

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 28, 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: London Breed, David Campos, Julie Christensen, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

President London Breed called the meeting to order at 2:02 p.m. On the call of the roll, Supervisors John Avalos and Jane Kim were not present. There was a quorum.

Supervisor Kim was noted present at 2:03 p.m.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of a communication from Supervisor John Avalos informing the Board of his absence and requesting to be excused from today's meeting.

Supervisor Avalos Excused from Attendance

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

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

Excused: 1 - Avalos

APPROVAL OF MEETING MINUTES

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

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

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

Excused: 1 - Avalos

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

150244 [Appropriation - Developer Contributions and Reimbursement - Public Works - \$6,354,478 - FY2014-2015]

Sponsor: Tang

Ordinance appropriating \$6,354,478 of Developer Contributions and Reimbursements to Public Works in FY2014-2015 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster, and placing \$2,338,024 of Series Earthquake Safety and Emergency Response (ESER 2010) General Obligation Bond Proceeds on Budget and Finance Committee Reserve pending future re-appropriation.

(Fiscal Impact)

Ordinance No. 060-15

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

150185 [Settlement of Lawsuit - A. J., a Minor, By and Through Her Guardian Ad Litem, Chantel Johnson - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by A. J., a minor, by and through her guardian ad litem, Chantel Johnson, against the City and County of San Francisco for \$30,000; the lawsuit was filed on September 6, 2011, in San Francisco Superior Court, Case No. CGC-11-513954; entitled A. J., by and through her guardian ad litem, Jennifer Rodriguez v. City and County of San Francisco, et al.; removed to federal court on December 12, 2013, and re-captioned as A. J. a minor, by and through her guardian ad litem, Chantel Johnson v. City and County of San Francisco, et al.; United States District Court, Case No. 13-cv-5770 EMC. (City Attorney)

Ordinance No. 057-15

FINALLY PASSED

150260 [Settlement of Lawsuit - Tamara Hill - \$150,000]

Ordinance authorizing settlement of the lawsuit filed by Tamara Hill against the City and County of San Francisco for \$150,000; the lawsuit was filed on November 6, 2012, in San Francisco Superior Court, Case No. CGC-12-525143; entitled Tamara Hill v. City and County of San Francisco. (City Attorney)

Ordinance No. 062-15

FINALLY PASSED

150261 [Settlement of Lawsuit - Santokh Kahlon - \$142,500]

Ordinance authorizing settlement of the lawsuit filed by Santokh Kahlon against the City and County of San Francisco for \$142,500; the lawsuit was filed on August 29, 2013, in California Superior Court, San Francisco Branch, Case No. CGC-13-533906; entitled Santokh Kahlon v. San Francisco Public Utilities Commission, City and County of San Francisco. (City Attorney)

Ordinance No. 063-15

FINALLY PASSED

150262 [Settlement of Lawsuit - Aaron Read - \$112,000]

Ordinance authorizing settlement of the lawsuit filed by Aaron Read against the City and County of San Francisco for \$112,000; the lawsuit was filed on October 6, 2013, in San Francisco Superior Court, Case No. CGC-13-534077; entitled Aaron Read v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 064-15

FINALLY PASSED

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)

Ordinance No. 065-15

FINALLY PASSED

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)

Ordinance No. 066-15

FINALLY PASSED

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)

Ordinance No. 067-15

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee**120967 [Transportation, Police, Administrative, and Business and Tax Regulations Codes - Motor Vehicles for Hire]****Sponsor: Wiener**

Ordinance amending the Transportation Code to clarify the Director of Transportation's authority to designate staff to enforce parking laws; grant the Municipal Transportation Agency authority to subpoena evidence and testimony relevant to enforcement of motor vehicle for hire regulations; increase the penalty for driving or operating a taxi without a permit; making it a misdemeanor to operate a taxi without a functioning taximeter; and making it a misdemeanor for an operator of a charter party carrier to refuse to produce a waybill; amending the Police Code to repeal all sections governing motor vehicles for hire; and amending the Business and Tax Regulations and Administrative Codes to repeal sections governing fees related to motor vehicle for hire permits.

