, Lot Nos. 004, 005, and 006) from Claire A. Spencer, Surviving Trustee of the William D. Spencer and Claire A. Spencer 1995 Living Trust, dated February 9, 1995 (Spencer Trust) for the purchase price of \$15,475,000; and adopting findings, including environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**141270 [Accept and Expend Grant - 900 Innes Park Planning Grant - \$500,000]****Sponsor: Cohen**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of \$500,000 from the California Coastal Conservancy Priority Conservation Area Grant Fund to support the 900 Innes Park Planning Project for the period of October 1, 2014, through August 1, 2016.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**141271 [Real Property Acquisition - 66 Raymond Avenue - Bridgeway Vista II, LP - \$1]****Sponsor: Cohen**

Resolution authorizing the acquisition of real property at 66 Raymond Avenue (Assessor's Block No. 6237, Lot Nos. 014, 015, 016, and 017) from Bridgeway Vista II, LP, for the nominal cost of \$1.

12/09/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**141273 [Street Encroachment - Market Street from Van Ness Avenue to The Embarcadero - Illuminate The Arts]****Sponsors: Wiener; Kim**

Resolution granting revocable permission to Illuminate The Arts to occupy a portion of the public right-of-way to install and maintain a public art project comprised of a subway-responsive light sculpture (LightRail) along Market Street between Van Ness Avenue and The Embarcadero, and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

12/09/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**141274 [Establishing the Calendar Date of December 10 as Human Rights Day]****Sponsors: Campos; Avalos and Mar**

Resolution establishing the calendar date of December 10 to be forever known as Human Rights Day in the City and County of San Francisco to celebrate the important passage of the Universal Declaration of Human Rights.

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**141275 [Expressing Support for President Obama's Guidelines on Racial Profiling]****Sponsor: Cohen**

Resolution expressing support for President Obama's new guidelines, released on December 8, 2014, limiting racial profiling by federal law enforcement officers.

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**141276 [Urging the California Judicial Council to Reevaluate the Fines and Related Fees of the California Vehicle Code]****Sponsors: Tang; Kim**

Resolution urging the California Judicial Council to reevaluate the fines and related fees for violating the California Vehicle Code, Sections 22450(a), 21950(a), 21801(a), 23123, and 21756.

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**141283 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance (File No. 141036) Amending Regulation of Short-Term Residential Rentals and Establishing an Application Fee]**

**Sponsor: Kim**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 141036) amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **Motions**

**141277 [Committee of the Whole - Reappointment, Retirement Board - Wendy Paskin-Jordan - December 16, 2014]**

**Sponsor: Avalos**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 16, 2014, at 3:00 p.m., to hold a public hearing to approve or reject the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019.

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**141279 [Reappointment, Retirement Board - Wendy Paskin-Jordan]**

Motion approving/rejecting the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019. (Clerk of the Board)

12/09/14; RECEIVED AND ASSIGNED to Board of Supervisors.

**141280 [Committee of the Whole - Status of the Labor Dispute at San Francisco International Airport Restaurants]**

**Sponsors: Mar; Campos**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 16, 2014, at 3:00 p.m., to hold a public hearing to consider and discuss the issues arising from the labor dispute at the San Francisco International Airport restaurants.

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**141288 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]****Sponsor: Mayor**

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)

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing****141278 [Hearing - Reappointment, Retirement Board - Wendy Paskin-Jordan]**

Hearing to consider the Motion (File No. 141279) approving or rejecting the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019. (Clerk of the Board)

12/09/14; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**141281 [Hearing - Status of the Labor Dispute at San Francisco International Airport Restaurants]**

Hearing to consider and discuss the issues arising from the labor dispute at the San Francisco International Airport restaurants. (Clerk of the Board)

12/09/14; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**141284 [Hearing - Funding Options for Affordable Housing]****Sponsors: Avalos; Campos**

Hearing to explore various funding options for affordable housing, including general obligation bonds, infrastructure financing districts, use of City budget reserves, and other options to meet San Francisco's housing crisis.

12/09/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**141285 [Hearing - Controller's Citywide Performance Measurement Annual Report]****Sponsor: Breed**

Hearing regarding the Controller's exhaustive review of City government performance in the recently-released "Citywide Performance Measurement Annual Report," particularly regarding any relationship between changes in departmental staff and budgets and changes in departmental performance, and requesting the Controller's Office to report.

12/09/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**141286 [Hearing - Makers and Movers Economic Cluster Strategy for Food and Beverage Manufacturers and Distributors]****Sponsor: Cohen**

Hearing to discuss the recommendations of the Makers and Movers Economic Cluster Strategy for San Francisco's food and beverage manufacturers and distributors.

12/09/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**141287 [Hearing - Proposition B Transportation Expenditures]****Sponsor: Wiener**

Hearing on the actual and planned expenditures of voter-approved Proposition B funds, and requesting the Municipal Transportation Agency and Public Works to report.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**Introduced at the Request of a Department**

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

**PROPOSED ORDINANCES****141208 [Agreement Amendment - AT&T - Telecommunications Services - Not to Exceed \$101,433,700]**

Ordinance retroactively authorizing the Department of Technology and the Department of Contract Administration to enter into the Second Amendment of an Agreement between the City and AT&T for the City's telecommunications services by extending the term of the agreement through March 1, 2016, and increasing the total not-to-exceed amount of the agreement to \$101,433,700.  
(Department of Technology)

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

11/17/14; RECEIVED FROM DEPARTMENT.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/8/2015.

