

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 29, 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	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Yee, Campos, Fewer, Haney, Walton	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 2:08 p.m. On the call of the roll, all Supervisors were noted present. There was a quorum.

COMMUNICATIONS

There were no communications.

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

150789 [Accept and Expend Grant - FUSE Corps Senior Fellow Grant - Amendment to the Annual Salary Ordinance - \$134,632]

Sponsors: Mayor; Farrell

Ordinance authorizing the Department of Human Resources to accept and expend a grant in the amount of \$134,632 from FUSE Corps to prepare students for pathways into careers in Science, Technology, Engineering, and Mathematics; and amending the Annual Salary Ordinance to provide for the addition of one grant-funded Class 0922 Manager I position for the period of September 28, 2015, through September 30, 2016.

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

Ordinance No. 174-15

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

150825 [Settlement of Lawsuit - Kathie Lustig - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Kathie Lustig against the City and County of San Francisco for \$100,000; the lawsuit was filed on June 13, 2014, in San Francisco Superior Court, Case No. CGC 14-539885; entitled Kathie Lustig v. City and County of San Francisco, et al; other material terms of said settlement are Co-Defendant PG&E will reimburse City \$50,000 as part of settlement. (City Attorney)

PASSED, ON FIRST READING

150834 [Settlement of Lawsuit - Pacific Gas and Electric Company - City to Receive \$1,594,700]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Gas and Electric Company (PG&E) for \$1,594,700; the lawsuit was filed on March 6, 2013, in San Francisco Superior Court, Case No. CGC-13-529310; entitled City and County of San Francisco v. Pacific Gas and Electric Company; other material terms of the settlement are that the City will execute a limited release of claims covered by the litigation and the City and PG&E will each bear its own fees and costs. (City Attorney)

PASSED, ON FIRST READING

150837 [Settlement of Lawsuit - Yoshio Haraguchi - \$90,000]

Ordinance authorizing settlement of the lawsuit filed by Yoshio Haraguchi against the City and County of San Francisco for \$90,000; the lawsuit was filed on August 15, 2014, in San Francisco Superior Court, Case No. CGC-14-541209; entitled Yoshio Haraguchi v. City and County of San Francisco, et al.; other material terms of said settlement is payment of San Francisco General Hospital lien in the amount of \$20,000. (City Attorney)

PASSED, ON FIRST READING

150839 [Settlement of Lawsuit - Thomas Mich - \$70,000]

Ordinance authorizing settlement of the lawsuit filed by Thomas Mich against the City and County of San Francisco for \$70,000; the lawsuit was filed on November 12, 2014, in San Francisco Superior Court, Case No. CGC 14-542654; entitled Thomas Mich v. City and County of San Francisco, et al.; other material terms of said settlement are Department of Public Health lien of \$20,469.30 is waived. (City Attorney)

PASSED, ON FIRST READING

150843 [Settlement of Lawsuit - Granville McCollough - \$87,000]

Ordinance authorizing the settlement of the lawsuit filed by Granville McCollough against the City and County of San Francisco for \$87,000; the lawsuit was filed on December 11, 2013, in San Francisco Superior Court, Case No. CPF-13-536075, entitled McCollough v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

150844 [Settlement of Lawsuit - Denise Green - \$495,000]

Ordinance authorizing settlement of the lawsuit filed by Denise Green against the City and County of San Francisco for \$495,000; the lawsuit was filed on March 30, 2009, in the United States District Court for the Northern District of California, Case No. C10-2649; entitled Denise Green v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

150753 [Settlement of Unlitigated Claim - James Neidel, Francisco Alfaro, and Jose Alvarez - \$87,515]

Resolution approving the settlement of the unlitigated claim filed by James Neidel, Francisco Alfaro, and Jose Alvarez against the City and County of San Francisco for \$87,515; claim was filed on March 6, 2015. (City Attorney)

Resolution No. 346-15

ADOPTED

150777 [Settlement of Unlitigated Claim - Fireman's Fund - \$65,000]

Resolution approving the settlement of the unlitigated claim filed by Fireman's Fund against the City and County of San Francisco for \$65,000; claim was filed on March 2, 2015. (City Attorney)

Resolution No. 348-15

ADOPTED

150778 [Settlement of Unlitigated Claim - Pacific Gas and Electric Company - City to Receive \$2,200,000]

Resolution approving settlement of the unlitigated claim in favor of the City and County of San Francisco against Pacific Gas and Electric Company for \$2,200,000. (City Attorney)

Resolution No. 349-15

ADOPTED

150779 [Settlement of Unlitigated Claim - Cecilia Galiena - \$60,000]

Resolution approving the settlement of the unlitigated claim filed by Cecilia Galiena against the City and County of San Francisco for \$60,000; claim was filed on February 19, 2015. (City Attorney)

Resolution No. 350-15

ADOPTED

150835 [Settlement of Unlitigated Claim - Synergy Project Management, Inc. - City to Pay \$198,979.24]

Resolution approving settlement of the unlitigated claim by Synergy Project Management, Inc., against the City and County of San Francisco for \$198,979.24; claim was filed on August 22, 2014. (City Attorney)

Resolution No. 352-15

ADOPTED

150836 [Settlement of Unlitigated Claim - Synergy Project Management, Inc. - City to Pay \$501,561.80]

Resolution approving settlement of the unlitigated claim by Synergy Project Management, Inc., against the City and County of San Francisco for \$501,561.80; claim was filed on August 22, 2014. (City Attorney)