Ordinance No. 056-15**FINALLY PASSED****150246 [Planning Code - Landmark Designation - 2178-2174 Market Street (aka Swedish American Hall Building)]****Sponsors: Wiener; Cohen**

Ordinance designating 2178-2174 Market Street (aka Swedish American Hall Building), Assessor's Block No. 3542, Lot No. 017, as a Landmark under Planning Code, Article 10; 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. 061-15**FINALLY PASSED****Recommendation of the Public Safety and Neighborhood Services Committee****150242 [Health Code - Ban on Smokeless Tobacco Use - Defining Tobacco Product to Include Devices for Using Tobacco]****Sponsors: Farrell; Mar, Avalos, Tang, Christensen, Wiener, Cohen, Yee and Campos**

Ordinance amending the Health Code to ban the use of smokeless tobacco products in stadiums, sports arenas, and playing fields; amending the definition of tobacco product to include a device or any portion of a device used to consume tobacco products; and making environmental findings.

Ordinance No. 059-15**FINALLY PASSED****The foregoing items were acted upon by the following vote:**

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

Excused: 1 - Avalos

Severed from the Consent Agenda

Supervisor Campos requested that File No. 150117 be severed so that it may be considered separately.

150117 [Administrative Code - Relocation Payments to Evicted Tenants]

Sponsors: Campos; Kim, Avalos and Mar

Ordinance amending the Administrative Code to modify the calculation of the difference between the rent paid by an evicted tenant and market rent (rental payment differential) by having the Controller use data from RealFacts based on number of bedrooms, or another data source providing reliable market data; to cap relocation payments based on the rental payment differential at \$50,000; to require the tenant to submit to the landlord a sworn statement of intent to use the relocation payment solely for housing or other relocation costs; to require the tenant to keep proof of expenditures on relocation costs for at least three years after vacating the unit, and to make copies available to the landlord within ten business days of a request; and to require the tenant to reimburse the landlord any portion of the relocation payment not expended on relocation costs within three years after vacating the unit.

Supervisor Campos, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 10, Line 18, by adding 'service of' after 'date of'. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Rules Committee

150222 [Administrative Code - Membership and Functions of the Our Children, Our Families Council]

Sponsors: Yee; Christensen, Tang, Kim, Campos, Avalos, Mar and Farrell

Ordinance amending the Administrative Code to establish the membership of the Our Children, Our Families Council; and to address its structure and functions as provided in Charter, Section 16.127-7.

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

Ordinance No. 058-15

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

150240 [Contract Amendment - Children's Council of San Francisco - Preschool for All Program - Not to Exceed \$47,326,791]

Resolution approving the fifth contract amendment with the Children's Council of San Francisco, to manage the Preschool for All Program subsidies to eligible children of the City, increasing the not to exceed amount from \$40,730,000 to \$47,326,791 for the period of July 1, 2012, to June 30, 2015. (First 5 SF Children and Families Commission)
(Fiscal Impact)

Resolution No. 159-15

ADOPTED by the following vote:

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

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, and subject to the terms of this Resolution, as defined herein; and related matters, as defined herein.

Resolution No. 161-15

ADOPTED by the following vote:

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

150353 [Accept In-Kind Gift - Vertiba, Inc. - Technical Assistance for District Attorney's Crime Strategies Unit - \$20,000]

Sponsor: Farrell

Resolution retroactively authorizing the San Francisco Office of the District Attorney to accept an in-kind gift of technical assistance for its Crime Strategies Unit valued at \$20,000 from Vertiba, Inc.

Resolution No. 164-15

ADOPTED by the following vote:

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

Recommendations of the 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)

PASSED ON FIRST READING by the following vote:

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

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.

