

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, May 5, 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, 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 Kim and Yee were not present. There was a quorum.

Supervisors Kim and Yee were noted present at 2:03 p.m.

COMMUNICATIONS

There were no communications.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of March 31, 2015. There were no corrections.

Supervisor Mar, seconded by Supervisor Kim, moved to approve the Board Meeting Minutes of March 31, 2015. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

There were no consent agenda items.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation 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)

Ordinance No. 069-15

FINALLY PASSED by the following vote:

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

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

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.

Supervisor Cohen, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to May 12, 2015. The motion carried by the following vote:

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

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.

Ordinance No. 068-15

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

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

Resolution authorizing a new 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 two 2% annual increases, and three five-year options to extend. (Real Estate Department) (Fiscal Impact.)

Resolution No. 169-15

ADOPTED by the following vote:

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

150366 [Apply for, Accept, and Expend Grant - Community Development Block Grant Program - \$19,605,891 - FY2015-2016]**Sponsor: Mayor**

Resolution approving the FY2015-2016 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2015-2016 CDBG Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$16,489,944 and to expend program income and reprogrammed funds in the amount of \$3,115,947 for a combined total amount of \$19,605,891 over the period beginning July 1, 2015, through the date when all funds are expended.

Resolution No. 172-15**ADOPTED by the following vote:**

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

150367 [Apply for, Accept, and Expend Grant - Housing Opportunities for Persons with AIDS Program - \$7,562,162 - FY2015-2016]**Sponsor: Mayor**

Resolution approving the FY2015-2016 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2015-2016 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$7,461,390 and to expend program income and reprogrammed funds in the amount of \$100,772 for a combined total of \$7,562,162 for the period of July 1, 2015, through June 30, 2020.

Resolution No. 173-15**ADOPTED by the following vote:**

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

150368 [Apply for, Accept, and Expend Grant - HOME Program - \$5,806,358 - FY2015-2016]**Sponsor: Mayor**

Resolution approving the FY2015-2016 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2015-2016 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$3,931,015 and to expend program income in the amount of \$1,875,343 for a combined total of \$5,806,358 for the term of July 1, 2015, through June 30, 2020.

Resolution No. 174-15**ADOPTED by the following vote:**

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

150369 [Apply for, Accept, and Expend Grant - Emergency Solutions Grants Program - \$1,482,125 - FY2015-2016]**Sponsor: Mayor**

Resolution approving the FY2015-2016 Emergency Solutions Grants (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2015-2016 ESG Program entitlement from the U.S. Department of Housing and Urban Development, in the amount of \$1,482,125 for an unspecified period starting July 1, 2015.

Resolution No. 175-15**ADOPTED by the following vote:**

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

150370 [Accept and Expend Grant - California HCD Local Housing Trust Fund Grant - \$2,000,000]**Sponsor: Breed**

Resolution authorizing the Mayor's Office of Housing and Community Development to accept and expend a grant in the amount of \$2,000,000 from the California Department of Housing and Community Development Local Housing Trust Fund Program.
(Fiscal Impact.)

Resolution No. 176-15**ADOPTED by the following vote:**

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

150371 [California Enterprise Development Authority Revenue Obligations Issuance - The Urban School of San Francisco - Not to Exceed \$25,000,000]**Sponsor: Breed**

Resolution approving, for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$25,000,000 to finance or refinance the acquisition, construction, installation, rehabilitation, equipping, and/or furnishing of K-12 educational facilities to be owned and operated by, or leased and operated by, The Urban School of San Francisco, a California non-profit public benefit corporation.

Resolution No. 177-15**ADOPTED by the following vote:**

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

150373 [Lease Agreement - Glenridge Nursery School - Silver Tree Building - Initial Annual Base Rent of \$26,380.91 and Rent Credits of Up to \$25,000]**Sponsor: Wiener**

Resolution authorizing the General Manager of the Recreation and Park Department to execute a fifteen-year lease with Glenridge Nursery School for the Silver Tree Building in Glen Canyon Park for an initial annual base rent of \$26,380.91 and rent credits of up to \$25,000 following completion of roof replacement for the term of June 6, 2015, through June 5, 2030.

