

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, March 31, 2015 - 2:00 PM

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

Regular Meeting

LONDON BREED, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

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

Members Present: John Avalos, London Breed, David Campos, Julie Christensen, Malia Cohen, Mark Farrell, Jane Kim, Katy Tang, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

President London Breed called the meeting to order at 2:01 p.m. On the call of the roll, Supervisors Eric Mar and Norman Yee were noted not present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of communications from Supervisors Eric Mar and Norman Yee informing the Board of their absences and requesting to be excused from today's meeting.

Supervisors Mar and Yee Excused from Attendance

Supervisor Campos, seconded by Supervisor Avalos, moved that Supervisors Mar and Yee be excused from attending today's meeting. The motion carried by the following vote:

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

Excused: 2 - Mar, Yee

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of February 24, 2015. There were no corrections.

Supervisor Farrell, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of February 24, 2015. The motion carried by the following vote, following general public comment:

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

Excused: 2 - Mar, Yee

CONSENT AGENDA

Recommendation of the Government Audit and Oversight Committee

150247 [Administrative Code - Establishing Balboa Reservoir Community Advisory Committee]

Sponsor: Yee

Ordinance amending the Administrative Code to establish the Balboa Reservoir Community Advisory Committee to advise the Board of Supervisors, the Mayor, and City departments regarding any proposed development under the Public Land for Housing Program at the portion of the Balboa Reservoir owned by the San Francisco Public Utilities Commission; and setting forth the membership and duties of the Advisory Committee.

Ordinance No. 045-15

FINALLY PASSED by the following vote:

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

Excused: 2 - Mar, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

There were no unfinished business items.

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

131122 [Administrative Code - Retiree Health Care Trust Fund]

Sponsor: Farrell

Ordinance amending the Administrative Code to identify members of the Retiree Health Care Trust Fund Board as City officers; provide the members with health insurance coverage through the San Francisco Health Service System; and exclude Retiree Health Care Trust Fund contracts from the Administrative Code, Section 21.02, definition of services.

PASSED ON FIRST READING by the following vote:

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

Excused: 2 - Mar, Yee

150034 [Apply for Grant - Proud Parenting Program - Board of State and Community Corrections]**Sponsor: Cohen**

Resolution authorizing the Adult Probation Department to submit a grant proposal for the Proud Parenting Program administered by the Board of State and Community Corrections.

Resolution No. 099-15

ADOPTED by the following vote:

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

Excused: 2 - Mar, Yee

150084 [Accept Gift - Gibbs Quadski XL - Fire Department Marine Operations - \$50,550]**Sponsor: Mayor**

Resolution authorizing the Fire Department to accept a gift of one Gibbs Quadski XL from Mr. Marc Benioff, valued at \$50,550 for use by the Fire Department for Marine Operations.

Resolution No. 100-15

ADOPTED by the following vote:

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

Excused: 2 - Mar, Yee

150085 [Accept Gift - Gibbs Quadski XL - Police Department Marine Unit - \$50,550]**Sponsor: Mayor**

Resolution authorizing the Police Department to accept a gift of one Gibbs Quadski XL from Mr. Marc Benioff, valued at \$50,550 for use by the Police Department Marine Unit.

Resolution No. 101-15

ADOPTED by the following vote:

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

Excused: 2 - Mar, Yee

150107 [Contract Approval - T1 Cubed - Professional Services for the Airport's Terminal 1, New Boarding Area B Project - Not to Exceed \$29,000,000]

Resolution approving Airport Contract 10010.41, Project Management Support Services for the San Francisco International Airport, Terminal 1, New Boarding Area B Project between T1 Cubed, a Joint Venture, consisting of Parsons Brinckerhoff, Inc., and AGS, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in a not to exceed amount of \$29,000,000 with a contract duration of six years, to commence following Board approval, pursuant to Charter, Section 9.118(b). (Airport Commission)
(Fiscal Impact)