Resolution No. 160-15

ADOPTED by the following vote:

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

150351 [Civic Center Community Benefit District - Annual Reports for FYs 2011-2014]

Sponsors: Breed; Kim

Resolution receiving and approving annual reports for the Civic Center Community Benefit District for FYs 2011-2014, 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. 162-15

ADOPTED by the following vote:

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

150352 [Top of Broadway Community Benefit District - Annual Report for FY2013-2014]

Sponsor: Christensen

Resolution receiving and approving an annual report for the Top of Broadway 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 District's Management Agreement with the City, Section 3.4.

Resolution No. 163-15

ADOPTED by the following vote:

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

Recommendations of the Land Use and Transportation Committee

141298 [Various Codes - Noise Regulations Relating to Residential Uses Near Places of Entertainment]

Sponsors: Breed; Wiener, Cohen, Kim, Christensen and Farrell

Ordinance amending the Building, Administrative, Planning, and Police Codes to require attenuation of exterior noise for new residential structures and acoustical analysis and field testing in some circumstances; to provide that a Place of Entertainment (POE) not become a public or private nuisance on the basis of noise for nearby residents of residential structures constructed or converted on or after January 1, 2005; to authorize the Entertainment Commission to hold a hearing on a proposed residential use near a POE, and require the project sponsor's participation in the hearing; to authorize the Entertainment Commission to measure noise conditions at such project sites and provide comments and recommendations regarding noise to the Planning Department and Department of Building Inspection; to require lessors and sellers of residential property to disclose to lessees and purchasers potential noise and other inconveniences associated with nearby POEs; to require that such disclosure requirements be recorded against all newly approved residential projects in a Notice of Special Restrictions; to require the Planning Department and Commission to consider noise issues when reviewing proposed residential projects; and to specify factors concerning noise for the Entertainment Commission to review when considering granting a POE permit; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of local conditions under California Health and Safety Code, Section 17958.7; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the State Building Standards Commission upon final passage.

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

Supervisor Campos, seconded by Supervisor Christensen, moved that this Ordinance be CONTINUED ON FIRST READING to May 5, 2015. The motion carried by the following vote:

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

150002 [Planning Code - Landmark Designation - 182-198 Gough Street (aka the R. L. Goldberg Building)]

Sponsor: Breed

Ordinance designating 182-198 Gough Street (aka the R. L. Goldberg Building), Assessor's Block No. 0837, Lot No. 014, as a Landmark under Planning Code, Article 10; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

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

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

Privilege of the Floor

Supervisor Breed, seconded by Supervisor Cohen, 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 - Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Excused: 1 - Avalos

Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to the Women's International League for Peace and Freedom's in recognition of their 100th Anniversary, accomplishments, and continued community support.

SPECIAL ORDER 3:00 P.M.

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

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

The President acknowledged receipt of a letter received from Alexander Weyand (Appellant), dated April 27, 2015, for property located at 639 Peralta Avenue requesting a continuance of the appeal. The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance. Supervisor Campos provided some opening remarks. Rebecca Hoberg (Appellant); spoke in favor of the proposed continuance. There were no other speakers. The President declared public comment closed.

Supervisor Campos, seconded by Supervisor Mar, moved that this Hearing be CONTINUED OPEN to July 28, 2015, at 3:00 p.m. The motion carried by the following vote:

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

Excused: 1 - Avalos

The President CONTINUED OPEN the Hearing to July 28, 2015, at 3:00 p.m.

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

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

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to July 28, 2015, at 3:00 p.m. The motion carried by the following vote:

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

Excused: 1 - Avalos

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

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

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to July 28, 2015, at 3:00 p.m. The motion carried by the following vote:

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

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

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

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to July 28, 2015, at 3:00 p.m. The motion carried by the following vote:

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

COMMITTEE REPORTS

Recommendations of the Rules Committee

150388 [Approving Appointment, Commission on the Status of Women - Debbie Mesloh]

Motion approving the Mayor's appointment of Debbie Mesloh, term ending November 18, 2018, to the Commission on the Status of Women. (Clerk of the Board)

(Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by a two-thirds vote within the 30-day period shall result in the appointee continuing to serve as appointed. Transmittal date: April 3, 2015.)

