BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, July 29, 2014 - 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT JOHN AVALOS, LONDON BREED, DAVID CAMPOS, 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	Wednesday
Supervisors Farrell, Mar, Avalos, Breed, Wiener	10:00 AM
Budget and Finance Sub-Committee	Wednesday
Supervisors Farrell, Mar, Avalos	10:00 AM
City and School District Select Committee	4th Thursday
Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	3:30 PM
Government Audit and Oversight Committee	2nd and 4th Thursday
Supervisors Breed, Tang, Chiu	11:00 AM
Land Use and Economic Development Committee	Monday
Supervisors Wiener, Kim, Cohen	1:30 PM
Neighborhood Services and Safety Committee	1st and 3rd Thursday
Supervisors Campos, Mar, Yee	10:00 AM
Rules Committee	1st and 3rd Thursday
Supervisors Yee, Tang, Campos	2:00 PM

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Kim, moved to approve the Board Meeting Minutes of <u>June 24, 2014</u>, and the Special Meeting Minutes at the Budget and Finance Committee Meetings of <u>June 23, 2014</u>, and <u>June 25, 2014</u>. The motion carried by the following vote:

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

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

130266 [Street Name Change to Dr. Tom Waddell Place]

Sponsors: Kim; Wiener, Campos, Avalos and Mar

Resolution changing the name of Lech Walesa Street in the Civic Center area to "Dr. Tom Waddell Place," in recognition of Dr. Tom Waddell's contributions to the City and County of San Francisco.

Resolution No. 291-14

ADOPTED

140656 [Resolution of Intent - Street Vacation - McCoppin Hub City Plaza Project - McCoppin Street]

Sponsors: Kim; Wiener

Resolution declaring the intention of the Board of Supervisors to order the vacation of a portion of McCoppin Street west of Valencia Street that is generally bounded by Highway 101 to the west, Valencia Street to the east, Assessor's Block No. 3503, Lot No. 003 to the north, and Assessor's Block No. 3502, Lot No. 113 to the south, for the purposes of the McCoppin Hub City Plaza Project; and setting a hearing date for all persons interested in the proposed vacation of said street area.

Resolution No. 292-14

ADOPTED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

140596 [Administrative Code - Leasing of Equipment]

Ordinance amending the Administrative Code to authorize the Department of Public Health to enter into operating leases for equipment. (Public Health Department)

Ordinance No. 176-14

FINALLY PASSED by the following vote:

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

140726 [De-Appropriation and Re-Appropriation Proceeds from Wastewater Revenue Bonds - North Shore to Channel Force Main Project and Amending Ordinance Nos. 201-09, 95-10, and 108-12 - \$23,000,000 - FY2014-2015]

Sponsor: Mayor

Ordinance de-appropriating and re-appropriating \$23,000,000 in Wastewater Revenue Bonds for the Wastewater Enterprises North Shore to Channel Force Main Project, placing \$8,470,000 on Controller's reserve, subject to Public Utilities Commission and Board of Supervisors' approval, following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, receipt of proceeds of indebtedness, and amending adopted capital appropriation Ordinance Nos. 201-09, 95-10, and 108-12 in FY2014-2015. (Fiscal Impact)

Ordinance No. 177-14

FINALLY PASSED by the following vote:

140772 [Appropriation and De-Appropriation - Surplus Expenditures Supporting Increased Overtime Expenditures - FY2013-2014 - \$653,283]

Sponsor: Mayor

Ordinance retroactively appropriating \$653,283 to overtime and de-appropriating \$653,283 in salaries in the Fire Department's Operating Budget in order to support the Department's projected increases in overtime as required per Ordinance No. 194-11 in FY2013-2014. (Fiscal Impact)

Ordinance No. 178-14

FINALLY PASSED by the following vote:

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

140773 [Appropriation and De-Appropriation - Surplus Expenditures Supporting Increased Overtime Expenditures - FY2013-2014 - \$76,242]

Sponsor: Mayor

Ordinance retroactively appropriating \$76,242 to overtime and de-appropriating \$76,242 consisting of \$43,609 in salaries and \$32,663 in contingency savings plan in the Department of Emergency Management's Operating Budget in order to support the Department's projected increases in overtime as required per Ordinance No.194-11 in FY2013-2014. (Fiscal Impact)

Ordinance No. 179-14

FINALLY PASSED by the following vote:

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

140728 [Appropriation - Proceeds from San Francisco Taxable General Obligation Bonds - Seismic Safety Loan Program - \$24,000,000 - FY2014-2015]

Sponsors: Mayor; Chiu

Ordinance appropriating \$24,000,000 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 in FY2014-2015. (Fiscal Impact)

Ordinance No. 180-14

FINALLY PASSED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee

140455 [Administrative Code - Cancer Presumption for Fire and Police Retirement Benefits]

Sponsors: Chiu; Wiener, Breed, Farrell, Cohen and Campos

Ordinance amending the Administrative Code to create a cancer presumption for firefighter and police officer industrial disability and death as a result of duty retirement benefits. (Fiscal Impact)

Ordinance No. 181-14

FINALLY PASSED by the following vote:

Recommendations of the Land Use and Economic Development Committee

140284 [Building Code - Vacant or Abandoned Commercial Storefronts and Registration Fee]

Sponsors: Tang; Chiu, Yee and Mar

Ordinance amending the Building Code to establish a procedure for maintaining and registering vacant or abandoned commercial storefronts, including imposition of a registration fee.

Ordinance No. 182-14

FINALLY PASSED by the following vote:

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

140700 [Modification of Design-Build Requirements - Airport's Terminal 1 Center Renovation and the Boarding Area B Reconstruction Projects]

Ordinance modifying or waiving certain required contracting procedures in the Administrative Code, as applied to the design-build of two Airport projects in the Terminal 1 Program (the Terminal 1 Center Renovation and the Boarding Area B Reconstruction Projects). (Airport Commission)

Ordinance No. 183-14

FINALLY PASSED by the following vote:

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

140702 [Administrative Code - Urban Agriculture Incentive Zones Act Program and Procedures]

Sponsors: Chiu; Cohen and Mar

Ordinance amending the Administrative Code, by adding Chapter 53A, creating local procedures to implement the Urban Agriculture Incentive Zones Act, including establishing the City's Urban Agriculture Incentive Zone; and making environmental findings.