Resolution No. 354-15

ADOPTED

150838 [Settlement of Unlitigated Claim - M Squared Construction, Inc. - \$38,000]

Resolution approving the settlement of the unlitigated claim filed by M Squared Construction, Inc. against the City and County of San Francisco for \$38,000; claim was filed on May 1, 2015. (City Attorney)

Resolution No. 355-15

ADOPTED

150852 [Tolling Agreement - California Department of Fish and Wildlife, Office of Spill Prevention and Response - San Mateo Creek Discharges]

Resolution approving a Tolling Agreement to toll the statutes of limitations for the California Department of Fish and Wildlife, Office of Spill Prevention and Response, to bring potential claims against the Public Utilities Commission for discharges of chlorinated water into San Mateo Creek. (City Attorney)

Resolution No. 356-15

ADOPTED

Recommendations of the Land Use and Transportation Committee**150586 [Planning Code, Zoning Map - Rezoning a Portion of Daggett Street to Public Use/Open Space Zoning]**

Sponsor: Cohen

Ordinance amending the Planning Code by revising the Zoning Map to rezone a portion of Daggett Street between 16th Street and 7th Street from Urban Mixed Use/68-X Height and Bulk District to Public/Open Space as part of the establishment of Daggett Park; 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.

Ordinance No. 172-15

FINALLY PASSED

150644 [Land Transfer, Street Vacation, Gift Acceptance, Encroachment Permit, and Related Actions - Archstone Daggett Place, LLC - Daggett Street Between 16th and 7th Streets]

Sponsor: Cohen

Ordinance approving an agreement with the Port of San Francisco for the City's transfer of Daggett Street between 16th and 7th Streets; summarily vacating the northern portion of the street; authorizing an interdepartmental transfer of the vacation area from Public Works to the Real Estate Division of the Office of the City Administrator for public open space; modifying the official public right-of-way width, changing the official sidewalk width, and changing the official grade on the remaining portion of Daggett Street and portions of 16th and 7th Streets; accepting a gift from Archstone Daggett Place, LLC, for certain open space improvements on the portion of Daggett Street to be vacated and their maintenance; approving a street encroachment permit for the shared public way improvements on the remaining southerly portion of Daggett Street; delegating to the Director of Public Works the authority to accept other required public improvements associated with the adjacent development project; authorizing the Director of Property to execute a license agreement for the maintenance of the vacation area; affirming the Planning Commission'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, for the actions contemplated in this Ordinance.

Ordinance No. 173-15

FINALLY PASSED

Recommendation of the Public Safety and Neighborhood Services Committee

150754 **[Mental Health Services Act 2014-2017 Innovation Peer Respite Project Plan]**
Resolution authorizing adoption of the San Francisco Mental Health Services Act 2014-2017
Innovation Peer Respite Project Plan. (Public Health Department)

Resolution No. 347-15

ADOPTED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Transportation Committee

150646 [Administrative Code - Amendments to Residential Rent Stabilization and Arbitration Ordinance]**Sponsors: Kim, Campos, Mar and Avalos**

Ordinance amending the Administrative Code to: 1) prohibit, with certain exceptions, rent increases based on the addition of occupants even where a pre-existing rental agreement or lease permits such an increase; 2) prevent evictions based on the addition of occupants if the landlord has unreasonably refused the tenant's written request, including a refusal based on the amount of occupants allowed by the rental agreement or lease; 3) require landlords, after certain vacancies, to set the new base rent, for the next five years, as the lawful rent in effect at the time of the vacancy; 4) require that there be a substantial violation of a lawful obligation or covenant of tenancy as a basis for the recovery of possession; 5) require a landlord, prior to seeking recovery of possession, to provide tenants an opportunity to cure the unauthorized addition of the tenant's family members to the tenant's unit; 6) require that if a landlord seeks to recover possession based on a nuisance, substantial damage, or substantial interference with comfort, safety or enjoyment, the nuisance, substantial damage, or substantial interference be severe, continuing or recurring in nature; 7) prevent a landlord from seeking recovery of possession solely because the tenant is occupying a unit not authorized for residency; 8) require landlords to state in notices to vacate for certain good cause evictions the lawful rent for the unit at the time the notice is served; 9) require the Rent Board to prepare a form in English, Chinese, Spanish, Vietnamese, Tagalog, and Russian stating that a notice to vacate may lead to a lawsuit to evict and stating that advice regarding notices to vacate is available from the Rent Board; 10) require landlords to attach a copy of the Rent Board form in the primary language of the tenant to each notice to vacate; and 11) require landlords to plead and prove in any action to recover possession that at least one of the grounds of Administrative Code, Section 37.9(a)-(b) stated in the notice to vacate is the dominant motive for recovering possession.

Supervisor Wiener requested the Ordinance be DUPLICATED.

Supervisor Wiener, seconded by Supervisor Tang, moved that the original Ordinance be AMENDED by striking Page 8, Line 9, through Page 9, Line 19.

Supervisor Wiener, seconded by Supervisor Tang, moved that the duplicate Ordinance be AMENDED by striking all language, except for Page 8, Line 9, through Page 9, Line 19.

Before the roll was called on the two motions to amend the original and duplicate Ordinances, Supervisor Cohen requested these matters be continued to later in the meeting.

These matters were again called for consideration at 2:29 p.m.