Motion No. M15-073

APPROVED by the following vote:

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

150389 [Appointment, Energy Efficiency Coordinating Committee - Antonio Diaz]

Motion appointing Antonio Diaz (residency requirement waived), for a one-year term yet to be determined, to the Energy Efficiency Coordinating Committee. (Rules Committee)

Motion No. M15-074

APPROVED by the following vote:

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

150392 [Appointments, Children and Families First Commission - Linda Asato, Suzanne Giraudo, and Lynn Merz]

Motion appointing Linda Asato, Suzanne Giraudo, and Lynn Merz (residency requirement waived), terms ending April 29, 2019, to the Children and Families First Commission. (Rules Committee)

Motion No. M15-075

APPROVED by the following vote:

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

Excused: 1 - Avalos

150393 [Appointments, Office of Early Care and Education Citizens' Advisory Committee - Kim Garcia-Meza, Candace Wong, Kathie Herrera-Autumn, and Sandee Blechman]

Motion appointing Kim Garcia-Meza and Candace Wong, terms ending May 1, 2017, and Kathie Herrera-Autumn and Sandee Blechman, terms ending May 1, 2018, to the Office of Early Care and Education Citizens' Advisory Committee. (Rules Committee)

Motion No. M15-076

APPROVED by the following vote:

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

Excused: 1 - Avalos

150394 [Approving Appointments, Office of Early Care and Education Citizens' Advisory Committee - Carla Bryant, September Jarrett, Meredith Osborn, Yohana Quiroz, and Lygia Stebbing]

Motion approving the Mayor's appointments of Carla Bryant and September Jarrett, terms ending May 1, 2017, and Meredith Osborn, Yohana Quiroz, and Lygia Stebbing, terms ending May 1, 2018, to the Office of Early Care and Education Citizens' Advisory Committee. (Clerk of the Board) (Administrative Code, Section 5.122(a), provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by a two-thirds vote within the 30-day period shall result in the appointee continuing to serve as appointed. Transmittal date: April 8, 2015.)

Motion No. M15-077

APPROVED by the following vote:

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

Excused: 1 - Avalos

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Andrew Yip; expressed various concerns.

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

Dr. Sheldon Theory (Rainbow Party); expressed concerns relating to general public comment and restraining orders.

Daisy Bourne; spoke regarding upcoming budget and neighborhood arts programs.

Christopher Dahl; expressed various concerns relating to sea level and climate change.

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

Amy Farrah-Weiss; spoke regarding 'yes in my back yard' and short-term rentals.

Male Speaker; expressed various religious concerns.

Dana Rose; expressed various concerns relating to harassment and home invasions.

Tom Gilberty; expressed various concerns relating to wheelchair accessibility on Muni buses, associated funding, and signage.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

150413 [Public Works Week - April 20-25, 2015]

Sponsors: Breed; Tang

Resolution commending the men and women of San Francisco Public Works and declaring April 20-25, 2015, as Public Works Week in the City and County of San Francisco.

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

Resolution No. 165-15

ADOPTED

150414 [Women's Lung Health Week - May 11-17, 2015]

Sponsors: Farrell; Christensen and Tang

Resolution declaring May 11-17, 2015, as Women's Lung Health Week in the City and County of San Francisco.

Supervisors Christensen and Tang requested to be added as co-sponsors.

Resolution No. 166-15

ADOPTED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Avalos

IMPERATIVE AGENDA

There were no imperative agenda 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

141302 [Health Code - Massage Practitioner and Business Permits, Associated Fees] Sponsors: Tang; Yee and Farrell