Ordinance No. 184-14

FINALLY PASSED by the following vote:

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

Recommendations of the Rules Committee

140599 [Settlement of Lawsuit - Jay Korber - \$4,072,519]

Ordinance authorizing settlement of the lawsuit filed by Jay Korber against the City and County of San Francisco for \$4,072,519; the lawsuit was filed on April 12, 2013, in San Francisco Superior Court, Case No. CGC-13-530600; entitled Jay Korber v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 185-14

FINALLY PASSED by the following vote:

140664 [Settlement of Lawsuit - Yerba Buena Consortium, LLP - City to Provide Pedestrian Improvements]

Ordinance authorizing settlement of the lawsuit filed by Yerba Buena Consortium, LLP, and Tenants and Owners Development Corporation against the City and County of San Francisco; the lawsuit was filed on August 19, 2013, in Sacramento Superior Court, Case No. 34-2013-80001611; entitled Yerba Buena Consortium, LLP, et al. v. City and County of San Francisco, et al.; material terms of said settlement are installing "no bicycle riding on sidewalk" signs in Yerba Buena area, widening the sidewalk at corner of 4th and Mission Streets, applying for funding to install a pedestrian crosswalk at Folsom and Mabini Streets, convening a Sidewalk Management Workgroup, drafting a Sidewalk Management Plan, and providing special notice for sidewalk table permits. (City Attorney)

Ordinance No. 159-14

FINALLY PASSED by the following vote:

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

140665 [Settlement of Lawsuit - Lee Ann Crocker - \$45,000]

Ordinance authorizing settlement of the lawsuit filed by Lee Ann Crocker against the City and County of San Francisco for \$45,000; the lawsuit was filed on May 21, 2013, in San Francisco Superior Court, Case No. CGC-13-531600; entitled Lee Ann Crocker v. City and County of San Francisco, Does 1 to 10. (City Attorney)

Ordinance No. 186-14

FINALLY PASSED by the following vote:

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

140666 [Settlement of Lawsuit - Siobhan McAuliffe - \$250,000]

Ordinance authorizing settlement of the lawsuit filed by Siobhan McAuliffe against the City and County of San Francisco for \$250,000; the lawsuit was filed on January 5, 2012, in United States District Court for the Northern District of California, Case No. CV-12-00071 CRB, and then re-filed on September 20, 2012, in San Francisco Superior Court, Case No. 12-524514; entitled Siobhan McAuliffe v. City & County of San Francisco. (City Attorney)

Ordinance No. 187-14

FINALLY PASSED by the following vote:

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

140760 [Settlement of Lawsuit - Rowena Seto - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Rowena Seto against the City and County of San Francisco for \$225,000; the lawsuit was filed on July 18, 2012, in San Francisco Superior Court, Case No. CPF-12-512350; entitled Rowena Seto v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 188-14

FINALLY PASSED by the following vote:

Supervisor Breed Excused from Voting

Supervisor Mar, seconded by Supervisor Cohen, moved that Supervisor Breed be excused from voting on File No. 140761. The motion carried by the following vote:

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

Excused: 1 - Breed

140761 [Settlement of Lawsuit - Caramad Conley - \$3,500,000]

Ordinance authorizing settlement of the lawsuit filed by Caramad Conley against the City and County of San Francisco for \$3,500,000; the lawsuit was filed on January 27, 2012, in United States District Court, Case No. C12-00454; entitled Caramad Conley v. City and County of San Francisco and Prentice Earl Sanders. (City Attorney)

Ordinance No. 189-14

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee

Noes: 1 - Wiener Excused: 1 - Breed

140762 [Settlement of Lawsuit - Friends of Appleton-Wolford Libraries and Coalition for a Better North Beach Library - City to Waive Litigation Costs]

Ordinance authorizing settlement of the lawsuit filed by Friends of Appleton-Wolford Libraries and Coalition for a Better North Beach Library and Playground against the City and County of San Francisco; the lawsuit was filed on July 27, 2011, in San Francisco Superior Court, Case No. CPF-11-511469 (Court of Appeal Case No. A136409), entitled Friends of Appleton-Wolford Libraries, et al. v. City and County of San Francisco, et al.; material terms of said settlement are Petitioners' waiver of further appeal rights in exchange for the City's waiver of litigation costs. (City Attorney)

Ordinance No. 190-14

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

140774 [Police Code - Street Artist Certificate Fee Waivers for Honorably Discharged Veterans]

Sponsor: Mayor

Ordinance amending the Police Code to require the Director of Cultural Affairs, or his or her designee, to waive Street Artist Certificate fees for honorably discharged veterans and to grant refunds to honorably discharged veterans who file a refund claim on or before July 1, 2015, for any fees collected between January 1, 2009, and July 1, 2014.

PASSED, ON FIRST READING by the following vote:

[Appropriation - Proceeds from Earthquake Safety and Emergency Response General Obligation Bonds of \$106,095,000 - FY2014-2015]

Sponsors: Mayor; Chiu

Ordinance appropriating \$106,095,000 of the 2014 Series Earthquake Safety and Emergency Response (ESER 2014) General Obligation Bond Proceeds to the Department of Public Works in FY2014-2015 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster. (Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

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

[Appropriation - Proceeds from Earthquake Safety and Emergency Response General Obligation Bonds of \$57,840,000 - FY2014-2015]

Sponsors: Mayor; Chiu

Ordinance appropriating \$57,840,000 of the 2014 Series Earthquake Safety and Emergency Response (ESER 2010) General Obligation Bond Proceeds to the Department of Public Works in FY2014-2015 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster. (Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

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

140011 [Accept and Expend Grant - McLaren Bike Park Project, Phase 1 - \$249,835] Sponsor: Avalos

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of \$249,835 from the California Department of Parks and Recreation's Land and Water Conservation Fund to support the development of Phase 1 of the McLaren Bike Park Project for the period of October 1, 2013, through June 30, 2016. (Fiscal Impact)

Resolution No. 293-14

ADOPTED by the following vote:

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

140451 [Accept and Expend Grant - Golden Gate Park Community Garden - EcoMedia - \$100,000]

Sponsor: Mar

Resolution authorizing the Recreation and Park Department to accept and expend a grant of \$100,000 from Yellow Pages, made possible by a partnership with EcoMedia, to support the construction of the Vertical Garden component at the Golden Gate Park Community Garden, for the period of August 1, 2013, through November 30, 2013.