Resolution No. 102-15

ADOPTED by the following vote:

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

Excused: 2 - Mar, Yee

150151 [Contract Approval - ACJV, a Joint Venture - Project Management Support Services - Airport Terminal 1 Center Renovation Project - Not to Exceed \$23,000,000]

Resolution approving Airport Contract 10011.41, Project Management Support Services for the San Francisco International Airport Terminal 1 Center Renovation Project between ACJV, a Joint Venture consisting of AECOM and Cooper Pugaeda Management, and the City and County of San Francisco, acting by and through its Airport Commission, in the not-to-exceed amount of \$23,000,000 to commence following Board approval with a contract duration of five years, pursuant to Charter, Section 9.118(b). (Airport Commission)
(Fiscal Impact)

Resolution No. 103-15

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener
Excused: 2 - Mar, Yee

150214 [Agreement Amendment - Black and Veatch Corporation - Construction Management Services - Calaveras Dam Replacement Project - Not to Exceed \$68,000,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to Water Enterprise, Water System Improvement Program (WSIP) funded Agreement No. CS-911R, Construction Management Service, Calaveras Dam Replacement Project, with Black and Veatch Corporation, to provide ongoing construction management support during construction and close-out of the project, increasing the agreement by \$29,500,000 for a total not-to-exceed agreement amount of \$68,000,000 and with a time extension up to two years and ten months, for a total agreement duration of eight years and ten months, pursuant to Charter, Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

Resolution No. 104-15

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener
Excused: 2 - Mar, Yee

150215 [Agreement Amendment - Hatch Mott MacDonald - Construction Management Services - New Irvington Tunnel Project - Not to Exceed \$19,500,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 2 to Agreement No. CS-918, New Irvington Tunnel Project, Construction Management Services with Hatch Mott MacDonald, to continue providing construction management services for the construction of the tunnel, increasing the agreement by \$2,000,000 for a total not-to-exceed agreement amount of \$19,500,000 and with a time extension of one year, for a total agreement duration of seven years, pursuant to Charter, Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

Resolution No. 105-15

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener
Excused: 2 - Mar, Yee

150248 [Contract - Cypress Security - Armed and Unarmed Security Services - \$38,314,208.17]

Resolution approving the contract with Cypress Security to provide Armed and Unarmed Security Services in the amount of \$38,314,208.17 for an initial term of three years to commence following Board approval, with an additional three-year option to extend. (Municipal Transportation Agency) (Fiscal Impact)

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to April 14, 2015. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener
Excused: 2 - Mar, Yee

150249 [Accept and Expend Grant - Mentoring and Peer Support Project - \$348,142] Sponsor: Breed

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$348,142 from Substance Abuse and Mental Health Services Administration to participate in a program, entitled "Mentoring and Peer Support Project," for the period of September 30, 2014, through September 29, 2015, waiving indirect costs.

Resolution No. 108-15

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener
Excused: 2 - Mar, Yee

Recommendations of the Government Audit and Oversight Committee**150118 [Police Code - Prohibiting Discrimination Against Lesbian, Gay, Bisexual, and Transgender Residents by Long-Term Care Facilities]**

Sponsors: Wiener; Campos

Ordinance amending the Police Code to prohibit discrimination against residents or patients at long-term care facilities in San Francisco on the basis of sexual orientation or gender identity; to provide aggrieved persons with the right to seek investigation and mediation by the Human Rights Commission, as well as a private right of action; and to impose treble damages on violators.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener
Excused: 2 - Mar, Yee

150119 [Transportation Code - Narration by Tour Bus Drivers]

Sponsors: Yee; Kim, Avalos, Cohen, Campos, Mar and Farrell

Ordinance amending the Transportation Code to prohibit drivers of tour buses not regulated as passenger stage corporations or charter party carriers from narrating while driving; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to April 7, 2015. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener
Excused: 2 - Mar, Yee

150225 [Greater Union Square Business Improvement District - Annual Reports for FYs 2010-2014]**Sponsor: Christensen**

Resolution receiving and approving the annual reports for the Greater Union Square Business Improvement District for FYs 2010-2014, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4.