Resolution No. 178-15**ADOPTED by the following vote:**

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

Recommendations of the Land Use and Transportation Committee

150331 [Teatro ZinZanni Hotel/Theater/Park Project - Sole Source Negotiations]

Resolution exempting from the competitive bidding policy set forth in Administrative Code, Section 2.6-1, the potential real estate transaction involving Port property at Seawall Lots 324 and 323 on the west side of The Embarcadero at Vallejo Street with Teatro ZinZanni, and financial partner Kenwood Investments No. 6, LLC, operating together as TZK Broadway, LLC (TZK), for development of a dinner theater and maximum 200-room, 40-foot boutique hotel and an approximately 7,500 square foot privately financed public park and ancillary uses; urging the Port, Teatro ZinZanni, and TZK to engage in outreach to affected and interested neighbors, community members and other stakeholders to ensure that the proposed project is designed with public input; and urging the Port Director, with the assistance of Port staff, the City Attorney's Office, and other City officials to take all actions needed to negotiate an exclusive negotiating agreement and a term sheet with Teatro ZinZanni and TZK on a sole source basis, consistent with this Resolution. (Port) (Supervisor Kim dissented in committee.)

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

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

Resolution No. 170-15

ADOPTED AS AMENDED by the following vote:

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

150341 [Street Encroachment - Newcomb Avenue Frontage of 4705-3rd Street - San Francisco Arts Commission]

Resolution granting revocable permission to the San Francisco Arts Commission to occupy a portion of the public right-of-way to construct and maintain a new concrete entry stairway with illuminated handrails, an accessible ramp at the main point of egress and ingress and other related improvements, at the Newcomb Avenue frontage of 4705-3rd Street (Assessor's Block No. 5311, Lot No. 036); 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. (Public Works)

Resolution No. 171-15

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

150180 [Appointment, Citizen's Committee on Community Development - Patrina Hall]

Motion appointing Patrina Hall, term ending February 23, 2017, to the Citizen's Committee on Community Development. (Rules Committee)

Motion No. M15-078

APPROVED by the following vote:

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

150391 [Appointment, Veterans Affairs Commission - Sam Pandey]

Motion appointing Sam Pandey, term ending January 31, 2016, to the Veterans Affairs Commission. (Rules Committee)

Motion No. M15-079

APPROVED by the following vote:

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

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**Privilege of the Floor**

Supervisor Mar, seconded by Supervisor Farrell, 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: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ASIAN-PACIFIC AMERICAN HERITAGE MONTH

Supervisor Mar and Claudine Cheng, President, APA Heritage Foundation, provided some opening remarks. Supervisors introduced, welcomed, and presented Certificates of Honor to individuals and organizations in recognition of Asian-Pacific American Heritage Month, their accomplishments, and their continued community support as referenced below:

*Supervisor Farrell recognized Soo Venkatesan; and
Supervisor Christensen recognized Leland Wong; and
Supervisor Cohen recognized Curt Yagi (Real Options for City Kids); and
Supervisor Mar recognized #Asian4BlackLives; and
Supervisor Kim recognized Tim Figueras; and
Supervisor Tang recognized Allan Ma; and
Supervisor Yee recognized Dennis Wu; and
Supervisor Wiener recognized Maria Nona Villasin; and
Supervisor Breed recognized Rodney Chin; and
Supervisor Campos recognized Community Empowerment Center; and
Supervisor Avalos recognized Pei Juan Liu, Xing Zhen, and Karen Kuang (Sisterhood Farms Community).*

COMMITTEE REPORT

Recommendation of the Land Use and Transportation Committee

150412 [Interim Zoning Controls - Conditional Use Authorization for Medical Cannabis Dispensaries in Irving, Judah, Noriega, and Taraval Neighborhood Commercial Districts]

Sponsor: Tang

Resolution imposing interim zoning controls to reinstate the conditional use authorization requirement for Medical Cannabis Dispensaries in the Irving, Judah, Noriega, and Taraval Street Neighborhood Commercial Districts, and impose additional conditional use authorization criteria; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact); (Economic Impact pending further Office of Economic Analysis Review)

Resolution No. 179-15

ADOPTED by the following vote:

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

Noes: 2 - Avalos, Mar

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Mark Trout; expressed various religious concerns.

Andrew Yip; expressed various concerns.

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

Vladimir; expressed various concerns relating to fascism.

Christopher Dahl; expressed various concerns relating to sea level and the Hall of Justice.

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

Paul Hansbury; expressed various concerns.

Hene Kelly; spoke regarding proposed legislation relating to housing moratorium in the Mission District.

Edmond Larry Juizye; expressed various concerns.

Merlin; expressed various concerns relating to taxi service and car ride sharing programs.

Alan Martinez; spoke regarding proposed legislation relating to housing moratorium in the Mission District.

Michael Lyon; spoke regarding proposed legislation relating to housing moratorium in the Mission District.

Leslie; expressed various concerns relating to radiation and antennas.

Sudie Skull; expressed various concerns relating to microwave radiation and cancer.

Tom Gilberty; expressed various concerns relating to wheelchair accessibility.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**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.

