

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 21, 2015 - 2:00 PM

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

Regular Meeting

LONDON BREED, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

AGENDA CHANGES

There were no agenda changes.

COMMUNICATIONS

There were no communications.

Supervisor Mar was noted present at 2:04 p.m.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of March 17, 2015. There were no corrections.

Supervisor Campos, seconded by Supervisor Yee, moved to approve the Board Meeting Minutes of March 17, 2015. The motion carried by the following vote, following general public comment:

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

Absent: 1 - Kim

Supervisor Kim was noted present at 2:05 p.m.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

150361 [Formal Policy Discussions - April 21, 2015]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1 and 3. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor, last year San Francisco passed groundbreaking legislation that will raise our minimum wage as well as provide predictable scheduling and job retention protections for part-time and on-call chain store workers. In order for these new rights to have any impact we need to ensure that our ability to enforce these laws is sufficient. This means that staffing levels at the Office of Labor Standards Enforcement have to be increased but it also means that we need to fund community based organizations that can supplement our ability to reach out to workers who may be reticent to claim their rights.

Can we count on your office to fund for these critical needs through our upcoming budget process? (Supervisor Mar, District 1)

2. Mr. Mayor, Current plans for the Central Subway will end the T Line at Chinatown. That will leave Fisherman's Wharf, North Beach, Russian and Telegraph Hills and north Chinatown with only the current surface transit service and without transfer opportunities for bus lines serving neighborhoods to the West.

Last fall's report by the San Francisco County Transit Authority, the San Francisco Municipal Transit Authority, and the San Francisco Planning Department provide compelling evidence of the need to continue the Central Subway to Fisherman's Wharf.

By extending the subway just two more stops, ridership is projected to increase on the T Line from 74,000 folks per day, to 115,000 per day. This is a significant increase in ridership, providing added pedestrian safety to the surface streets by reducing pedestrian and vehicle traffic through some of our heaviest thoroughfares in some of our most dense neighborhoods in the City.

Extending the Central Subway will cut the commute time between Moscone Center and Fisherman's Wharf in half. 8,400 people work in Fisherman's Wharf on any given day, and nearly 200 jobs in Fisherman's Wharf went unfilled at the end of last year because of the current commute to the northeast neighborhood. These numbers don't include the millions of visitors per year reported by our visitor's centers, and convention and travel organizations.

Considering the compelling data, and enthusiastic support from residents, what can the City do to signal its seriousness in moving forward with extending our Central Subway and T-Line?

(Supervisor Christensen, District 3)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

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

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

PASSED, ON FIRST READING

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

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

PASSED, ON FIRST READING

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

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

PASSED, ON FIRST READING

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

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

PASSED, ON FIRST READING

150287 [Settlement of Lawsuit - Gordon Clark - \$99,500]

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

PASSED, ON FIRST READING

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

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

PASSED, ON FIRST READING

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

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

PASSED, ON FIRST READING

150187 [Settlement of Unlitigated Claims - Archstone Concourse LLC, and Archstone Showplace Square LLC - \$1,731,250]

Resolution approving the settlement of two unlitigated claims filed by Archstone Concourse LLC, and Archstone Showplace Square LLC, against the City and County of San Francisco for \$1,731,250; claims were filed on April 15, 2013. (City Attorney)

Resolution No. 137-15

ADOPTED

150188 [Settlement of Unlitigated Claims - The Regents of the University of California - \$235,547.71]

Resolution approving the settlement of the unlitigated claims by The Regents of the University of California against the City and County of San Francisco for \$235,547.71; claims were filed on July 30, 2013, and December 1, 2014. (City Attorney)

Resolution No. 138-15

ADOPTED

150264 [Settlement of Unlitigated Claim - Tim and Jennifer Barrett - \$78,988.36]

Resolution approving the settlement of the unlitigated claim filed by Tim and Jennifer Barrett against the City and County of San Francisco for \$78,988.36; claim was filed on January 9, 2014. (City Attorney)

Resolution No. 139-15

ADOPTED

Recommendations of the Land Use and Transportation Committee**141266 [Planning Code - Off-Street Parking Exceptions]****Sponsor: Breed**

Ordinance amending the Planning Code to permit certain exceptions from off-street parking and loading requirements for lots that front on a curbside transit lane or bikeway, for lots in Residential Mixed Districts, and in order to bring buildings into greater conformity with yard, setback, and other building requirements; to include parking in excess of what is principally permitted and located above ground in the floor-area ratio calculation with an exception for pipeline projects in the Van Ness Special Use District; modifying other floor-area ratio provisions; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 052-15**FINALLY PASSED****150029 [Planning Code - City Housing Balance Monitoring and Reporting]****Sponsor: Kim**

Ordinance amending the Planning Code to require the Planning Department to monitor the balance between new market rate housing and new affordable housing, and publish a bi-annual Housing Balance Report; requiring an annual hearing at the Board of Supervisors on strategies for achieving and maintaining the required housing balance in accordance with San Francisco's housing production goals; and making 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.