Resolution No. 106-15**ADOPTED by the following vote:**

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

Excused: 2 - Mar, Yee

150226 [Fisherman's Wharf and Fisherman's Wharf Portside Community Benefit Districts Annual Report - FY2013-2014]**Sponsor: Christensen**

Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FY2013-2014, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the Districts' Management Agreements with the City, Section 3.4.

Resolution No. 107-15**ADOPTED by the following vote:**

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

Excused: 2 - Mar, Yee

Recommendations of the Public Safety and Neighborhood Services Committee**141158 [Liquor License Transfer - 1475 Polk Street]**

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 4555 California Street to 1475 Polk Street (District 3), to King Chan for Golden Veggie Market, will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 098-15**ADOPTED by the following vote:**

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

Excused: 2 - Mar, Yee

150126 [Supporting Gerawan Farm Workers]**Sponsors: Campos; Avalos**

Resolution supporting Gerawan farm workers, their right to be represented by the United Farm Workers, and urging Gerawan Farming to implement the terms of their contract.

Privilege of the floor was granted unanimously to Arturo Rodriguez, President, United Farm Workers, who responded to questions raised throughout the discussion.

Resolution No. 097-15

ADOPTED by the following vote:

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

Excused: 2 - Mar, Yee

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

There were no recognitions of commendations.

SPECIAL ORDER 3:00 P.M.**150171 [Public Hearing - Appeal of Community Plan Exemption from Environmental Review - 340 Bryant Street]**

Hearing of persons interested in or objecting to the issuance of a Community Plan Exemption by the Planning Department on January 8, 2015, for the proposed project at 340 Bryant Street, exempting the project from further environmental review under the California Environmental Quality Act. (District 6) (Appellant: Sue Hestor on behalf of San Franciscans for Reasonable Growth) (Filed February 9, 2015). (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 on the proposed continuance.

Supervisor Kim, seconded by Supervisor Avalos, moved that this Hearing be CONTINUED to April 7, 2015, at 3:00 p.m. The motion carried by the following vote:

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

Excused: 2 - Mar, Yee

The President CONTINUED the Hearing to April 7, 2015, at 3:00 p.m.

150172 [Affirming the Community Plan Exemption Determination - 340 Bryant Street]

Motion affirming the determination by the Planning Department that a proposed project at 340 Bryant Street is exempt from further environmental review under a Community Plan Exemption. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to April 7, 2015. The motion carried by the following vote:

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

Excused: 2 - Mar, Yee

150173 [Reversing the Community Plan Exemption Determination - 340 Bryant Street]

Motion reversing the determination by the Planning Department that a proposed project at 340 Bryant Street is exempt from further environmental review under a Community Plan Exemption. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to April 7, 2015. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener
Excused: 2 - Mar, Yee

150174 [Preparation of Findings to Reverse the Community Plan Exemption Determination - 340 Bryant Street]

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Exemption determination by the Planning Department that a proposed project at 340 Bryant Street is exempt from further environmental review. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to April 7, 2015. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener
Excused: 2 - Mar, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Kim was noted not present at 2:32 p.m., and noted present at 2:41 p.m.

PUBLIC COMMENT

Male Speaker; expressed various religious concerns.

Andrew Yip; expressed various concerns.

Ray Hartz (San Francisco Open Government); spoke relating to Veterans, free speech, public records, Library Commission, SOTF, and rights under the law specific to open government. (See additional information submitted on Page 215.)

Male Speaker; expressed condolences for the loss of San Jose Police Officer Michael Johnson.

Christopher Dahl; expressed various concerns relating to traffic and pedestrians.

Doug Horning; expressed various concerns relating to traffic safety and driver guides.