Supervisor Wiener moved to withdraw his motions to amend the original Ordinance and amend the duplicate Ordinance. The motion carried without objection.

Supervisor Wiener rescinded his request to duplicate the Ordinance.

Supervisor Wiener requested the question be DIVIDED to consider separately Page 8, Line 9, through Page 9, Line 19, regarding the maximum number of roommates permitted.

The balance of the Ordinance, without the divided portion of the question, was FINALLY PASSED AS DIVIDED by the following vote:

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

Ordinance No. 171-15

The divided portion of the question relating to the maximum number of roommates permitted was FINALLY PASSED by the following vote:

Ayes: 7 - Avalos, Breed, Campos, Christensen, Cohen, Kim, Mar

Noes: 4 - Farrell, Tang, Wiener, Yee

Upon passage of both the remaining balance of the Ordinance and the divided portion, the Ordinance was finally passed as a whole.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

150794 [Accept and Expend Gift - Estate of Nguey Woo - Police Department - \$54,972.09]

Sponsors: Mayor; Farrell

Resolution authorizing the San Francisco Police Department to accept and expend a donation of \$54,972.09 pursuant to the order of final distribution of the estate of Nguey Woo.

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

Resolution No. 351-15

ADOPTED by the following vote:

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

150833 [Consent to Assignment Agreement - MHW Americas, Inc. - Planning and Engineering Services - Proposed Wastewater Enterprise Central Bayside System Improvement Project]

Resolution approving the terms and conditions of the Consent to Assignment Agreement for existing San Francisco Public Utilities Commission (SFPUC) Agreement No. CS-169, for planning and engineering services for the proposed Wastewater Enterprise Central Bayside System Improvement Project with assignee MWH Americas, Inc., and authorizing the SFPUC General Manager to execute a Consent to Assignment Agreement pursuant to Charter, Section 9.118. (Public Utilities Commission)

Resolution No. 353-15

ADOPTED by the following vote:

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

150876 [Multifamily Housing Revenue Note - 491-31st Avenue - Not to Exceed \$16,227,000]

Sponsors: Mayor; Mar and Farrell

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$16,227,000 for the purpose of providing financing for the acquisition and rehabilitation of a 75-unit multifamily rental housing project located at 491-31st Avenue; 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150877 [Multifamily Housing Revenue Note - 345 Arguello Boulevard - Not to Exceed \$18,047,000]**Sponsors: Mayor; Mar and Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$18,047,000 for the purpose of providing financing for the acquisition and rehabilitation of a 69-unit multifamily rental housing project located at 345 Arguello Boulevard; 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150878 [Multifamily Housing Revenue Note - 990 Pacific Avenue - Not to Exceed \$38,633,000]**Sponsors: Mayor; Christensen and Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$38,633,000 for the purpose of providing financing for the acquisition and rehabilitation of a 92-unit multifamily rental housing project located 990 Pacific Avenue; 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150879 [Multifamily Housing Revenue Note - 666 Ellis Street - Not to Exceed \$22,168,000]**Sponsors: Mayor; Kim and Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$22,168,000 for the purpose of providing financing for the acquisition and rehabilitation of a 99-unit multifamily rental housing project located at 666 Ellis Street; 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150880 [Multifamily Housing Revenue Note - 1150 Scott Street (aka Robert B. Pitts) - Not to Exceed \$48,768,000]**Sponsors: Mayor; Breed and Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$48,768,000 for the purpose of providing financing for the acquisition and rehabilitation of a 201-unit multifamily rental housing project located at 1150 Scott Street (aka Robert B. Pitts); 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150881 [Multifamily Housing Revenue Note - 1880 Pine Street - Not to Exceed \$21,475,000]**Sponsors: Mayor; Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$21,475,000 for the purpose of providing financing for the acquisition and rehabilitation of a 113-unit multifamily rental housing project located at 1880 Pine Street; 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150882 [Multifamily Housing Revenue Note - 255 Woodside Avenue - Not to Exceed \$30,708,000]**Sponsors: Mayor; Yee and Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$30,708,000 for the purpose of providing financing for the acquisition and rehabilitation of a 109-unit multifamily rental housing project located at 255 Woodside Avenue; 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150883 [Multifamily Housing Revenue Note - 100 Appleton Street - Not to Exceed \$39,843,000]**Sponsors: Mayor; Campos and Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$39,843,000 for the purpose of providing financing for the acquisition and rehabilitation of a 118-unit multifamily rental housing project known as Holly Courts located at 100 Appleton Street; 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150884 [Multifamily Housing Revenue Note - 939 and 951 Eddy Street - Not to Exceed \$13,265,000]**Sponsors: Mayor; Breed and Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$13,265,000 for the purpose of providing financing for the acquisition and rehabilitation of a 62-unit multifamily rental housing project located at 939 and 951 Eddy Street; 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150885 [Multifamily Housing Revenue Note - 1065 Oakdale Avenue/798 Jerrold Avenue (aka Hunters Point East West) - Not to Exceed \$69,238,000]**Sponsors: Mayor; Cohen and Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$69,238,000 for the purpose of providing financing for the acquisition and rehabilitation of a 213-unit multifamily rental housing project located at 1065 Oakdale Avenue/798 Jerrold Avenue (aka Hunters Point East 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150886 [Multifamily Housing Revenue Note - 25 Sanchez Street - Not to Exceed \$25,612,000]**Sponsors: Mayor; Wiener and Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$25,612,000 for the purpose of providing financing for the acquisition and rehabilitation of a 90-unit multifamily rental housing project located at 25 Sanchez Street; 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150887 [Multifamily Housing Revenue Note - 462 Duboce Avenue - Not to Exceed \$19,514,000]**Sponsors: Mayor; Wiener and Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$19,514,000 for the purpose of providing financing for the acquisition and rehabilitation of a 42-unit multifamily rental housing project located at 462 Duboce Avenue; 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150888 [Multifamily Housing Revenue Note - 430 Turk Street - Not to Exceed \$21,770,000]**Sponsors: Mayor; Kim and Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$21,770,000 for the purpose of providing financing for the acquisition and rehabilitation of a 89-unit multifamily rental housing project located at 430 Turk Street; 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150889 [Multifamily Housing Revenue Note - 227 Bay Street - Not to Exceed \$14,297,000]**Sponsors: Mayor; Christensen and Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$14,297,000 for the purpose of providing financing for the acquisition and rehabilitation of a 50-unit multifamily rental housing project located at 227 Bay Street; 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 related matters.