Resolution No. 294-14

ADOPTED by the following vote:

140655 [Contract Approval - Brookville Equipment Corporation - Rehabilitation of 16 President's Conference Committee Historic Streetcars - Not to Exceed \$34,482,428] Sponsor: Wiener

Resolution approving a contract with Brookville Equipment Corporation for the rehabilitation of 16 President's Conference Committee Historic Streetcars and related tools, training, and spare parts in an amount not to exceed \$34,482,428 and for a term not to exceed six years, to commence following Board approval.

(Fiscal Impact)

Resolution No. 295-14

ADOPTED by the following vote:

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

140670 [Contract Amendment - PGH Wong Engineering, Inc. - Construction Management Services - Airport Terminal 3 Project - Not to Exceed \$13,700,000]

Resolution approving Amendment No. 4 to Airport Contract 8974.9, Construction Management for Terminal 3, Boarding Area E Refurbishment Project between PGH Wong Engineering, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$12,000,000 to commence following Board approval for term ending June 30, 2015, pursuant to Charter, Section 9.118(b); and authorizing the Airport Director to negotiate and execute, with Airport Commission approval, further amendments not to exceed \$13,700,000 for a term end date no later than February 1, 2017. (Airport Commission) (Fiscal Impact)

Resolution No. 296-14

ADOPTED by the following vote:

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

140671 [Contract Amendment - Parsons Brinckerhoff, Inc. - Runway Safety Area Program - Not to Exceed \$14,700,000]

Resolution approving Modification No. 3 to Airport Contract 9230.9, Construction Management Support Services for the Runway Safety Area Program between Parsons Brinckerhoff, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$14,700,000 to commence following Board approval with a contract end date of no later than June 30, 2015, pursuant to Charter, Section 9.118(b). (Airport Commission) (Fiscal Impact)

Resolution No. 297-14

ADOPTED by the following vote:

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

140682 [Apply for Funding - Municipal Transportation Commission - Active Transportation Program - Up to \$990,000]

Sponsors: Mayor; Mar

Resolution authorizing the Department of Public Health to submit an application to the Metropolitan Transportation Commission for up to \$990,000 in the Active Transportation Program.

Resolution No. 298-14

ADOPTED by the following vote:

140701 [Lease of Real Property - Choo Laguna, LLC - 258A Laguna Honda Boulevard - Initial Monthly Rent \$3,500]

Resolution retroactively authorizing the lease of real property for five years, for approximately 1,800 square feet of space at 258A Laguna Honda Boulevard, with Choo Laguna, LLC, for use by the Office of the Public Defender at the initial monthly rent of \$3,500 from estimated commencement date of July 1, 2014, through June 30, 2019.

Resolution No. 299-14

ADOPTED by the following vote:

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

140743 [Contract Amendment - Edgewood Center for Children and Families - Not to Exceed \$36,958,528]

Resolution approving an amendment to the agreement between the Department of Public Health and Edgewood Center for Children and Families to provide mental health services for children, youth, and families, increasing the total not to exceed contract amount from \$29,109,089 by \$7,849,439 for a total contract amount of \$36,958,528 for a five and one-half year term of July 1, 2010, through December 31, 2015. (Public Health Department) (Fiscal Impact)

Resolution No. 300-14

ADOPTED by the following vote:

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

140744 [Contract Amendments - Richmond Area Multi Services, Inc. - \$42,506,514]

Resolution approving amendments to two contracts between the Department of Public Health and Richmond Area Multi Services, Inc., to provide behavioral health services to: 1) children, youth, and families increasing the total contract amount to \$19,904,452; and 2) adults, increasing the total contract amount to \$22,602,062 for a total value of \$42,506,514 for the term of July 1, 2010, through December 31, 2015. (Public Health Department) (Fiscal Impact)

Resolution No. 301-14

ADOPTED by the following vote:

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

140745 [Contract Amendment - HealthRIGHT360 - Outpatient and Residential Mental Health and Substance Abuse Treatment Services - Not to Exceed \$64,562,403]

Resolution approving an amendment to the contract between the Department of Public Health and HealthRIGHT360 to provide outpatient and residential mental health and substance abuse treatment services to the residents of San Francisco, increasing the total contract amount of \$42,477,760 by \$22,084,643 for a total contract amount of \$64,562,403 for a five and one-half year term of July 1, 2010, through December 31, 2015. (Public Health Department) (Fiscal Impact)

Resolution No. 302-14

ADOPTED by the following vote:

140746 [Contract Amendment - MedImpact Healthcare Systems, Inc. - Not to Exceed \$22,134,625]

Resolution approving an amendment to the contract between the Department of Public Health and the MedImpact Healthcare Systems, Inc., to provide third party pharmacy administration services and extend the contract term through December 31, 2015, for an amount not to exceed \$22,134,625. (Public Health Department) (Fiscal Impact)

Resolution No. 303-14

ADOPTED by the following vote:

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

140748 [Contract Amendment - HealthRIGHT360 - Behavioral Health Services and Primary Care Programs - \$62,797,796]

Resolution approving an amendment to the contract between the Department of Public Health and HealthRIGHT360 for fiscal intermediary services for Behavioral Health Services and Primary Care Programs, extending the term by four years, from January 1, 2014, through December 31, 2014, to January 1, 2014, through December 31, 2018, and increasing the total contract amount of \$9,700,495 by \$53,097,301 for a total contract amount of \$62,797,796. (Public Health Department) (Fiscal Impact)

Resolution No. 304-14

ADOPTED by the following vote:

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

140758 [Neutral Host License Agreement - New Cingular Wireless PCS, LLC - 1351 Third Street Public Safety Building]

Resolution authorizing a no-cost Neutral Host License Agreement for the Public Safety Building premises located at 1351 Third Street with New Cingular Wireless PCS, LLC, for a ten-year term, to commence following Board approval. (Real Estate Department)

Resolution No. 305-14

ADOPTED by the following vote:

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

140781 [Emergency Contracts - Repairing Lower Cherry Aqueduct and Upgrading Sunol Valley Water Facilities Related to Drought Declaration - Not to Exceed \$5,137,000] Sponsor: Farrell

Resolution approving the emergency public work contract between the San Francisco Public Utilities Commission and Monterey Mechanical under San Francisco Administrative Code, Section 6.60, to perform immediate work to repair Sunol Valley Water Treatment Plant, San Antonio Pump Station and related infrastructure in an amount not to exceed \$5,137,000. (Fiscal Impact)