Resolution No. 180-15**ADOPTED****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)

Motion No. M15-080**APPROVED****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.

Motion No. M15-081**APPROVED****The foregoing items were acted upon by the following vote:**

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisors Kim and Cohen requested that File No. 150437 be severed so that it may be considered separately.

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.

Privilege of the floor was granted unanimously to Jon Givner, Deputy City Attorney, Nicole Elliott, Mayor's Legislative Director, and Cathal Hennessy (MTA) who responded to questions raised throughout the discussion.

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 1, Line 8, by changing the amount to \$20,000,000, and on Page 3, Line 18, by changing the amount to \$20,000,000. The motion carried by the following vote:

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

Supervisor Cohen, seconded by Supervisor Kim, moved that this Resolution be CONTINUED AS AMENDED to May 12, 2015. The motion carried by the following vote:

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

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

150456 [Planning Code - Measurement of Rooftop Appurtenances and Infill Spaces for Noncomplying Structures in C-3 Zoning Districts]

Sponsor: Mayor

Ordinance amending the Planning Code, by adding a new Subsection 188(g), to modify the measurement methodology for rooftop appurtenances and create a process to authorize certain types of infill floor area in existing structures, located in a C-3 (Downtown Commercial) Zoning District, which exceed the current height limit; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1.

05/05/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/4/2015.

150457 [Appropriation and De-Appropriation - Development Impact Fee Revenue and Expenditures - Municipal Transportation Agency - \$16,719,000 and \$800,000 Respectively - FY2015-2016]

Sponsor: Mayor

Ordinance appropriating \$16,719,000 and de-appropriating \$800,000 of Development Impact Fee revenue and expenditures to the Municipal Transportation Agency, amending estimated receipts and estimated expenditures in FY2015-2016.

(Fiscal Impact)

05/05/15; ASSIGNED to Budget and Finance Sub-Committee.

150458 [Appropriation - Municipal Transportation Agency - \$32,220,000 - FY2015-2016]

Sponsors: Mayor; Farrell

Ordinance appropriating \$32,220,000 to the Municipal Transportation Agency, amending estimated receipts and estimated expenditures in FY2015-2016.

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

05/05/15; ASSIGNED to Budget and Finance Sub-Committee.

150459 [Appropriation - General Obligation Bond Proceeds for Transportation and Road Improvement Projects - \$67,540,000 - FY2014-2015]**Sponsors: Mayor; Tang and Wiener**

Ordinance appropriating \$67,540,000 of the 2015B Series Transportation and Road Improvement General Obligation Bond proceeds in FY2014-2015, including \$8,698,132 to the Department of Public Works for Better Market Street Projects and \$58,841,868 to the Municipal Transportation Agency for Muni Forward Rapid Network Improvement Projects, Pedestrian Safety Improvement Projects, and the Caltrain Communications Based Overlay Signal System Positive Train Control System; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31; and placing these funds on Controller's Reserve pending the sale of the bonds.

(Fiscal Impact)

05/05/15; ASSIGNED to Budget and Finance Sub-Committee.

150460 [Sale of City Property - 35 and 45 Onondaga Avenue - No Less Than \$640,000]**Sponsor: Avalos**

Ordinance authorizing the sale, by public competitive bid, of City-owned property located at 35 and 45 Onondaga Avenue for no less than \$640,000; adopting findings that the sale is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing other actions in furtherance of this Ordinance.

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

05/05/15; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 6/4/2015.

150461 [Zoning - Interim Moratorium on Certain New Residential Uses and Elimination of Production, Distribution, and Repair Uses in a Portion of the Mission Area Plan of the General Plan]**Sponsors: Campos; Mar, Kim, Avalos and Yee**

Urgency Ordinance approving an interim zoning moratorium on the issuance of any permits to demolish, merge, convert, or construct housing projects, as defined, on the issuance of any permits to demolish, convert, or eliminate Production, Distribution, and Repair (PDR), and to create an exception from the interim zoning moratorium for the issuance of permits for 100% affordable housing projects, as defined, and to allow the elimination of PDR uses where necessary to permit 100% affordable housing projects, in a portion of the Mission Area Plan of the General Plan (comprising the area bounded by the north side of Cesar Chavez, from the east side of Valencia to the west side of Potrero; the west side of Potrero, from the north side of Cesar Chavez to the south side of 20th Street; the south side of 20th Street, from the west side of Potrero to the west side of Bryant; the west side of Bryant, from the south side of 20th Street to the south side of Division; the south side of Division, from the west side of Bryant to the east side of Valencia; the east side of Valencia, from the south side of Division to the north side of Cesar Chavez); affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

05/05/15; ASSIGNED to Land Use and Transportation Committee.