Supervisor Christensen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 6, 2015. The motion carried by the following vote:

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

150892 [Multifamily Housing Revenue Bonds - 1035 Folsom Street and 21 Columbia Square Street - Not to Exceed \$16,000,000]**Sponsor: Kim**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$16,000,000 for 1035 Folsom Street and 21 Columbia Square Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$16,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

Resolution No. 357-15

ADOPTED by the following vote:

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

150916 [Public Utilities Commission New Clean Renewable Energy Bonds Issuance - Not to Exceed \$4,100,000]**Sponsors: Breed; Farrell**

Resolution approving the issuance of not to exceed \$4,100,000 aggregate principal amount of New Clean Renewable Energy Bonds to be issued by the City and County of San Francisco, acting through the San Francisco Public Utilities Commission; approving the execution and delivery of an Equipment Lease/Purchase Agreement, a Direct Purchase Agreement, and a Filing Agent Agreement; and authorizing related actions, as defined herein.

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

Resolution No. 358-15

ADOPTED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee**150842 [Settlement of Lawsuit - Mountain Cascade, Inc. - \$3,200,000]**

Ordinance authorizing settlement of the lawsuit filed by Mountain Cascade, Inc., against the City and County of San Francisco for \$3,200,000; the lawsuit was filed on June 11, 2013, in San Mateo County Superior Court, Master File No. CIV 519255, entitled In re: Mountain Cascade Contract Litigation, related to the Public Utilities Commission's construction of the Bay Division Pipeline No. 5 - Peninsula Reaches project. (City Attorney)

PASSED, ON FIRST READING 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**150496 [Planning Code - Inclusionary Housing Requirements in the Eastern Neighborhoods]**

Sponsor: Kim

Ordinance amending the Planning Code to eliminate the Rental Incentive from the Eastern Neighborhood Urban Mixed Use Districts that permits project sponsors to lower their Inclusionary Affordable Housing requirements and applicable Eastern Neighborhood Public Benefit Fee by agreeing to maintain the units in their market rate development as rental units for 30 years; and 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.

PASSED, ON FIRST READING by the following vote:

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

150758 [Public Works Code - Public Right-of-Way Occupancy Fee Exemption]

Sponsor: Campos

Ordinance amending the Public Works Code to provide that floodwater management projects that are located within public rights of way, requiring a minor encroachment permit, and funded by San Francisco Public Utilities Commission grant funds, are exempt from payment of public right-of-way occupancy assessment fees.

PASSED, ON FIRST READING by the following vote:

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

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

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

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to API Legal Outreach and their Executive Director, Dean Ito Taylor, on the occasion of Mr. Taylor's retirement and the 40th Anniversary of API Legal Outreach.

President Breed introduced, welcomed, and presented a Certificate of Honor to Reverend Amos C. Brown, a former member of the Board of Supervisors, in recognition of his many accomplishments towards equality in the City and County of San Francisco and continued community service. Dr. Frederick Haynes, III, the grandson of Frederick Douglas Haines, Sr., and Doris Ward were also recognized. Supervisor Cohen shared in this commendation.

SPECIAL ORDER 3:00 P.M.

President Breed recessed the meeting at 3:48 p.m. and reconvened at 3:48 p.m.

150712 [Public Hearing - Appeal of Final Negative Declaration - Recology Landfill Disposal Agreement - Hay Road Landfill in Solano County]

Hearing of persons interested in or objecting to the adoption of a Final Negative Declaration under the California Environmental Quality Act for a proposed agreement for disposal of municipal solid waste at Recology Hay Road Landfill in Solano County, issued by the Planning Commission on May 21, 2015, and adopted on June 1, 2015. (Appellant: Joshua N. Levine, on behalf of Solano County Orderly Growth Committee) (Filed June 30, 2015). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Duane Kromm, Solano County Orderly Growth Committee, and Courtney Rae Ross-Tait (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Arthur Feinstein (Sierra Club); Tony Uberia; Barbara Cummins; Male Speaker; David Tam (SPRAWLDEF); Tom Gilbert; Russell Long (Sustainable San Francisco); Peter Turnuf; Steve Zeltram (UPWA); Darryl Washington; Female Speaker; Yee Hue Lam; Andrew Yip; spoke in support of the appeal. Sarah Jones and Paul Maltzer (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Guillermo Rodriguez, Department of the Environment (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. David Pilpel; Barbara Schussman (Perkins Coie); Mark Arsenault (Recology San Francisco); Charley Goss (San Francisco Apartment Association); Doug Bloch (Teamsters Joint Council 7); Larry Daugherty (Teamsters Local 350); Tim Paulson (San Francisco Labor Council); spoke in support of the project and in opposition to the appeal.