Resolution No. 306-14

ADOPTED by the following vote:

140783 [Lease Renewal - Empress Hotel - 144 Eddy Street - Empress, LLC - \$60,687.03 Monthly In Initial Year]

Sponsor: Kim

Resolution retroactively authorizing the extension of the Lease between the City and County of San Francisco, as Tenant, and Empress, LLC, as Landlord, for the Empress Hotel located at 144 Eddy Street, consisting of approximately 41,490 square feet, for a ten year term beginning July 1, 2014, at \$60,687.03 monthly in the initial year, for use by the Department of Public Health. (Fiscal Impact)

Resolution No. 307-14

ADOPTED by the following vote:

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

140784 [Lease Agreement - San Francisco Unified School District - 1235 Mission Street - Initial Rate of \$216,014.33 Monthly]

Sponsor: Kim

Resolution retroactively approving a Lease Agreement with San Francisco Unified School District of Real Property at 1235 Mission Street for the Human Services Agency, at an initial rate of \$216,014.33 per month for a term of 11 years and 10 months from July 1, 2014, through April 30, 2026.

(Fiscal Impact)

Resolution No. 290-14

ADOPTED by the following vote:

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

140795 [Outreach Advertising and Neighborhood Outreach Advertising - FY2014-2015] Sponsor: Mayor

Resolution designating Small Business Exchange to be the outreach newspaper of the City and County of San Francisco for the African American, Chinese and Hispanic communities; Sing Tao Daily and World Journal to be the outreach newspapers of the City and County of San Francisco for the Chinese community; El Reportero to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African American community; Bay Area Reporter to be the outreach newspaper of the City and County of San Francisco for the Lesbian, Gay, Bisexual and Transgender community; Central City Extra to be the neighborhood outreach newspaper of the City and County of San Francisco for the Central City neighborhood; The Western Edition to be the neighborhood outreach newspaper of the City and County of San Francisco for the Western Addition neighborhood: Northside Publications/Marina Times to be the neighborhood outreach newspaper of the City and County of San Francisco for the Northern San Francisco neighborhood; West Portal Monthly to be the neighborhood outreach newspaper of the City and County of San Francisco for the West Portal neighborhood; and Potrero View to be the neighborhood outreach newspaper of the City and County of San Francisco for the Potrero Hill, Dogpatch, Bayview, SOMA, Mission Bay neighborhoods; to provide outreach advertising for FY2014-2015.

Privilege of the floor was granted unamiously to Jason Elliott (Mayor's Office) who responded to questions raised throughout the discussion.

Supervisor Farrell, seconded by Supervisor Cohen, moved that this Resolution be CONTINUED to September 2, 2014. The motion carried by the following vote:

140811 [General Obligation Bonds - Earthquake Safety and Emergency Response - Not to Exceed \$106,095,000]

Sponsors: Mayor; Chiu

Resolution authorizing and directing the sale of not to exceed \$106,095,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2014), Series 2014D; 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; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds. (Fiscal Impact)

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

Resolution No. 308-14

ADOPTED by the following vote:

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

140812 [General Obligation Bonds - Earthquake Safety and Emergency Response - Not to Exceed \$57,840,000]

Sponsors: Mayor; Chiu

Resolution authorizing and directing the sale of not to exceed \$57,840,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010), Series 2014C; 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; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds. (Fiscal Impact)

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

Resolution No. 309-14

ADOPTED by the following vote:

140817 [Accept and Expend Grant - Recreation and Park Department - \$158,101] Sponsor: Mayor

Resolution retroactively authorizing the San Francisco Recreation and Park Department to accept and expend a grant of \$158,101 from the San Francisco Parks Alliance to support various Recreation and Park Department operations for FY2012-2013.

Resolution No. 310-14

ADOPTED by the following vote:

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

140837 [Multifamily Housing Revenue Bonds - 1500-1580 Mission Street - Not to Exceed \$375,000,000]

Sponsor: Mayor

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 \$375,000,000 for 1500-1580 Mission 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 \$375,000,000; 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. 311-14

ADOPTED by the following vote:

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

140838 [Exclusive Negotiation Agreement and Letter of Intent - Related California Urban Housing, LLC - Potential City Acquisition of a New Office Building at 1500-1580 Mission Street - Estimated Purchase Price of \$253,000,000] Sponsor: Mayor

Resolution approving an Exclusive Negotiation Agreement and Letter of Intent with Related California Urban Housing, LLC, for the potential City purchase of an office building to be developed at 1500-1580 Mission Street (Assessor's Block No. 3506, Lot Nos. 2 and 3) at an estimated purchase price of \$253,000,000 and authorizing non-refundable payments of \$1,000,000 toward land acquisition costs and up to \$250,000 toward schematic design costs. (Fiscal Impact)

Resolution No. 312-14

ADOPTED by the following vote:

140840 [Issuance of General Obligation Bonds - Earthquake Safety and Emergency Response Bonds, 2014 - Not to Exceed \$400,000,000]

Sponsors: Mayor; Chiu

Resolution providing for the issuance of not to exceed \$400,000,000 aggregate principal amount of City and County of San Francisco general obligation bonds (Earthquake Safety and Emergency Response 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; adopting findings under the California Environmental Quality Act (CEQA), the CEQA guidelines and San Francisco Administrative Code, Chapter 31; finding that the proposed project is in conformity with the eight priority policies of Planning Code, Section 101.1(8), and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

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

Resolution No. 313-14

ADOPTED by the following vote:

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

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

Privilege of the Floor

Supervisor Breed, seconded by Supervisor Wiener, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to Michael Jones of Recology in recognition of his heroic act by rescuing a homeless man who had fallen into his recycling truck.

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Wells Lawson of the Mayor's Office of Community Investment and Infrastructure in recognition of his dedicated service upon his departure from employment with the City and County of San Francisco. Supervisor Cohen shared in this commendation.