Ordinance amending the Health Code to comprehensively revise regulation of massage practitioners, massage establishments, massage outcall services, and sole practitioner massage establishments by, among other things: 1) eliminating the exemption for massage businesses that employ solely massage practitioners certified by the California Massage Therapy Council from the permitting and regulatory authority of the Department of Public Health; 2) increasing the number of instructional hours required for massage practitioner permits; 3) denying massage business permits to applicants who have been convicted of criminal acts related to human trafficking; 4) aligning massage practitioner attire requirements with State law; 5) incorporating State human trafficking information posting requirements into local law for enforcement purposes; 6) revising the timing and criteria for granting, denying, suspending, and revoking massage practitioner permits, massage establishment permits, sole practitioner massage establishment permits, and outcall massage service permits; 7) specifying massage practitioner permit application and annual license fees; 8) updating the application and annual license fee amounts for massage establishments, outcall massage services, and sole practitioner massage establishments to reflect the currently authorized amounts; and 9) grouping related requirements and making other changes to enhance clarity and promote compliance.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/15/2015.

01/15/15; REFERRED TO DEPARTMENT.

04/10/15; NOTICED.

04/16/15; NOTICED.

04/28/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

141303 [Planning Code - Massage Establishments]**Sponsor: Tang**

Ordinance amending the Planning Code to require that massage establishments, with certain exceptions, obtain a Conditional Use permit; to establish a legitimization program for certain massage establishments; and to make conforming amendments; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/15/2015.

01/15/15; REFERRED TO DEPARTMENT.

01/23/15; RESPONSE RECEIVED.

04/28/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

150431 [Administrative Code - Establishing Emergency Interagency Fire Safety Task Force]**Sponsors: Campos; Kim and Mar**

Ordinance amending the Administrative Code to establish an Emergency Interagency Fire Safety Task Force to review and make recommendations to the Board of Supervisors on proposed legislation and suggest other solutions to improve fire safety in multi-unit residential and multi-use buildings.

04/28/15; ASSIGNED to Public Safety and Neighborhood Services Committee.

150432 [Administrative Code - Retirement System Disability/Death Presumptions for Sheriff Members]**Sponsor: Farrell**

Ordinance amending the Administrative Code to add cancer and heart/pneumonia presumptions for industrial disability and death in the line of duty retirement benefits for Sheriff members of the San Francisco City and County Employees' Retirement System.
(Fiscal Impact; No Budget and Legislative Analyst Report.)

04/28/15; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/28/2015.

150435 [Redevelopment Plan Amendment - Transbay Redevelopment Project Area]**Sponsor: Kim**

Ordinance approving a minor amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area to provide bulk limits for general office buildings in Zone One; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/28/15; ASSIGNED UNDER 30 DAY RULE to Board of Supervisors, expires on 5/28/2015.

150436 [Administrative Code - Establishing Cannabis State Legalization Task Force]**Sponsors: Wiener, Kim and Mar**

Ordinance amending the Administrative Code to establish the Cannabis State Legalization Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding the local impacts of possible state legislation legalizing adult use of cannabis; and setting forth the membership and duties of the Task Force.

04/28/15; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/28/2015.

Resolutions

150088 [Accept and Expend Grant - San Francisco Parks Alliance - Renovation of South Park - Up to \$1,811,550]

Sponsor: Kim

Resolution authorizing the Recreation and Park Department to accept and expend a grant of up to \$1,811,550 from the San Francisco Parks Alliance, on behalf of the South Park Improvement Association, for the design and construction of the renovation of South Park, for a three-year term, to commence upon Board approval.

01/27/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.

02/27/15; TRANSFERRED to Budget and Finance Sub-Committee.

04/28/15; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

150437 [Supporting Implementation of the 22 Fillmore Transit Priority Project and Urging Approval of the 2015 TIGER VII Grant Application]

Sponsors: Mayor; Kim

Resolution supporting the implementation of the 22 Fillmore Transit Priority Project; and urging the United States Department of Transportation to approve the 2015 TIGER VII Grant Application submitted by the San Francisco Municipal Transportation Agency.

04/28/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

150438 [Calling for the Development of a White-Paper on Private Commuter Shuttle Services]

Sponsor: Farrell

Resolution calling on the San Francisco Municipal Transportation Agency to develop a white-paper in coordination with the San Francisco County Transportation Authority, on the City's policy approach to private commuter shuttle services, and report back to the Board of Supervisors.