Supervisor Mar, seconded by Supervisor Kim, moved to reopen public comment for members of the public who are in support of the appeal. The motion carried without objection.

Genson Yee; Female Speaker; Lisa; Female Speaker; spoke in support of the appeal. Duane Kromm, Solano County Orderly Growth Committee, and Courtney Rae Ross-Tait (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

President Breed recessed the meeting at 4:36 p.m. and reconvened at 4:40 p.m.

150713 [Affirming the Approval of a Final Negative Declaration - Recology Landfill Disposal Agreement - Hay Road Landfill in Solano County]

Motion affirming the approval by the Planning Commission of a Final Negative Declaration under the California Environmental Quality Act for the proposed agreement for disposal of municipal solid waste at Recology Hay Road Landfill in Solano County. (Clerk of the Board)

Motion No. M15-148

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

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

150714 [Reversing the Approval of a Final Negative Declaration - Recology Landfill Disposal Agreement - Hay Road Landfill in Solano County]

Motion reversing the approval by the Planning Commission of a Final Negative Declaration under the California Environmental Quality Act for the proposed agreement for disposal of municipal solid waste at Recology Hay Road Landfill in Solano County. (Clerk of the Board)

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

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

150715 [Preparation of Findings to Reverse the Approval of a Final Negative Declaration - Recology Landfill Disposal Agreement - Hay Road Landfill in Solano County]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission's approval of a Final Negative Declaration under the California Environmental Quality Act for the proposed agreement for disposal of municipal solid waste at Recology Hay Road Landfill in Solano County. (Clerk of the Board)

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

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

SPECIAL ORDER 3:00 P.M.

150854 [Public Hearing - Appeal of Tentative Map - Parkmerced Project]

Hearing of persons interested in or objecting to the decision of Public Works dated August 24, 2015, approving a tentative map for lot and condominium subdivisions at addresses within the Parkmerced Project, Assessor's Block Nos. 7308, 7326, 7330, and 7335; and making environmental findings under the California Environmental Quality Act. (District 7) (Appellant: Stewart M. Flashman, on behalf of the Parkmerced Action Coalition) (Filed September 3, 2015). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Diane Carpio (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Male Speaker; Terence Faulkner; Female Speaker; Glenn Lochs; spoke in support of the appeal. Bruce Stohrs and Paul Mabry (Public Works) provided an overview of the decision of Public Works and responded to questions raised throughout the discussion. Jim Abrams and Seth Mallen (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Jeanie Scott; Michael Theriault (San Francisco Building Trades); Brook Turner (Coalition for Better Housing); spoke in support of the project and in opposition to the appeal. Diane Carpio (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

150855 [Approving Decision of Public Works and Approving the Tentative Map - Parkmerced Project]

Motion approving decision of Public Works and approving the Tentative Map for lot and condominium subdivisions at addresses within the Parkmerced Project; Assessor's Block Nos. 7308, 7326, 7330, and 7335; 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)

Motion No. M15-149

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

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

150856 [Disapproving Decision of Public Works and Disapproving the Tentative Map - Parkmerced Project]

Motion disapproving decision of Public Works and disapproving the Tentative Map for lot and condominium subdivisions at addresses within the Parkmerced Project; Assessor's Block Nos. 7308, 7326, 7330, and 7335. (Clerk of the Board)

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

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

150857 [Preparation of Findings Related to the Tentative Map - Parkmerced Project]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for lot and condominium subdivisions at addresses within the Parkmerced Project; Assessor's Block Nos. 7308, 7326, 7330, and 7335. (Clerk of the Board)

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

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

SPECIAL ORDER 3:00 P.M.**150858 [Public Hearing - Appeal of Tentative Map - 40 Bernal Heights Boulevard]**

Hearing of persons interested in or objecting to the decision of Public Works dated August 24, 2015, approving a proposed four-lot subdivision located at 40 Bernal Heights Boulevard, Assessor's Block No. 5640, Lot No. 010; and making environmental findings under the California Environmental Quality Act. (District 9) (Appellant: Betsy Brown and Chris Witteman, on behalf of Bernal/Powhattan Neighbors) (Filed September 3, 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. Public comment on the continuance was closed.

Supervisor Campos, seconded by Supervisor Kim, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of October 20, 2015. The motion carried by the following vote:

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

The President CONTINUED the Hearing to the Board of Supervisors meeting of October 20, 2015.

150859 [Approving Decision of Public Works and Approving the Tentative Map - 40 Bernal Heights Boulevard]

Motion approving decision of Public Works and approving the Tentative Map for a four-lot subdivision located at 40 Bernal Heights Boulevard, Assessor's Block No. 5640, Lot No. 010; 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 Kim, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 20, 2015. The motion carried by the following vote:

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

150860 [Disapproving Decision of Public Works and Disapproving the Tentative Map - 40 Bernal Heights Boulevard]

Motion disapproving decision of Public Works and disapproving the Tentative Map for a four-lot subdivision located at 40 Bernal Heights Boulevard, Assessor's Block No. 5640, Lot No. 010. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Kim, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 20, 2015. The motion carried by the following vote:

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

150861 [Preparation of Findings Related to the Tentative Map - 40 Bernal Heights Boulevard]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for a four-lot subdivision located at 40 Bernal Heights Boulevard, Assessor's Block No. 5640, Lot No. 010. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Kim, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 20, 2015. The motion carried by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Paulette Brown; expressed concerns relating to unsolved child homicides and violence in the community.