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Francisco Ugarte of the Dolores Street Community Services in recognition of his accomplishments as the Legal Director for Immigration Programs and acknowledging his new endeavor with the Public Defender's Office. Supervisors Avalos, Mar, and Kim shared in this commendation.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Susan King of Sunday Streets in recognition of Sunday Streets 50th Event, her accomplishments, and continued community support.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Volunteers from the Recreation and Park Department Greenagers Program in recognition of their accomplishments and continued community support. Supervisor Cohen shared in this commendation.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140819 [Public Hearing - Lower Polk Community Benefit District] Sponsor: Chiu

Public hearing, pursuant to the California Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600 et seq.), and City and County of San Francisco Business and Tax Regulations Code, Article 15, to consider the formation to establish the property-based business improvement district to be known as the Lower Polk Community Benefit District.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 140820. Supervisors Chiu and Kim provided some opening remarks related to the proposed community benefit district. Jamie Fontain; Josh Cobb; Kimberly Shroener; Ron Case; Laurie Martins; Carol Capps; Andrew Chandler; Bart Thomas; Ken Meade; Kimberlee Schulmann; Raul Avila; John Nulty; Michael Nulty; Larry Edmund; spoke in support of the community benefit district. Paul Downey; spoke in opposition to the community benefit district. Male Speaker; spoke neither in support nor opposition to the community benefit district. Crezia Tano (Mayor's Office of Economic and Workforce Development) provided an overview of the proposed community benefit district. Supervisor Kim provided some closing remarks. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

140820 [Resolution to Establish - Lower Polk Community Benefit District] Sponsor: Chiu

Resolution of formation to establish the property-based business improvement district known as the "Lower Polk Community Benefit District" ordering the levy and collection of assessments against property located in that district for 15 years commencing with FY2014-2015, subject to conditions as specified; and making environmental findings.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Lower Polk Community Benefit District was 68.23%, and the returned weighted ballots voting against the Lower Polk Community Benefit District was 31.77%, further indicating there was no majority protest.

Resolution No. 314-14

ADOPTED by the following vote:

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140756 [Hearing - Report of Assessment Costs for Building Code Enforcement Violations]

Hearing to consider objections to a report of Delinquent Charges for Assessment Costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to Building Code, Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, the costs thereof having accrued pursuant to code enforcement violations. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to assessments as referenced in File No. 140757. Alan Davison (Department of Building Inspection) provided an overview of the assessments. Rene; Male Speaker (6 Carr Street); Ron Daley (45 Cerritos Avenue); Colvac Winnington (1654 Clayton Street); Victor Gilbert (960 Howard Street); Sandy; Doris Miller; Ronald Chong (5976 Mission Street); Irene (3434 Clement Street); Male Speaker; Omir Beard; Dong Truong (2474-31st Avenue); spoke objecting to the proposed assessments. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

140757 [Report of Assessment Costs - Building Code Enforcement Violations]

Resolution approving the Report of Delinquent Charges for Assessment Costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to Building Code, Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, the costs thereof having accrued pursuant to code enforcement violations. (Building Inspection Commission)

Alan Davison (Department of Building Inspection) indicated that the following addresses be removed from the accompanying report due to recent resolution or receipt of payment: 45 Cerritos Avenue; 960 Howard Street; 5976 Mission Street; 410 Clayton Street; 2474-31st Avenue; 1846-35th Avenue.

Supevisor Tang, seconded by Supervisor Mar, moved to accept the amendment to the accompanying report, as provided by the Department of Building Inspection, included in File No. 140757. The motion carried without objection.

Resolution No. 315-14

ADOPTED, after accepting the amendments to the accompanying report, by the following vote:

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140859 [Hearing - Contract Amendment - San Francisco AIDS Foundation - Not to Exceed \$14,734,565]

Hearing of persons interested in or objecting to a Resolution (File No. 140504) approving an amendment to the contract between the Department of Public Health and the San Francisco AIDS Foundation to provide HIV prevention services and extend the contract term through June 30, 2016, for an amount not to exceed \$14,734,565. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 140504. John Melichar (Department of Public Health) provided an overview of the contract amendment. Edmund Juizye; spoke in support of the contract amendment. Male Speaker; spoke neither in support nor opposition to the contract amendment. Supervisor Farrell provided some closing remarks. Harvey Rose, Budget and Legislative Analyst, provided an overview of their recommendations. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

140504 [Contract Amendment - San Francisco AIDS Foundation - Not to Exceed \$14,657,577]

Resolution approving an amendment to the contract between the Department of Public Health and the San Francisco AIDS Foundation to provide HIV prevention services and extend the contract term through June 30, 2016, for an amount not to exceed \$14,734,565. (Public Health Department)

(Fiscal Impact)

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

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee Resolution approving an amendment to the contract between the Department of Public Health and the San Francisco AIDS Foundation to provide HIV prevention services and extend the contract term through June 30, 2016, for an amount not to exceed \$14,657,577. (Public Health Department) (Fiscal Impact)

Resolution No. 316-14

ADOPTED AS AMENDED

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

140730 [Accept and Expend Grant - Urban Areas Security Initiative Grant Increase: Budget Revision - FY2013 - \$1,012,873]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the fiscal agent for the Bay Area Urban Areas Security Initiative (UASI), to accept and expend an increase to FY2013 UASI grant funds in the amount of \$1,012,873 for a total of \$23,632,173 from the U.S. Department of Homeland Security through the California Office of Emergency Services for the period September 1, 2013, through May 31, 2015.

Resolution No. 317-14

ADOPTED by the following vote:

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

140799 [Contract Approval - Keefe Commissary Network, LLC - Guaranteed Annual Minimum Income \$590,000]

Resolution approving a contract for operating the Sheriff's Jail Commissary and Inmate Trust Fund Accounting and Management System between Keefe Commissary Network, LLC, and the City and County of San Francisco, acting by and through its Sheriff's Department for a three-year term beginning September 1, 2014, and ending August 31, 2017, with two one-year options to extend, exercisable by the Sherriff's Department with a guaranteed annual minimum income of \$590,000. (Sheriff)

Resolution No. 318-14

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

140643 [Administrative Code - Energy Efficiency Coordinating Committee] Sponsor: Mar

Ordinance amending the Administrative Code to rename the Energy Efficiency Steering Committee as the Energy Efficiency Coordinating Committee; to reauthorize the Committee for one year unless further extended by the Board of Supervisors; to change the qualifications for membership on the Committee; and to revise the Committee's powers and duties.

PASSED, ON FIRST READING by the following vote:

140571 [Amending the Board's Rules - Establishing Communication Procedures for Hearings on Matters Referred to the Youth Commission]

Sponsors: Mar; Campos

Motion amending the Board of Supervisors Rules of Order, by adding Rule 2.12.1, to establish communication procedures for hearings on matters referred to the Youth Commission.