Arthur Lembke; expressed various concerns relating to private shuttle buses and Transportation Network Companies (TNC).

Marcelo Fonseca; expressed various concerns relating to taxi cabs and TNC.

Robert Cesano; expressed various concerns relating to taxi cabs and TNC.

Jeanette Berger; expressed various concerns relating to language access and gay rights.

Jim Margolis; expressed various concerns relating to private shuttle buses, taxi cabs, and TNC.

Thomas Simpson (Afro Solo); spoke relating to youth and local government.

David Rosé; expressed various concerns relating to breast cancer.

Tom Gilbert; expressed various concerns relating to noise pollution.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**150314 [Commemorative Street Plaque - The Lexington Club]****Sponsors: Campos; Wiener**

Resolution authorizing the placement of a sidewalk plaque in front of the Lexington Club, located at 3464 Lexington Street, in accordance with Public Works Code, Sections 789, et seq., the Commemorative Street Plaque Ordinance.

Resolution No. 109-15**ADOPTED****150317 [Supporting Senate Bill 364 (Leno) - Amendments to State Law to Return Local Control Over the Ellis Act]****Sponsors: Christensen; Cohen, Farrell, Mar and Breed**

Resolution supporting California Senate Bill 364, introduced by Senator Leno, amending State law to return local control over the Ellis Act to prevent real estate speculation and abuse of no-fault evictions.

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

Resolution No. 110-15**ADOPTED****The foregoing items were acted upon by the following vote:**

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

Excused: 2 - Mar, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Cohen requested that File Nos. 150315 and 150316 be severed so that they may be considered separately.

150315 [Supporting the Designation of the San Francisco Bay Water Trail as a Priority Conservation Area]**Sponsor: Cohen**

Resolution supporting the designation of the San Francisco Bay Water Trail as a Priority Conservation Area by the Association of Bay Area Governments.

Supervisor Cohen, seconded by Supervisor Christensen, RE-REFERRED to the Land Use and Transportation Committee, by the following vote:

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

Excused: 2 - Mar, Yee

150316 [Approving the Nominations of Five Priority Conservation Areas]**Sponsor: Mar**

Resolution authorizing the nomination of four new Priority Conservation Areas: Palou Phelps Natural Area, Bayview Hill Natural Area, Green Connections-McLaren Park Pivot, and Crosstown Trail-Connecting Twin Peaks Bio-Region/Glen Canyon.

Supervisor Cohen, seconded by Supervisor Christensen, moved that this Resolution be RE-REFERRED to the Land Use and Transportation Committee. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener
Excused: 2 - Mar, Yee

IMPERATIVE AGENDA

There were no imperative 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**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 a curbside transit lane or bikeway, 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 with an exception for pipeline projects in the Van Ness Special Use District; modifying other floor-area ratio provisions; 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 Transportation Committee, expires on 1/8/2015.

12/30/14; REFERRED TO DEPARTMENT.

01/02/15; RESPONSE RECEIVED.

01/07/15; REFERRED TO DEPARTMENT.

03/31/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

150332 [Administrative Code - Reauthorizing the San Francisco Sentencing Commission]**Sponsor: Cohen**

Ordinance amending the Administrative Code to reauthorize the San Francisco Sentencing Commission and revise its sunset date.

03/31/15; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/30/2015.

Resolutions**150333 [Accept and Expend Grant - CalHome Program - \$925,000]****Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing and Community Development to accept and expend the CalHome Program grant from the California Department of Housing and Community Development to expend program income from associated loan repayments to assist low-income first-time homebuyers and low-income homeowners in a total amount of \$925,000 for the period following Board approval through September 24, 2017.