Tom Gilberty; expressed concerns regarding affordable housing and implementing rent control citywide.

Kanica LeMon-Jones; expressed concerns relating to unsolved child homicides and violence in the community.

Female Speaker; expressed concerns relating to unsolved child homicides and violence in the community.

Reverend Arnold Townsend (NAACP); expressed concerns relating to black injustice and unsolved child homicides.

Christopher Dahl; expressed concerns regarding environmental impacts.

Vladimir; expressed various concerns relating to fascism, evictions, and homelessness.

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

Marion Jackson (Officers for Justice); expressed various concerns on issues affecting the black community.

Fred Jordan (San Francisco African American Chamber of Commerce); expressed various concerns on issues affecting the black community.

Mattie Scott (Healing 4 Our Families and Our Nation); expressed concerns on issues affecting the black community and unsolved child homicides.

Carletta Jackson-Lane (Sojourner Truth Foster Family Service Agency); expressed concerns regarding the economic divide and housing.

Richard Dixon (Congress of Racial Equality); expressed concerns relating to black injustice and inner city youth.

Female Speaker; expressed concerns regarding redevelopment and housing issues within the black community.

Preston Turner (Third Baptist Church); expressed concerns regarding affordable housing and black disparity in San Francisco.

Male Speaker; expressed concerns regarding garbage collection and recycling.

Male Speaker; expressed various religious concerns.

Supervisor Mar was noted not present at 6:52 p.m. and for the remainder of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

150950 [Approval of a 60-Day Extension for Planning Commission Review of an Ordinance Amending the Planning Code to Require Conditional Use Authorization for All Residential Mergers (File No. 150494)]

Sponsors: Avalos; Campos

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 150494) amending the Planning Code to require conditional use authorization for all residential mergers and to require compliance with landscaping and permeable surfaces requirements for building additions and residential mergers; affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

Resolution No. 359-15

ADOPTED by the following vote:

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

Absent: 1 - Mar

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.

Charter Amendment

140678 [Charter Amendment - Transportation Infrastructure Capital Appropriations and Transit Equity Strategy]

Sponsors: Wiener; Mar

Charter Amendment (Second Draft) to amend the Charter to require annual appropriations to Public Works and the Municipal Transportation Agency (MTA) to maintain, replace and improve the City's transportation infrastructure in an amount commencing with \$75,000,000 for FY2017-2018 and to require the MTA Board of Directors to adopt and biennially update a Transit Equity Strategy; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held on June 7, 2016.

06/10/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2014.

09/04/14; REFERRED TO DEPARTMENT.

09/24/14; RESPONSE RECEIVED.

09/03/15; REMAIN ACTIVE.

09/29/15; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Rules Committee.

Ordinances

150871 [Planning Code - Technical Amendments and Corrections]

Sponsor: Mayor

Ordinance amending the Planning Code to correct errors, reenact previously-existing language that was repealed in error as part of the Article 2 Reorganization Ordinance, update the Code, and make nonsubstantive language revisions to simplify and clarify text; 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.

09/08/15; ASSIGNED to Land Use and Transportation Committee.

09/16/15; REFERRED TO DEPARTMENT.

09/28/15; RESPONSE RECEIVED.

09/29/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

150969 [Planning Code - Affordable Housing Bonus Programs]**Sponsors: Mayor; Tang**

Ordinance amending the Planning Code to create the Affordable Housing Bonus Programs, consisting of the Local Affordable Housing Bonus Program, the 100 Percent Affordable Housing Bonus Program, the Analyzed State Density Bonus Program, and the Individually Requested State Density Bonus Program, to provide for development bonuses and zoning modifications for affordable housing, in compliance with, and above those required by the State Density Bonus Law, Government Code, Section 65915, et seq.; to establish the procedures in which the Local Affordable Housing Bonus Program and the 100 Percent Affordable Housing Bonus Program shall be reviewed and approved; amending the Planning Code to exempt projects from the height limits specified in the Planning Code and the Zoning Maps; 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. (Economic Impact; No Office of Economic Analysis Report.)

09/29/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/29/2015.

150970 [Appropriation and De-Appropriation - \$25,692,151 Consisting of \$20,819,204.36 in Fund Balance, \$665,000 in Cosco Busan Settlement Proceeds and \$4,207,946.64 in Surplus Project Expenditures to the Port Commission - FY2015-2016]**Sponsors: Mayor; Farrell**

Ordinance appropriating \$25,692,151 consisting of \$20,819,204.36 in fund balance, \$665,000 in Cosco Busan settlement proceeds, and de-appropriating \$4,207,946.64 from surplus capital project expenditures to the Port Commission to support the completion of the Port Commission's ten year capital plan in FY2015-2016.

09/29/15; ASSIGNED to Budget and Finance Committee.