Motion No. M14-132

APPROVED by the following vote:

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

140687 [Initiative Ordinance - Administrative Code - Minimum Wage]

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

Motion ordering submitted to the voters an ordinance amending the Administrative Code to increase the minimum wage for employees in San Francisco to \$12.25 per hour on May 1, 2015, with annual increases, reaching \$15.00 per hour in 2018, followed thereafter by annual cost-of-living increases; following 2015, provide only for annual cost-of-living increases in the minimum wage for two narrow categories of employees; and include the City government and In-Home Supportive Services Public Authority as employers subject to the Minimum Wage Ordinance at an election to be held on November 4, 2014. (Economic Impact)

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

Motion No. M14-134

APPROVED by the following vote:

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

140740 [Declaration of Policy - Affordable Housing Goals]

Sponsors: Kim; Chiu, Cohen and Breed

Motion ordering submitted to the voters a policy declaration making findings, defining goals, and declaring policies that affirm the City's commitment to: 1) address the current housing affordability crisis; 2) support production of 30,000 units of new housing in San Francisco, including at least one-third of those affordable to low and moderate income households, and over 50% within financial reach of working middle class San Franciscans by 2020; 3) create a Housing Action and Neighborhood Stabilization Plan, including funding strategies; 4) ensure financial support of public housing; and 5) review the ratio of affordable to market rate housing, at an election to be held on November 4, 2014.

Supervisors Chiu, Cohen, and Breed requested to be added as co-sponsors.

Motion No. M14-135

APPROVED by the following vote:

140839 [Appointments, Assessment Appeals Board No. 3 - Michael Slattery and James Reynolds]

Motion appointing Michael Slattery (residency requirement waived), term ending September 7, 2015, and James Reynolds, term ending September 5, 2016, to the Assessment Appeals Board No. 3. (Clerk of the Board)

Motion No. M14-136

APPROVED by the following vote:

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

140841 [Reappointment, Planning Commission - Kathrin Moore]

Motion approving the President of the Board of Supervisors', Supervisor David Chiu, nomination of Kathrin Moore to the Planning Commission, term ending July 1, 2018. (Clerk of the Board) (Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date: July 18, 2014)

Motion No. M14-137

APPROVED by the following vote:

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

140842 [Appointment, Planning Commission - Dennis Richards]

Motion approving the President of the Board of Supervisors', Supervisor David Chiu, nomination of Dennis Richards to the Planning Commission, term ending July 1, 2018. (Clerk of the Board) (Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date: July 18, 2014)

Motion No. M14-138

APPROVED by the following vote:

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

140843 [Appointment, Board of Appeals - Bobbie Wilson]

Motion approving the President of the Board of Supervisors', Supervisor David Chiu, nomination of Bobbie Wilson to the Board of Appeals, term ending July 1, 2018. (Clerk of the Board) (Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date: July 18, 2014)

Motion No. M14-139

APPROVED by the following vote:

Recommendations of the Land Use and Economic Development Committee

140776 [Police Code - Regulating Mechanical Amusement Devices and Arcades] Sponsors: Breed; Wiener and Kim

Ordinance amending the Police Code to reduce restrictions on the location of, and lessen permitting requirements for, mechanical amusement devices and arcades, and remove obsolete Code provisions; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

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

140821 [Planning Code - Interim Controls; Clarifying Definition of a Business Sign] Sponsors: Wiener; Chiu

Resolution imposing interim zoning controls for an 18-month period to clarify the definition of a Business Sign in Planning Code, Section 602.3, affirming the Planning Department's environmental determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 319-14

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Peter Warfield (Library User's Association); expressed various concerns relating to the SF Public Library.

Male Speaker; expressed various concerns relating to Black History Month, housing, and jobs.

Christopher Dahl; expressed various concerns relating to housing in the Tenderloin.

Female Speaker; expressed various concerns relating to the Welfare to Work Program.

Danisha; expressed various concerns relating to the Welfare to Work Program.

Candace Davis; expressed various concerns relating to the Welfare to Work Program.

Emil Lawrence; expressed various concerns relating to the new Levi stadium and ride sharing programs.

Doris Miller; expressed various concerns relating to home improvements.

Phelicia Jones (SEIU 1021); expressed various concerns relating to wealth and disparities in the black community.

Treva Stewart (SEIU 1021); expressed various concerns relating to wealth and disparities in the black community.

Mattie Scott (SEIU 1021); expressed various concerns relating to wealth and disparities in the black community.

Tony Kelly; expressed various concerns relating to wealth and disparities in the black community. Diane Smith; expressed various concerns relating to wealth and disparities in the black community.

Jeffrey Petrie; expressed various concerns relating to wealth and disparities in the black community.

Frank Williams (SEIU 1021); expressed various concerns relating to wealth and disparities in the black community.

Perry Lane; expressed various concerns relating to wealth and disparities in the black community. Julie Fischer (UCW5); expressed various concerns relating to wealth and disparities in the black community.

Larry Edmund; expressed various concerns relating to housing in the Tenderloin.

Tommy Gilberty: spoke regarding his life's timeline and specific milestones.

Supervisor Mar was noted absent at 6:12 p.m., and noted present at 6:27 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 140858 be severed so that it may be considered separately.

140858 [Committee of the Whole - Contract Amendment - San Francisco AIDS Foundation - Not to Exceed \$14,734,565 - July 29, 2014]

Sponsor: Wiener

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on July 29, 2014, at 3:00 p.m. to hold a public hearing on a Resolution (File No. 140504) approving an amendment to the contract between the Department of Public Health and the San Francisco AIDS Foundation to provide HIV prevention services and extend the contract term through June 30, 2016, for an amount not to exceed \$14,734,565.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 140858. There were no speakers. The President declared public comment closed.

Motion No. M14-133

APPROVED by the following vote:

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

Supervisor Chiu requested that File No. 140826 be severed so that it may be considered separately.

140826 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 4, 2014, Consolidated General Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 4, 2014, Consolidated General Election. (Clerk of the Board)

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

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

Motion No. M14-140

APPROVED AS AMENDED by the following vote:

Supervisor Cohen requested that File No. 140857 be severed so that it may be considered separately.

140857 [Supporting and Encouraging the Development of a Policy to Prohibit the Transportation and Export of Hazardous Materials]

Sponsor: Cohen

Resolution supporting and encouraging the Department of the Environment and the Port in developing a policy to prohibit the transportation and export of hazardous fossil fuel materials including crude oil, coal, and petroleum coke in the City and County of San Francisco.