**141235 [Business and Tax Regulations Code - Repealing Article 3 Regarding Transient Merchants]**

Ordinance amending the Business and Tax Regulations Code to repeal Article 3, which contains a license requirement and tax on transient merchants, both of which have been suspended.

(Treasurer-Tax Collector)

11/18/14; RECEIVED FROM DEPARTMENT.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/8/2015.

**141236 [Settlement of Lawsuit - Colleen Sullivan, Silvia David, and Gordon Clark - \$360,753.71]**

Ordinance authorizing partial settlement of the lawsuit filed against the City and County of San Francisco for \$360,753.71; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. 12-02584 JCS; currently entitled Colleen Sullivan, Silvia David, and Gordon Clark v. City and County of San Francisco. (City Attorney)

11/21/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Rules Committee.

**141237 [Planning Code - Procedure for Requesting Modification of Code Requirements or Planning Department Practices and Procedures to Accommodate a Disability]****Sponsor: Wiener**

Ordinance amending the Planning Code to establish a process for making and acting upon requests for reasonable modification of a Planning Code requirement or a Department policy, practice, or procedure to accommodate a disability pursuant to federal and state fair housing laws; 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; RECEIVED FROM DEPARTMENT.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2015.

**PROPOSED RESOLUTIONS****141238 [Lease Agreement - Menzies Aviation (USA), Inc. - West Field Cargo Building 632 and Related Areas on Plot 9 - Minimum Rent of \$5,356,944]**

Resolution approving Lease Agreement No. 14-0207 between Menzies Aviation (USA), Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for approximately 36,012 square feet of exclusive use space in West Field Cargo Building 632 and related areas on Plot 9, with an estimated minimum rent of \$5,356,944, a three-year initial term and three one-year options to extend to commence following Board approval. (Airport Commission)

11/17/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**141239 [Lease of Real Property - C and E Haas Development Company, LLC - 1 Bayview Park Road - Initial Annual Lease Rate of \$78,000]**

Resolution approving a lease between C and E Haas Development Company, LLC, as landlord, and the City and County of San Francisco, acting by and through the Municipal Transportation Agency (MTA), as tenant, for certain premises at 1 Bayview Park Road (Assessor Block No. 4991, Lot No. 1C), for an approximate ten-year term to commence upon lease execution (expected to be about January 1, 2015) through December 31, 2024, with three five-year options at an initial annual lease rate of \$78,000 with annual increases, for use as an MTA radio transmission site; adopting environmental findings; and authorizing other actions in furtherance of this Resolution as defined. (Municipal Transportation Agency)

11/24/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**141240 [Edgewood Center for Children and Families Psychiatric Facility and Designation Agreement]**

Resolution designating Edgewood Center for Children and Families as an Evaluation and Treatment Facility, pursuant to California Welfare and Institutions Code, Section 5151, for youth ages 5 to 17; and authorizing the Director for Behavioral Health Services to enter into a Designation Agreement with said facility. (Public Health Department)

11/24/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**Requests Granted**

*From: Supervisor Yee*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation prohibiting tour vehicle drivers from driving and providing a tour at the same time.*

*From: Supervisor Avalos*

*To: Director, Planning Department*

*Requesting/Inquiring: Requesting the Planning Department to provide any information on 990 Union Street, if it was previously or is currently designated as a below-market rate unit, and if there are any restrictions on its use or sale.*

*From: Supervisor Avalos*

*To: Director, Mayor's Office of Housing and Community Development*

*Requesting/Inquiring: Requesting the Mayor's Office of Housing and Community Development to provide information on 990 Union Street, if it was previously or is currently designated as a below-market rate unit, and if there are any restrictions on its use or sale.*

*From: Supervisor Avalos*

*To: Director, San Francisco Employees' Retirement System*

*Requesting/Inquiring: Requesting the San Francisco Employees' Retirement System to inform their review of the re-appointment of Wendy Paskin-Jordan, including the following:*

- A history of the Retirement System's business with Grantham Mayo van Otterloo (GMO) since Paskin-Jordan was appointed to the Retirement Board.*
- A review to determine if the Retirement System does or has done business with any of the individuals or entities that Wendy Paskin-Jordan invests in or has received gifts from, as listed on her Form 700 Statements of Economic Interests.*
- Paskin-Jordan's attendance record at Retirement Board meetings.*
- A list of votes that Paskin-Jordan was recused from.*

*From: Supervisor Avalos*

*To: Court Executive Officer, Superior Court*

*Requesting/Inquiring: Requesting the Superior Court a copy of documents associated with Case No. CGC 90 922134, Paskin vs. Requerin.*

**In Memoriams**

*Jennifer Entine Matz - Full Board*

*Rosa Mena - Supervisor Campos*

*Valiant Chow - Supervisor Mar*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 6:00 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 January 13, 2015.*

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Angela Calvillo, Clerk of the Board