150971 [De-Appropriation and Appropriation - Bond Issuance Costs from San Francisco Taxable General Obligation Bonds - Seismic Safety Loan Program - \$3,461,129 - FY2015-2016]**Sponsors: Mayor; Farrell**

Ordinance de-appropriating and appropriating \$3,461,129 of City and County of San Francisco Taxable General Obligation Bonds, Series 2014, for the Seismic Safety Loan Program in the Mayor's Office of Housing and Community Development in FY2015-2016.

09/29/15; ASSIGNED to Budget and Finance Committee.

150972 [Zoning - Interim Prohibition Extension on Commercial Mergers in the Proposed Calle 24 Special Use District]**Sponsors: Mayor; Campos**

Urgency Ordinance approving an extension of the interim prohibition on commercial storefront mergers of greater than 799 gross square feet in the proposed Calle 24 Special Use District, which generally includes all lots bounded by 22nd Street, Potrero Avenue, Cesar Chavez Street, Capp Street, and both sides of 24th Street from Capp Street to Bartlett Street, as well as certain additional adjacent lots, for 10 months and 15 days in accordance with California Government Code, Sections 65858, et seq.; 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. (Supervisor Wiener dissented in Committee.)

09/29/15; ASSIGNED to Land Use and Transportation Committee.

150973 [Administrative Code - Storage of Peace Officers' Firearms in Vehicles]**Sponsor: Campos**

Ordinance amending the Administrative Code to prohibit City peace officers from placing, storing, or leaving unattended a City issued firearm in a vehicle under the peace officer's control unless it is in a locked container or in the locked trunk of the vehicle.

09/29/15; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 10/29/2015.

150974 [Administrative Code - Office of Labor Standards Enforcement Rules and Guidance]**Sponsor: Farrell**

Ordinance amending the Administrative Code to prescribe an operative date of 180 days after enactment for new ordinances that the Office of Labor Standards Enforcement (OLSE) implements or enforces, establish notice procedures for OLSE's issuance of rules and administrative guidance, and establish timelines delaying OLSE's enforcement of such rules and guidance.

09/29/15; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 10/29/2015.

150975 [Transportation Code - Expanding the Membership of the Interdepartmental Staff Committee on Traffic and Transportation]**Sponsors: Wiener; Christensen**

Ordinance amending the Transportation Code to change the membership of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) by adding a seat for a representative of the Port, and adding four seats for appointees of the Board of Supervisors.

09/29/15; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/29/2015.

Resolutions**150976 [California Enterprise Development Authority Issuance of Tax-Exempt Bonds - Mission Resource Center, LLC - Not to Exceed \$7,000,000]****Sponsor: Campos**

Resolution approving in accordance with Internal Revenue Code of 1986, as amended, Section 147(f) thereof, the issuance of tax-exempt Bonds by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$7,000,000 to finance and refinance various capital facilities owned by Mission Resource Center, LLC, and determining other matters in connection therewith.

09/29/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.

150977 [Approval of a 120-Day Extension for Planning Commission Review of New Restaurants and Bars in the North Beach Special Use District (File No. 150816)]
Sponsor: Christensen

Resolution extending by 120 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 150816) amending the Planning Code to allow a restaurant or bar in the North Beach Special Use District, with conditional use authorization, to occupy a space currently or last occupied by a limited restaurant; affirming the Planning Department's determination under the California Environmental Quality Act; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1.

09/29/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

150978 [Supporting Planned Parenthood]

Sponsors: Kim, Campos, Christensen, Tang, Mar, Avalos, Wiener, Yee and Cohen
Resolution supporting Planned Parenthood, urging the United States Congress to continue funding reproductive and health care services nationwide, and prioritizing approval of funding to support the continued operation of the San Francisco Health Center in the event of federal de-funding.

09/29/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

150979 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance to Re-Define Formula Retail to Include Subsidiaries (File No. 150731)]

Sponsor: Mar

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 150731) amending the Planning Code to revise the definition of formula retail to include subsidiaries or affiliates of formula retail meeting certain criteria; affirming the Planning Department's determination under the California Environmental Quality Act; making Planning Code, Section 302, findings; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/29/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

150980 [Approval of a 90-Day Extension for Planning Commission Review of Four Ordinances Restricting Accessory Dwelling Units (File Nos. 150810, 150811, 150585, and 150365)]

Sponsors: Wiener; Christensen

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on Ordinances (File Nos. 150810 and 150811) amending the Planning Code to prohibit Accessory Dwelling Units (ADU) from being used as a Short Term Rental and from being approved for construction in buildings where a tenant has been evicted under the Ellis Act within ten years prior to filing the application; and on Ordinances (File Nos. 150585 and 150365) that would prohibit a subdivision allowing an ADU to be separately sold or financed; amending the Administrative Code to correct section references; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1; and directing the Clerk of the Board of Supervisors to send a copy of the ordinances to the California Department of Housing and Community Development after adoption.

09/29/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

150982 [Mike Reigle Day - October 12, 2015]**Sponsor: Kim**

Resolution declaring October 12, 2015, as Mike Reigle Day in the City and County of San Francisco.

09/29/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

150936 [Donation of Obsolete Ambulance to San Francisco Unified School District]**Sponsor: Breed**

Resolution authorizing the Fire Department to donate an obsolete ambulance to the San Francisco Unified School District's Health Academy at Galileo High School.

09/17/15; RECEIVED FROM DEPARTMENT.

09/29/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150937 [Donation of Retired Fire Engine to City College of San Francisco]**Sponsor: Breed**

Resolution authorizing the Fire Department to donate a retired fire engine to the City College of San Francisco Fire Academy Program.