REFERRED to the Neighborhood Services and Safety Committee

Supervisor Campos requested that File No. 140822 be severed so that it may be considered separately.

140822 [Intent to Prioritize Funding a Cost of Doing Business Supplemental Appropriation] Sponsors: Campos; Mar, Yee, Avalos and Cohen

Resolution to prioritize approval of a supplemental appropriation up to the amount of \$3,400,000 during FY2014-2015 to fund a cost of doing business allocation for non-profit agencies that contract with the City and County of San Francisco.

Supervisor Farrell divided the question to suspend Board Rule 2.10 relating to Committee Reference and on the question of adoption. Suspending the Committee Reference carried by the following vote:

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

Resolution No. 320-14

ADOPTED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Yee

Noes: 4 - Breed, Farrell, Tang, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

140873 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2014-2015]

Sponsor: Mayor

Ordinance levying property taxes at a combined rate of \$1.1773 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District and establishing a pass-through rate of \$0.0950 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2015.

(Fiscal Impact)

07/29/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/28/2014.

140874 [Administrative, Subdivision Codes - Tenant Buy-Out Agreements] Sponsors: Campos: Avalos

Ordinance amending the Administrative Code to require landlords to provide tenants with a disclosure of the tenant's rights at least 45 days before the landlord commences buy-out negotiations; to require landlords to file a summary of the disclosure, as well as buy-out agreements, with the Rent Board; to require the Rent Board to post the summary disclosures and the buy-out agreements on its website; to authorize administrative enforcement proceedings, resulting in a fine for violations; to authorize tenants to bring civil actions for actual damages and a fine against landlords who fail to provide the required disclosure of tenants' rights; to require the Rent Board to provide an annual report to the Board of Supervisors regarding tenant buy-outs; and amending the Subdivision Code to prohibit buildings from entering the condominium conversion lottery if the owners of the building have entered certain tenant buy-out agreements. (Fiscal Impact; no Budget and Legislative Analyst Report)

07/29/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/28/2014.

140875 [Planning Code - Amending the Third Street Alcohol Restricted Use District] Sponsor: Cohen

Ordinance amending the Planning Code to amend the Third Street Alcohol Restricted Use District to allow Alcoholic Beverage Control Type 23, "Small Beer Manufacturer" Licenses; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/28/2014.

140876 [Planning Code - Office Conversion Controls In Landmark Buildings] Sponsor: Cohen

Ordinance amending the Planning Code to place vertical controls on the conversion of designated landmark buildings to office use in PDR-1-D and PDR-1-G Districts; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

07/29/14: ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/28/2014.

140877 [Planning Code - Amending the Downtown Support Special Use District; Fees in Lieu of On-Site Open Space]

Sponsor: Kim

Ordinance amending the Downtown Support Special Use District to allow the Planning Commission to authorize a monetary contribution to satisfy on-site open space requirements, exclude certain features from floor area ratio and gross floor area calculations, establish a fund to accept the monetary contributions and provide that the monies deposited shall be used for recreation and open space in the South of Market (SOMA) area, provide that the SOMA Community Stabilization Fund Community Advisory Committee shall advise on the administration of the fund, affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/28/2014.

140878 [Administrative, Police Codes - Criminal History Inquiries for Employment and Housing]

Sponsors: Kim; Cohen

Ordinance amending the Administrative and Police Codes to narrow the definition of Property Contracts that are subject to limitations on criminal history inquiries; allow employers and City contractors to inquire about and consider infractions on driving records for positions involving driving; allow employers and City contractors to inquire about and consider a conviction that is more than seven years old for positions involving the supervision or care of minors, dependent adults, or seniors; and provide that the criminal history inquiry restrictions in these Codes prevail over any existing conflicting City law.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 8/28/2014.

140879 [Administrative Code - Registration of Defaulted or Foreclosed Residential Properties]

Sponsors: Mar; Avalos

Ordinance amending the Administrative Code to require the registration of defaulted or foreclosed residential properties and payment of a registration fee, and authorizing administrative fines for violation of the registration requirement.

(Fiscal Impact; no Budget and Legislative Analyst Report)

07/29/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/28/2014.

140880 [Police Code - Formula Retail Employer Requirements]

Sponsors: Mar; Chiu, Campos and Avalos

Ordinance amending the Police Code to regulate the operation of formula retail establishments, including requiring employers to offer additional hours of work, when available, to current part-time employees, and requiring successor employers to retain employees for 90 days upon a change in control of the business.

(Economic Impact)

07/29/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/28/2014.

Resolutions

140709 [Joint Powers Agreement - Establishing a Homeownership Stabilization Authority] Sponsors: Avalos; Campos, Mar and Kim

Resolution authorizing negotiation of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages.

06/17/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

06/24/14; CONTINUED.

07/08/14; REFERRED to Neighborhood Services and Safety Committee.

07/29/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140881 [2014 Hazard Mitigation Plan]

Sponsor: Mayor

Resolution adopting the 2014 City and County of San Francisco Hazard Mitigation Plan.

07/29/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

140882 [Contract - Siemens Industry, Inc. - Procurement of New Light Rail Vehicles - Not to Exceed \$1,192,651,577]

Sponsors: Breed; Wiener, Chiu, Mar, Tang and Cohen

Resolution approving a contract with Siemens Industry, Inc., to procure up to 260 light rail vehicles, associated services, spare parts, special tools, training, and documentation in an amount not to exceed \$1,192,651,577 for a term not to exceed 15 years, to commence following Board approval; and making environmental findings.

(Fiscal Impact)

07/29/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140883 [Commitment to Investing in the Safety of Children in Parks and Open Space] Sponsors: Cohen; Breed, Avalos, Kim and Chiu

Resolution reaffirming the commitment of the City and County of San Francisco to invest in the safety of its children in our parks and open space.

07/29/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

140884 [Establishing a Citywide Gun Violence Prevention Task Force]

Sponsors: Cohen; Avalos and Chiu

Resolution establishing the Gun Violence Prevention Task Force to actively work to reduce gun violence in the City and County of San Francisco; and setting forth the membership and duties of the Task Force.

07/29/14; RECEIVED AND ASSIGNED to Rules Committee.