03/31/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150334 [Accept and Expend Grant - Edward Byrne Memorial Justice Assistance Grant Program - \$1,045,625]**Sponsor: Breed**

Resolution retroactively authorizing the Department of Children, Youth, and Their Families to accept and expend a grant from the U.S. Department of Justice, Bureau of Justice Assistance, passed through the State of California, Board of State and Community Corrections, through the Edward Byrne Memorial Justice Assistance Grant Program, for a multidisciplinary partnership to reduce recidivism for disconnected transitional-age youth and providing a framework for preventing the school-to-prison pipeline in the amount of \$1,045,625 for the period of March 1, 2015, through December 31, 2015.

03/31/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150335 [North of Market/Tenderloin Community Benefit District - Annual Reports for FYs 2010-2013]**Sponsor: Kim**

Resolution receiving and approving annual reports for the North of Market/Tenderloin Community Benefit District for FYs 2010-2013, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4.

03/31/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150336 [Multifamily Housing Revenue Note - 588 Mission Bay Boulevard North (aka Mission Bay South Block 7 West) - Not to Exceed \$61,427,368]**Sponsor: Kim**

Resolution authorizing the issuance and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$61,427,368 for the purpose of providing financing for the acquisition and construction of a 200-unit multifamily rental housing project located in the City at 588 Mission Bay Boulevard North (aka Mission Bay South Block 7 West); 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, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

03/31/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150337 [Denouncing Indiana State Senate Bill 101 (Kruse, Schneider, and Steele) - Discrimination Against Lesbian, Gay, Bisexual, and Transgender Community]
Sponsors: Wiener, Campos, Cohen, Farrell, Avalos, Kim, Christensen, Tang, Breed, Mar and Yee

Resolution denouncing Indiana State Senate Bill 101, co-authored by Senators Kruse, Schneider, and Steele, a law that permits discrimination against the lesbian, gay, bisexual, and transgender community under the guise of religious freedom.

03/31/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing**150338 [Hearing - Driver's License Citations, Suspensions, and Related Collection Practices for Court-Ordered Debt]****Sponsor: Avalos**

Hearing to review City practices related to driver's license suspensions, citations that can lead to driver's license suspensions, and collection practices for court-ordered debt; and requesting various departments and agencies to report.

03/31/15; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services 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**150287 [Settlement of Lawsuit - Gordon Clark - \$99,500]**

Ordinance authorizing settlement of the lawsuit filed against the City and County of San Francisco for \$99,500; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. 12-02584 JCS; currently entitled Gordon Clark v. City and County of San Francisco. (City Attorney)

03/19/15; RECEIVED FROM DEPARTMENT.

03/31/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150288 [Settlement of Lawsuit - Jose Garcia - \$50,000 and Waiver of \$16,509]

Ordinance authorizing settlement of the lawsuit filed by Jose Garcia against the City and County of San Francisco for \$50,000; the lawsuit was filed on March 16, 2012, in United States District Court for the Northern District of California, Case No. 12-CV-2443; entitled Jose Garcia v. City and County of San Francisco, et al.; other material terms of said settlement are waiver of the \$16,509 San Francisco General Hospital lien. (City Attorney)

03/19/15; RECEIVED FROM DEPARTMENT.

03/31/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150289 [Settlement of Lawsuit - Kimberley Tuyay - \$125,000]

Ordinance authorizing settlement of the lawsuit filed by Kimberley Tuyay against the City and County of San Francisco for \$125,000; the lawsuit was filed on March 24, 2014, in California Superior Court, San Francisco Branch, Case No. CGC-14-538197; entitled Kimberley Tuyay v. City and County of San Francisco, Department of Emergency Management, et al., later removed to the United States District Court for the Northern District of California, Case No. C 14-01981 NC. (City Attorney)

03/19/15; RECEIVED FROM DEPARTMENT.

03/31/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150290 [Settlement of Lawsuit - Helen Nguy - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Helen Nguy against the City and County of San Francisco for \$225,000; the lawsuit was filed on April 10, 2013, in San Francisco Superior Court, Case No. CGC-13-530519; entitled Helen Nguy v. CCSF, et al. (City Attorney)

03/19/15; RECEIVED FROM DEPARTMENT.