04/28/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

150358 [Committee of the Whole - Report of Assessment Costs for Blighted Properties]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 12, 2015, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director, pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

04/28/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

150433 [Committee of the Whole - Redevelopment Plan Amendment - Transbay Redevelopment Project Area - June 9, 2015]**Sponsor: Kim**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 9, 2015, at 3:00 p.m., to hold a public hearing to consider the proposed Minor Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area to provide bulk limits for general office buildings in Zone One.

04/28/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**150439 [Hearing - California Pacific Medical Center's Compliance with the Cathedral Hill Development Agreement]****Sponsors: Campos; Farrell**

Hearing to review the California Pacific Medical Center's compliance with the Cathedral Hill Development Agreement; and requesting the Department of Public Health, the Office of Economic and Workforce Development, the San Francisco Municipal Transportation Agency, and the Planning Department to report.

04/28/15; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

150440 [Hearing - Budget Update - Department of Child Support Services - FY2015-2016]**Sponsor: Farrell**

Hearing to receive a budget update from the Department of Child Support Services for FY2015-2016.

04/28/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.

150441 [Hearing - Budget Update - San Francisco International Airport - FY2015-2016]**Sponsor: Farrell**

Hearing to receive a budget update from the San Francisco International Airport for FY2015-2016.

04/28/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.

150442 [Hearing - Budget Update - San Francisco Public Library - FY2015-2016]**Sponsor: Farrell**

Hearing to receive a budget update from the San Francisco Public Library for FY2015-2016.

04/28/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.

150443 [Hearing - Budget Update - San Francisco Public Utilities Commission - FY2015-2016]**Sponsor: Farrell**

Hearing to receive a budget update from the San Francisco Public Utilities Commission for FY2015-2016.

04/28/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.

150444 [Hearing - Budget Update - San Francisco Employees' Retirement System - FY2015-2016]**Sponsor: Farrell**

Hearing to receive a budget update from the San Francisco Employees' Retirement System for FY2015-2016.

04/28/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.

150445 [Hearing - Budget Update - Port of San Francisco - FY2015-2016]**Sponsor: Farrell**

Hearing to receive a budget update from the Port of San Francisco for FY2015-2016.

04/28/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.

150446 [Hearing - Glen Park Streetscape Improvement Plan]**Sponsor: Wiener**

Hearing on the San Francisco Municipal Transportation Agency's (SFMTA) Glen Park Streetscape Improvement Plan, including the intersection of Diamond and Bosworth Streets, the project's overly lengthy timeline, high cost, missing scope including left turn signals, and overall lack of communication; and requesting the SFMTA to report.

04/28/15; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

150447 [Hearing - Grade-Level Literacy at San Francisco Public Schools]**Sponsor: Yee**

Hearing to discuss strategies to reach grade-level literacy at San Francisco public schools; and requesting the San Francisco Unified School District, the Department of Children, Youth, and Their Families, and the Public Library to report.

04/28/15; RECEIVED AND ASSIGNED to City and School District Select 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**150400 [Settlement and Dismissal of Lawsuit - Donnie Thomas, et al. - City to Receive \$200,534]**

Ordinance authorizing settlement and dismissal of the lawsuit filed by the City and County of San Francisco against Donnie Thomas, Miles Bonner, John Rauch, Robert Mazariegos, Vincent Padilla, Elizabeth Bradford, Jean Quiroz, Carlos Quiroz and Centennial Distributors, Inc., for \$200,534; the lawsuit was filed on August 19, 2010, in San Francisco Superior Court, Case No. CGC-10-502809; entitled City and County of San Francisco, et al. v. Donnie Thomas, et al. (City Attorney)

04/17/15; RECEIVED FROM DEPARTMENT.