09/17/15; RECEIVED FROM DEPARTMENT.

09/29/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150609 [Board Response - Civil Grand Jury - Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2014-2015 Civil Grand Jury Report, entitled "Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

07/22/15; REFERRED TO DEPARTMENT.

09/18/15; RESPONSE RECEIVED.

09/18/15; RESPONSE RECEIVED.

09/18/15; RESPONSE RECEIVED.

09/18/15; RESPONSE RECEIVED.

09/29/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Motion

150968 [Zoning - Report on Interim Prohibition on Commercial Mergers in the Proposed Calle 24 Special Use District]

Motion adopting the Planning Department's report on the interim zoning prohibition on commercial storefront mergers of greater than 799 gross square feet in the proposed Calle 24 Special Use District, which generally includes all lots bounded by 22nd Street, Potrero Avenue, Cesar Chavez Street, Capp Street, and both sides of 24th Street from Capp Street to Bartlett Street, as well as certain additional adjacent lots. (Clerk of the Board)

09/29/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

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

Sponsors: Avalos; Kim

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; to request information regarding San Francisco's body of municipal fines, including but not limited to, the issues regarding how the City determines fee schedules, options for payment for varying levels of income, how the City spends funds derived from municipal fines, and how San Francisco compares with other like urban municipalities; and requesting various departments and agencies, including the Municipal Transportation Agency, to report.

03/31/15; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

04/06/15; REFERRED TO DEPARTMENT.

09/29/15; SUBSTITUTED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

150981 [Hearing - Pacific Gas and Electric Company Transformers]

Sponsor: Campos

Hearing on measures to ensure public safety around Pacific Gas and Electric (PG&E) Company Transformers citywide; and requesting the Fire Department to report.

09/29/15; 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**150932 [General Plan - Fifth and Mission Special Use District]**

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 of the Downtown Plan to reclassify Lot Nos. 005, 006, 008, 009, 012, and 098 in Assessor's Block No. 3725 as C-3-S (Downtown Support); amending Map 5 of the Downtown Plan to reclassify the height and bulk limits in accordance with the Fifth and Mission Special Use District and Sectional Map HT001; amending Figures 2, 3, and 4 of the Downtown Plan to refer to the Fifth and Mission Special Use District, Planning Code, Section 249.74; amending Maps 4 and 5 of the Urban Design Element to refer to the Fifth and Mission Special Use District; amending Maps 2, 3, 5, and 7 of the South of Market Area Plan to remove Lot Nos. 005, 006, 008, 009, 012, and 098 in Assessor's Block No. 3725 from the boundaries of the South of Market Area Plan; and adopting findings, including environmental findings, Section 340 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

09/18/15; RECEIVED FROM DEPARTMENT.

09/29/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/29/2015.

150933 [Settlement of Lawsuit - State of Nevada, the Nevada Department of Health and Human Services; Southern Nevada Adult Mental Health Services - City to Receive \$400,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against State of Nevada, the Nevada Department of Health and Human Services ("DHHS"); Richard Whitley in his official capacity as Director of DHHS; the Southern Nevada Adult Mental Health Services ("SNAMHS"); and Joanne Malay in her official capacity as Hospital Administrator of SNAMHS for \$400,000; the lawsuit was filed on September 10, 2013, in San Francisco Superior Court, Case No. CGC-13-534108; entitled City and County of San Francisco v. State of Nevada, the Nevada Department of Health and Human Services ("DHHS"); Richard Whitley in his official capacity as Director of DHHS; the Southern Nevada Adult Mental Health Services ("SNAMHS"); and Joanne Malay in her official capacity as Hospital Administrator of SNAMHS; other material terms of the settlement are contractual obligations limiting Defendants' practices relating to transfer of patients from Defendants psychiatric hospital to any city or county in the State of California. (City Attorney)

09/21/15; RECEIVED FROM DEPARTMENT.

09/29/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

150934 [Settlement of Unlitigated Claim - Hensel Phelps Construction Company - \$35,066.75]

Resolution approving the settlement of the unlitigated claim filed by Hensel Phelps Construction Company against the City and County of San Francisco for \$35,066.75; the claim was filed on March 13, 2015. (City Attorney)

09/15/15; RECEIVED FROM DEPARTMENT.

09/29/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150935 [Apply for, Accept, and Expend Grant - Board of State and Community Corrections - Mentally Ill Offender Crime Reduction Grant Program - \$950,000]

Resolution retroactively authorizing the Sheriff's Department to apply for, accept, and expend \$950,000 of Mentally Ill Offender Crime Reduction Grant Program funds administered by the Board of State and Community Corrections through the State Recidivism Fund for the period of July 1, 2015, through June 30, 2018. (Sheriff)
(Fiscal Impact)

09/15/15; RECEIVED FROM DEPARTMENT.

09/29/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.

150938 [Agreement - State Board of Equalization - Implementation of Local Prepaid Mobile Telephony Services Collection Act]

Resolution authorizing the Treasurer to execute an agreement with the State Board of Equalization for implementation of the Local Prepaid Mobile Telephony Services Collection Act, for a term to commence following Board approval, through expiration of the Act. (Treasurer-Tax Collector)

09/21/15; RECEIVED FROM DEPARTMENT.

09/29/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriam

Tracy Michele Dyson - Supervisor Breed

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:59 p.m.

Angela Calvillo, Clerk of the Board