03/31/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

150291 [New Lease Extension - Robert J. Cort Marital Trust - 760 Harrison Street - \$304,200 in Initial Year]

Resolution authorizing the extension of an existing Lease between the City and County of San Francisco, as Tenant, and the Robert J. Cort Marital Trust, as Landlord, for clinic space located at 760 Harrison Street, consisting of approximately 13,000 square feet for use by the Department of Public Health; continuing the original lease at \$25,350 monthly through June 30, 2017, for \$304,200 rent in the initial year, plus an additional five-year period at \$42,488 monthly through June 30, 2022, with 2% annual increases commencing July 1, 2018, and three five-year options to extend. (Real Estate Department)
(Fiscal Impact.)

03/20/15; RECEIVED FROM DEPARTMENT.

03/31/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150292 [Agreement Amendment - URS Corporation - Engineering Services - New Irvington Tunnel Project - Not to Exceed \$15,873,561]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 5 to Agreement No. CS-820, New Irvington Tunnel Project, Engineering Services, with URS Corporation, in order to allow URS Corporation to continue as design engineer of record for the construction of the tunnel, increasing the agreement amount by \$1,000,000 for a total amount not to exceed \$15,873,561 with no change to the contract duration, pursuant to Charter, Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

03/23/15; RECEIVED FROM DEPARTMENT.

03/31/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Requests Granted

From: Supervisor Avalos

To: Treasurer & Tax Collector

Requesting/Inquiring: Requesting the Treasurer & Tax Collector to provide information related to the collection of court-ordered debt, including the following:

- *In the past, what role has Bureau of Delinquent Revenue (BDR) played with regard to collection of court-ordered debt?*
 - *What was the relationship between the court collections unit and BDR?*
 - *How was this relationship formalized?*
 - *What duties were within the purview of BDR versus the court?*
 - *What were BDR's protocols and/or processes for its collection activities?*
- *At what point did BDR cease collecting court-ordered debt? What was the reason for this change?*

From: Supervisor Avalos

To: Controller

Requesting/Inquiring: Requesting the Controller to provide information related to the collection of court-ordered debt, including the following:

- *Per contract, how much does the City pay AllianceOne for its contract for collection services?*
 - *What is the total cost of the contract?*
 - *How is that total calculated?*
 - *How much revenue has the City received from AllianceOne?*
 - *How much total revenue does AllianceOne keep from collections?*
 - *What triggers debt to be transferred from AllianceOne to the Franchise Tax Board?*
- *How much money is budgeted to agencies/departments related to the administrative costs of suspending driver's licenses and related to collecting court fines/fees?*
- *Which entities have primary authority for collection of court-ordered debt? How has that authority been delegated among entities/agencies?*
- *Allocation of court-ordered debt*
 - *Of all of the court-ordered debt monies collected in San Francisco, how is the money allocated among the court, the County, and the State?*
 - *Are particular fines dedicated to certain entities?*
 - *Please provide an accounting of the types of fines collected, the entity receiving the revenue, and the amounts collected in 2014.*

From: Supervisor Avalos

To: District Attorney

Requesting/Inquiring: Requesting the District Attorney to provide information related to traffic court and citation offenses, including the following:

- *On how many matters does the District Attorney's office appear in traffic court each month?*
- *What are the categories of citation offenses that are prosecuted by the District Attorney's office? How does your office define non-moving or "quality of life" citations?*
- *Please provide a breakdown of the total number of matters in each of these categories prosecuted each month.*
- *How many staff members are assigned to traffic court?*
- *What is the cost of prosecuting these matters?*

From: Supervisor Avalos

To: Police

Requesting/Inquiring: Requesting the Police Department to provide information related to citation offenses, including the following:

- *Citation Statistics*
 - *How many people are stopped each month?*
 - *Please provide demographic breakdown (race, age, gender) and breakdown by zip code.*
 - *How many citations are issued each month?*

- Please provide demographic breakdown (race, age, gender) and breakdown by zip code.
- Please provide breakdown of the types of offenses for which citations are issued.
- What percentage of these citations is in each district?
- What is the breakdown of types of citations?
- Court statistics
 - How many citations are filed with the Superior Court each month?
 - For how many/what percentage of these tickets does an officer appear in court on these tickets?
 - For how many/what percentage of these tickets does an officer file a Traffic Court Response (TCR) forms on these tickets?