150462 [Public Works Code - Waiver of Street Space Fee for Small Business Week Sidewalk Sales]**Sponsor: Farrell**

Ordinance retroactively waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy permit on certain designated City streets on Saturday, May 16, 2015, and Saturday, May 23, 2015, as part of Small Business Week Sidewalk Sales.

05/05/15; ASSIGNED to Budget and Finance Sub-Committee.

150463 [Administrative Code - Film Rebate Program Amendments - \$4,000,000 Funding Cap]**Sponsor: Farrell**

Ordinance amending the Administrative Code to extend the Film Rebate Program expiration date from June 30, 2015, to June 30, 2019, to correspondingly increase the authorized funding cap for the Film Rebate Project Account from \$3,000,000 to \$4,000,000 subject to annual appropriation and to make certain technical corrections.

(Fiscal Impact)

05/05/15; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 6/4/2015.

150464 [Health Code - Enforcement of Service Station Bathroom Requirements and Fines]**Sponsor: Kim**

Ordinance amending the Health Code to permit the imposition of administrative fines for violations of the duty to provide clean and sanitary washrooms for the use of gasoline station patrons.

05/05/15; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 6/4/2015.

150465 [Planning Code - Accessory Use Entertainment in Specified Western South of Market Districts]**Sponsor: Kim**

Ordinance amending the Planning Code to allow accessory use entertainment (with limited live performance permits) in the Western South of Market Mixed Use General and Regional Commercial Districts; 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.

05/05/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/4/2015.

Resolutions**150466 [Sale of General Obligation Bonds - Transportation and Road Improvement Bonds - Not to Exceed \$67,540,000]****Sponsors: Mayor; Tang and Wiener**

Resolution authorizing and directing the sale of not to exceed \$67,540,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Transportation and Road Improvement Bonds, 2014), Series 2015B; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents, as defined herein; waiving the deadline for submission of Bond Accountability Reports; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and Chapter 31 of the Administrative Code; ratifying certain actions previously taken as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein.

(Fiscal Impact)

05/05/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150467 [Issuance of General Obligation Bonds - Transportation and Road Improvement Bonds - Not to Exceed \$500,000,000]

Sponsors: Mayor; Tang and Wiener

Resolution providing for the issuance of not to exceed \$500,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Transportation and Road Improvement Bonds, 2014); authorizing the execution, authentication, and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein.
(Fiscal Impact)

05/05/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150468 [Refunding Certificates of Participation, Series 2015-R1 - City Office Buildings - Multiple Properties Project - Not to Exceed \$188,700,000]

Sponsors: Mayor; Farrell

Resolution approving the form of an Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; authorizing City officials to take necessary actions in connection with the authorization, sale execution, and delivery of the Refunding Certificates of Participation Series 2015-R1 (City Office Buildings - Multiple Properties Project), in an amount not to exceed \$188,700,000, as defined herein; and ratifying previous actions taken in connection therewith, as defined herein.

05/05/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150469 [Certificates of Participation - War Memorial Veterans Building Seismic Upgrade and Improvements - Official Statement]

Sponsors: Mayor; Farrell

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the execution and delivery of City and County of San Francisco Certificates of Participation for the War Memorial Veterans Building Seismic Upgrade and Improvements and authorizing the preparation, execution, and delivery of a final official statement; ratifying the approvals and terms and conditions of a previous Ordinance, as defined herein; and related matters.

05/05/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150470 [General Obligation Bonds - Amending Resolution No. 284-14 - Seismic Safety Loan Program - Not to Exceed \$24,000,000]

Sponsors: Mayor; Cohen and Farrell

Resolution amending and supplementing Resolution No. 284-14 to authorize the sale of not to exceed \$24,000,000 aggregate principal amount of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2014C, by private placement to the financial institution identified herein, to authorize the execution of a Declaration of Trust and a Continuing Covenant Agreement in connection therewith and authorizing and approving modifications to said documents, as defined herein; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein.

05/05/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150471 [Urging the Mayor to Form an Interagency Working Group to Create an Eviction Early Warning System]**Sponsor: Christensen**

Resolution urging Mayor Lee to form an interagency working group with participation from the Mayor's Office of Housing and Community Development, the Rent Board, and in coordination with the Board of Supervisors, to create an Eviction Early Warning System.