04/28/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150401 [General Plan Amendments - Rincon Hill Streetscape Master Plan]

Ordinance amending the Rincon Hill Area Plan, a subsection of the General Plan, to incorporate the Rincon Hill Streetscape Master Plan and make other technical amendments; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

04/20/15; RECEIVED FROM DEPARTMENT.

04/28/15; ASSIGNED UNDER 30 DAY RULE to Board of Supervisors, expires on 5/28/2015.

PROPOSED RESOLUTIONS

150402 [Agreement Amendment - Bayview Hunters Point Foundation for Community Improvement, Inc. - Behavioral Health Services - Not to Exceed \$29,250,463]

Resolution retroactively approving an amendment to the agreement between the Department of Public Health and the Bayview Hunters Point Foundation for Community Improvement, Inc., for behavioral health services, to increase the total contract amount by \$3,050,624 for a total contract amount of \$30,502,481 for the period of July 1, 2010, through December 31, 2015. (Public Health Department)

(Fiscal Impact)

04/16/15; RECEIVED FROM DEPARTMENT.

04/28/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150403 [Agreement Amendment - Public Health Foundation Enterprises, Inc. - Program Management Services for the San Francisco Homeless Outreach Team (SFHOT) Program - \$23,766,056]

Resolution approving an amendment to the agreement between the Department of Public Health and Public Health Foundation Enterprises, Inc., to provide program management services in support the San Francisco Homeless Outreach Team (SFHOT), to increase the contract by \$20,107,171 for a total contract amount of \$25,239,580 for the period of August 1, 2014, through June 30, 2018. (Public Health Department)

(Fiscal Impact)

04/16/15; RECEIVED FROM DEPARTMENT.

04/28/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150404 [Contract Amendment - Fort Help, LLC - Substance Abuse Treatment Services - Not to Exceed \$14,563,665]

Resolution retroactively approving the Sixth Amendment to the agreement between the Department of Public Health and Fort Help, LLC, for substance abuse treatment services for heroin and other opiate users with methadone and other opiate replacement therapies, to increase the contract amount by \$4,878,797 for a total contract amount not to exceed \$14,852,981 for the period of September 1, 2008, through June 30, 2018. (Public Health Department)

(Fiscal Impact)

04/16/15; RECEIVED FROM DEPARTMENT.

04/28/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150405 [Contract Amendment - San Francisco Study Center - Fiscal Intermediary Support - Not to Exceed \$13,451,201]

Resolution approving an amendment to the agreement between the Department of Public Health and San Francisco Study Center for fiscal intermediary support of five programs providing services to adults and transitional-aged youth, to increase the total contract amount by \$4,083,108 for a total contract amount of \$15,099,701 for the period of July 1, 2010, through December 31, 2015. (Public Health Department)
(Fiscal Impact)

04/16/15; RECEIVED FROM DEPARTMENT.

04/28/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150406 [Contract Amendment - Aon Risk Insurance Services West, Inc. - Insurance Broker and Risk Management Consulting Services - \$15,755,292]

Resolution authorizing the Director of Risk Management to enter into the First Amendment of a contract with Aon Risk Insurance Services West, Inc., for insurance broker and risk management consulting services, to increase the contract limit from \$9,500,000 to \$17,125,000 for the term ending July 21, 2016. (City Administrator)
(Fiscal Impact)

04/20/15; RECEIVED FROM DEPARTMENT.

04/28/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150407 [Contract Amendment - Alliant Insurance Services, Inc. - Insurance Broker and Risk Management Consulting Services - \$32,288,248]

Resolution authorizing the Director of Risk Management to enter into the First Amendment of a contract with Alliant Insurance Services, Inc., for insurance broker and risk management consulting services, to increase the contract limit from \$19,520,840 to \$32,520,840 for the term ending July 30, 2017. (City Administrator)
(Fiscal Impact)

04/20/15; RECEIVED FROM DEPARTMENT.

04/28/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

In Memoriams

*Wayne Yoshito Osaki - Supervisors Breed and Mar
Dora Quirke - Supervisor Tang*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:11 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 June 9, 2015.

Angela Calvillo, Clerk of the Board