From: Supervisor Avalos

To: Sheriff

Requesting/Inquiring: Requesting the Sheriff's Department to provide information related to citation offenses, including the following:

- Citation Statistics
 - How many people are stopped each month?
 - Please provide demographic breakdown (race, age, gender) and breakdown by zip code.
 - How many citations are issued each month?
 - Please provide demographic breakdown (race, age, gender) and breakdown by zip code.
 - Please provide breakdown of the types of offenses for which citations are issued.
 - What percentage of these citations is in each district?
 - What is the breakdown of types of citations?
- Court statistics
 - How many citations are filed with the Superior Court each month?
 - For how many/what percentage of these tickets does an officer appear in court on these tickets?
 - For how many/what percentage of these tickets does an officer file a Traffic Court Response (TCR) forms on these tickets?

From: Supervisor Avalos

To: Municipal Transportation Agency

Requesting/Inquiring: Requesting the Municipal Transportation Agency to provide information related to citation offenses and fare enforcement, including the following:

- Citation statistics:
 - How many people are stopped each month?
- Please provide demographic breakdown (race, age, gender) and breakdown by zip code.
 - How many people are cited each month?
- Please provide demographic breakdown (race, age, gender) and breakdown by zip code.
- Please provide breakdown of the types of offenses for which citations are issued.
 - Muni fare enforcement
 - * How many fare enforcement officers are employed by MTA? What is the annual cost of their salaries?
 - * What are the most common bus and train lines for enforcement? How are enforcement priorities decided? What are the most common locations? (i.e. Specific stations/neighborhoods)
 - * How many citations are challenged each month? What is the outcome of these challenges?
 - * How many people request community service on their tickets? How many people complete community service on their tickets?
 - * How many people appeal an MTA ticket to Superior Court each month?
 - * How many people have outstanding debt related to citations?
 - * What is the average and range of outstanding debt?
 - * How many of those with outstanding debt are repeat offenders? What is the average number of tickets for a repeat offender?

From: Supervisor Avalos

To: Adult Probation

Requesting/Inquiring: Requesting the Adult Probation Department to provide information related to citation offenses, including the following:

- What authority, if any, does the Department have over the collection of court-ordered debt?
- What requirement, if any, does the Department place on its supervised population with regard to payment of court-ordered debt? Are these requirements case-by-case or is there a departmental policy with regard to payment of court-ordered debt?
- When, if ever, does APD seek a reduction of court-ordered debt on behalf of its supervised population when an individual is unable to pay? Is there a departmental policy with regard to reducing or alleviating payments for people on probation who are unable to pay?
- "When an individual is seeking criminal records remedies, commonly known as "expungement," does the APD typically take a position on each petition?
 - Does APD ever oppose the granting of an expungement remedy based on outstanding court-ordered debt owed by the individual?
 - In what circumstances would APD oppose based on court-ordered debt?
 - When, if ever, does APD support expungement notwithstanding court-ordered debt?

From: Supervisor Avalos

To: Public Defender

Requesting/Inquiring: Requesting the Public Defender to provide information related to traffic court offenses, including the following:

- Warrants on traffic court tickets
 - How many clients does your office represent each month following an arrest on a failure to appear warrant originating in traffic court?
 - What is the cost to your office of appearing on these cases?
 - Does your office typically seek dismissal of the underlying citation based on time served?
 - What is the typical outcome on these tickets? Has this changed in recent years?
- Driving on a suspended license
 - How many clients does your office represent each month following an arrest for driving on suspended licenses?
 - What is the cost to your office of appearing on these cases?
 - If known, what percentage of your clients has suspended licenses for failure to appear or pay on a traffic court citation?