140885 [Accept and Expend Grant - Castro/Upper Market Community Benefit District - Castro Streetscape Improvement Project - \$121,860]

Sponsor: Wiener

Resolution retroactively authorizing the Department of Public Works to accept and expend a grant of up to \$121,860 from the Castro/Upper Market Community Benefit District for the Castro Streetscape Improvement Project for the period of March 10, 2014, through November 10, 2014.

07/29/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140886 [Commemorative Street Plaques - Childhood Homes of Jerry Garcia in the Exclesior District]

Sponsor: Avalos

Resolution authorizing the placement of sidewalk plaques in front of the two childhood homes of Jerry Garcia located in the Excelsior District in accordance with Public Works Code, Sections 789 et seq., the Commemorative Street Plaque Ordinance.

07/29/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140887 [Supporting California Assembly Bill 935 (Frazier) - California Veterans Driver's License]

Sponsors: Farrell; Chiu

Resolution supporting California State Assembly Bill 935, introduced by Assembly Member Frazier, which calls for the creation of clearly identifiable California state driver's licenses and identification cards for veterans.

07/29/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

140888 [Closed Session - Anticipated Litigation - Buffer Zone at Reproductive Health Care Facilities]

Sponsor: Campos

Motion that the Board of Supervisors convene in closed session on September 9, 2014, for the purpose of conferring with, or receiving advice from the City Attorney regarding anticipated litigation as defendant relating to Police Code, Article 43, prohibiting entering or remaining in buffer zones at reproductive healthcare facilities, in light of McCullen v. Coakley (2014) 573 U.S. ____; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the anticipated litigation.

07/29/14; RECEIVED AND ASSIGNED to Board of Supervisors.

Request for Hearing

140889 [Hearing - Reduction of Water Usage In San Francisco]

Sponsor: Wiener

Hearing with the Public Utilities Commission, Department of Public Works, Recreation and Park Department, and the Department of the Environment to report on San Francisco's overall strategy to reduce water usage, and each department's efforts to reduce water usage, to determine whether or not to move forward with legislation 1) to require that multi-unit buildings be separately metered for water, and 2) to require increased water recycling/reuse through City recycling plants, other means of recycling and code changes to require that new construction have the capacity to have separate new and recycled water systems.

07/29/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President 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

140844 [Planning Code - Formula Retail and Large-Scale Retail Controls]

Ordinance amending the Planning Code to amend the definition of Formula Retail to include businesses that have 19 or more outlets worldwide; expand the applicability of Formula Retail controls to other types of uses; require Conditional Use authorization for Formula Retail establishments in the C-3-G district with facades facing Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street; delete the requirement for Conditional Use authorization when a Formula Retail establishment changes operator but remains the same size and use category; define intensification and abandonment for Formula Retail uses; require Formula Retail uses to comply with performance guidelines; amend the Conditional Use criteria for Large-Scale Retail Uses except for General and Specialty Grocery stores, to require an economic impact study and establish new fees for said study; amend Neighborhood Commercial Districts that required Conditional Use for Financial and Limited Financial Services to principally permit Financial and Limited Financial Services; delete the Conditional Use requirement for Walk-Up Facilities that are not set back 3 feet; and adopting findings, including environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

06/30/14; RESPONSE RECEIVED.

07/18/14; RESPONSE RECEIVED.

07/21/14; RECEIVED FROM DEPARTMENT.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/28/2014.

140845 [Settlement of Lawsuit - Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. - \$175.0001

Ordinance authorizing settlement of the lawsuit filed by Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr., against the City and County of San Francisco for \$175,000; the lawsuit was filed on May 2, 2011, in United States District Court, Case No. C11-02162 LB; entitled Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. v. City and County of San Francisco, et al. (City Attorney)

07/21/14; RECEIVED FROM DEPARTMENT.

07/29/14; RECEIVED AND ASSIGNED to Rules Committee.

140846 [Contracting Process for the Police Department Traffic Company and Forensic Services Division Project]

Ordinance modifying the requirements of Administrative Code, Section 6.68(H), to authorize the Director of Public Works to issue Requests for Proposals to pre-qualified Construction Managers/General Contractors (CM/GC) and their teams of pre-qualified core trade subcontractors to design-build the mechanical, electrical, plumbing, and exterior building envelope scopes of work for the Traffic Company and Forensic Services Division Project; use cost and non-cost criteria to evaluate the design-build proposals for the core trade work; and award a prime contract to the CM/GC based in part on an evaluation of cost and non-cost criteria for the core trade work; and making environmental findings.

(Fiscal Impact; no Budget and Legislative Analyst Report)

07/21/14; RECEIVED FROM DEPARTMENT.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/28/2014.

140847 [Administrative Code - Creating the Sheriff's Auxiliary Reserve Air Squadron]

Ordinance amending the Administrative Code to create the Sheriff's Auxiliary Reserve Air Squadron to support the Sheriff by providing aerial observation of the City, including its coast, public utility transmission and distribution lines, and evacuation routes, in the event of actual or threatened emergency. (Sheriff)

(Fiscal Impact; no Budget and Legislative Analyst Report)

07/21/14; RECEIVED FROM DEPARTMENT.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 8/28/2014.

PROPOSED RESOLUTIONS

140848 [Contract Amendment - Institute on Aging - Not to Exceed \$42,908,836]

Resolution retroactively amending Resolution No. 457-10, approving new modified grant agreements between the City and County of San Francisco and the Institute on Aging, to add funding in the amount of \$26,763,970 to continue the provision of Community Living Fund - Case Management and Purchase of Services, Aging and Disability Resource Center, Alzheimer's Day Care Resource Center, Case Management, Elder Abuse Prevention Services, and Adult Day Health/Adult Day Care Services for the period of July 1, 2014, through June 30, 2019, in a modified grant total amount not to exceed \$42,908,836. (Human Services Agency) (Fiscal Impact; no Budget and Legislative Analyst Report)

07/18/14; RECEIVED FROM DEPARTMENT.

07/29/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Avalos

To: San Francisco Employees' Retirement System

Requesting/Inquiring: Requests an update on the status of moving the Retirement Board's

meetings to City Hall and televising their meetings on SFGovTV.

In Memoriams

Jeanmarie Maher - Board President Chiu Donald Robert Moelk - Board President Chiu Marc-Anthony Salumbides - Supervisor Kim

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:45 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 September 2, 2014.

Angela Calvillo, Clerk of the Board