05/05/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150472 [Contract Amendment - New Flyer of America, Inc. - Purchase of Low Floor Diesel Hybrid Buses - Not to Exceed \$167,639,669]**Sponsors: Tang; Breed and Mar**

Resolution approving Amendment No. 1 to Contract No. CPT 713 (Procurement of 40-Foot and 60-Foot Low Floor Diesel Hybrid Buses) with New Flyer of America, Inc., to change the propulsion system in six of the previously ordered 61 buses from parallel propulsion to series propulsion; and to exercise Option No. 1 of the contract to purchase an additional 48 standard and 50 articulated low floor diesel hybrid buses, for an additional amount of \$99,382,133 and a total contract amount not to exceed \$167,639,669 to commence following Board approval.

(Fiscal Impact)

05/05/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150473 [Supporting California State Senate Bill 32 (Pavley) - Climate Pollution Reduction Beyond 2020]**Sponsor: Wiener**

Resolution supporting California Senate Bill 32, authored by Senator Fran Pavley, which sets an enforceable greenhouse gas reduction target of 80% below 1990 levels in California by 2050.

05/05/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**150434 [Hearing - Redevelopment Plan Amendment - Transbay Redevelopment Project Area]**

Hearing to consider the proposed 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. (Clerk of the Board)

05/05/15; RECEIVED AND ASSIGNED to Board of Supervisors.

150359 [Hearing - Report of Assessment Costs for Blighted Properties]

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or abatement of blighted conditions 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)

04/22/15; NOTICED.

05/05/15; RECEIVED AND ASSIGNED to Board of Supervisors.

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 RESOLUTIONS

150423 [Settlement of Unlitigated Claim - Association of Bay Area Governments and ABAG Financing Authority for Nonprofit Corporations - City to Receive \$1,296,340.66 Plus Interest and Other Costs]

Resolution approving the settlement of the unlitigated claim in favor of the City against the Association of Bay Area Governments (ABAG) and the ABAG Financing Authority for Nonprofit Corporations for \$1,296,340.66 plus interest and other costs; the City's claim sought recovery following the embezzlement of certain Rincon Hill Community Facilities District bond funds under the jurisdiction of the Mayor's Office of Housing and Community Development. (City Attorney)

04/24/15; RECEIVED FROM DEPARTMENT.

05/05/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150424 [Settlement of Unlitigated Claim - The Trustees of the University of Pennsylvania - \$68,563.99]

Resolution approving the settlement of the unlitigated claim filed by The Trustees of the University of Pennsylvania, on behalf of The Wharton School of the University of Pennsylvania, against the City and County of San Francisco for \$68,563.99; claim was filed on February 17, 2015. (City Attorney)

04/24/15; RECEIVED FROM DEPARTMENT.

05/05/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150425 [Settlement of Unlitigated Claim - Paul Jan Lee - \$32,500]

Resolution approving the settlement of the unlitigated claim filed by Paul Jan Lee against the City and County of San Francisco for \$32,500; claim was filed on February 17, 2015. (City Attorney)

04/24/15; RECEIVED FROM DEPARTMENT.

05/05/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150426 [Real Property Lease - K.L.W. Investments, LLC - 3119 Mission Street - \$473,884 Base Rent in Initial Year]

Resolution authorizing the lease with K.L.W. Investments, LLC, as Landlord, for the entire property, commonly known as 3119 Mission Street, consisting of approximately 11,085 square feet at \$39,490.31 monthly, for \$473,884 base rent in the initial year, for use by the Human Service Agency for a five-year term from July 1, 2015, through June 30, 2020. (Real Estate Department) (Fiscal Impact)

04/27/15; RECEIVED FROM DEPARTMENT.

05/05/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150427 [Real Property Lease - K.L.W. Investments, LLC - 3120 Mission Street - \$1,677,980 Base Rent in Initial Year]

Resolution authorizing the lease with K.L.W. Investments, LLC, as Landlord, for the entire property, commonly known as 3120 Mission Street, consisting of approximately 39,251 square feet at \$139,831.66 monthly, for \$1,677,980 of base rent in the initial year, for use by the Human Service Agency for a five-year term from July 1, 2015, through June 30, 2020. (Real Estate Department)
(Fiscal Impact)

04/27/15; RECEIVED FROM DEPARTMENT.

05/05/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150428 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvements; workers performing work under City contracts for janitorial services; workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; workers engaged in theatrical or technical services for shows on property owned by the City; workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; workers performing moving services under City contracts at facilities owned or leased by the City; and workers engaged in exhibit, display, or trade show work at a special event on property owned by the City. (Civil Service Commission)
(Fiscal Impact)

04/27/15; RECEIVED FROM DEPARTMENT.

05/05/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

In Memoriam

Sandra Rosenfield - Supervisor Tang

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:54 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 16, 2015.

Angela Calvillo, Clerk of the Board