From: Supervisor Avalos

To: Superior Court

Requesting/Inquiring: Requesting the Superior Court to provide information related to traffic court offenses and debt collection services, including the following:

- Traffic court
 - How many citations are filed with traffic court each month? Please provide the following breakdown, if available:
- Citing agency
- Violation cited
- Level of violation - infraction, misdemeanor
- Demographic of defendant - race, sex, gender
- Moving vs. non-moving ("quality of life")
 - How many citations are rejected for inadequate information each month?
 - How many failures to appear or pay violations are noticed by the court each month?
- For how many/what percentage of these failures to appear or pay does the court utilize VC 40509.5 to notify the DMV for license suspension on every failure to appear or pay? Is the court required to notify the DMV of a failure to appear or pay or is this notice discretionary?
- For how many/what percentage of these failures to appear or pay does the court impose a \$300 civil assessment? Does the court ever impose less than the \$300 maximum? In what circumstances?
 - How many warrants are issued for failures to appear each month?
- How many/what percentage of traffic court warrants fall into each category?

- For how many of the citations for which a defendant fails to appear does the court adjudicate in absentia under Vehicle Code 40903 each month?
 - In what circumstances does the court adjudicate a citation under VC 40903?
 - In what circumstances, if any, does the court suspend a fine on a ticket adjudicated under VC 40903?
- * Adjudication of tickets
- For how many citations does the court receive a Traffic Court Response (TCR) form from the arresting agency each month?
- For how many citations does the citing officer appear at arraignment each month?
- How many citations are adjudicated at arraignment each month?
- How many citations are set for trial each month?
- For how many citations that are set for trial each month does the citing officer appear?
- For how many citations that are set for trial each month does the citing officer file a Traffic Court Response (TCR) form?
- Of the citations that are set for trial each month, what are the outcomes (failure to appear, dismissal, finding of guilt, etc.)?
- Traffic Court costs
 - What are the days/hours of operation of the traffic court window and the traffic courtrooms?
 - What percentage of the court's budget is allocated to traffic court?
- Please provide a breakdown of cost allocations
 - How many court personnel, including judges, clerks, and others, were assigned to traffic court over the last five years?
 - How did the termination of the court's collection relationship with the Bureau of Delinquent Revenue impact the court's costs associated with collections, if at all?
 - How has the contract with AllianceOne impact the court's costs associated with collections, if at all?
- Collection Practices
 - What was the court's past collection relationship with the Bureau of Delinquent Revenue?
- How was collection duties allocated?
- Why did that relationship end?
 - What is the court's current relationship with AllianceOne?
- Please provide current contract
- Please describe allocation of duties and systems protocols between two agencies
- Please provide total annual cost and cost arrangement of contracted services with AllianceOne
- Please provide total annual revenue collected by AllianceOne
 - When is court-ordered debt referred for collection by AllianceOne?
 - Once debt is referred to AllianceOne, what authority does the court retain over the debt?

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:09 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 May 5, 2015.

Angela Calvillo, Clerk of the Board

ADDENDUM

The following information is provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: I would like to ask this BOS when I could expect representatives the City government to recognize my rights under law? As a citizen and a veteran I find particularly disturbing the pattern throughout City government of disregard for open government policy. I filed an IDR with 10 members of this Board of Supervisors and only five even attempted to fulfill their responsibilities under the law. Board President, Breed, along with Supervisors Campos, Mar, and Yee have failed to respond in any way. Supervisor Farrell, who has already been held to have violated the Sunshine Ordinance previously, as again refused to respond in any way. I hope he won't send the same aide who attended the last hearing! Besides acting all offended that she had to be there. All she could do is complain about her "child care problems!" All the supervisor's had to do was comply with the law!