Ordinance No. 053-15**FINALLY PASSED****150150 [Building Code - Permit Fee Calculation]**

Ordinance amending the Building Code to clarify that the Department of Building Inspection may use multiple data sources to determine annual adjustments to the construction cost schedule for permit issuance fees; and affirming the Planning Department's determination under the California Environmental Quality Act. (Building Inspection Commission)

Ordinance No. 054-15**FINALLY PASSED****Recommendation of the Public Safety and Neighborhood Services Committee****150191 [Health Code - Wild or Exotic Animals for Public Entertainment or Amusement]****Sponsors: Tang; Wiener, Yee and Farrell**

Ordinance amending the Health Code to prohibit the performance of wild or exotic animals for public entertainment or amusement.

Ordinance No. 055-15**FINALLY PASSED**

Recommendations of the Rules Committee

150286 [Appointments, Energy Efficiency Coordinating Committee - Sam Moss, Avni Jamdar, Holly Kaufman, James Bryant, Renae Steichen, and Miriam Zuozuonis]
Motion appointing Sam Moss, Avni Jamdar, Holly Kaufman, James Bryant, Renae Steichen, and Miriam Zuozuonis, for one year terms yet to be determined, to the Energy Efficiency Coordinating Committee. (Rules Committee)

Motion No. M15-071

APPROVED

150339 [Appointment, Bicycle Advisory Committee - Ilyse Magy]
Motion appointing Ilyse Magy to the Bicycle Advisory Committee, term ending November 19, 2016, or for the tenure of the nominating Supervisor, whichever is shorter in duration. (Rules Committee)

Motion No. M15-072

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the Consent Agenda

Supervisor Yee requested that File No. 150186 be severed so that it may be considered separately.

150186 [Settlement of Unlitigated Claims - ASI Fox Plaza LLC, and ASN Fox Plaza LLC - \$3,375,000]

Resolution approving the settlement of two unlitigated claims filed by ASI Fox Plaza LLC, and APN Fox Plaza LLC, against the City and County of San Francisco for \$3,375,000; claims were filed on May 13, 2013. (City Attorney)

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

Supervisor Yee, 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, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Resolution approving the settlement of two unlitigated claims filed by ASI Fox Plaza LLC, and ASN Fox Plaza LLC, against the City and County of San Francisco for \$3,375,000; claims were filed on May 13, 2013. (City Attorney)

Resolution No. 140-15

ADOPTED AS AMENDED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Sub-Committee

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

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

Privilege of the floor was granted to Ed Reiskin, General Manager, Municipal Transportation Agency (MTA), and Chris Grabarkiewctz (MTA), responded to questions raised throughout the discussion.

Resolution No. 141-15

ADOPTED by the following vote:

Ayes: 7 - Breed, Christensen, Farrell, Mar, Tang, Wiener, Yee
Noes: 4 - Avalos, Campos, Cohen, Kim

NEW BUSINESS

Recommendations of the Budget and Finance Committee

141268 [Five-Year Financial Plan - FYs 2015-2016 through 2019-2020]

Sponsors: Mayor; Farrell

Resolution adopting the City's Five-Year Financial Plan for FYs 2015-2016 through 2019-2020, pursuant to Charter, Section 9.119.

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

Resolution No. 142-15

ADOPTED by the following vote:

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

150223 [Five-Year Information and Communication Technology Plan - FYs 2016-2020]**Sponsors: Mayor; Breed and Farrell**

Resolution adopting the City's Five-Year Information and Communication Technology Plan for FYs 2016-2020, pursuant to Administrative Code, Section 22A.6.

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

Resolution No. 143-15**ADOPTED by the following vote:**

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

150224 [Ten-Year Capital Expenditure Plan - FYs 2016-2025]**Sponsors: Mayor; Breed and Farrell**

Resolution adopting the City's Ten-Year Capital Expenditure Plan for FYs 2016-2025, pursuant to Administrative Code, Section 3.20.

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

Resolution No. 144-15**ADOPTED by the following vote:**

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

Recommendations of the Budget and Finance Sub-Committee**150244 [Appropriation - Developer Contributions and Reimbursement - Public Works - \$6,354,478 - FY2014-2015]****Sponsor: Tang**

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

PASSED, ON FIRST READING by the following vote:

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

150189 [Agreement Amendment - Motorola, Inc. - 800 MHz Radio System Project - \$30,378,734]

Resolution authorizing the Department of Technology to enter into the Eighth Amendment of the Citywide 800 MHz Radio System Project Agreement between the City and County of San Francisco and Motorola, Inc., to increase the contract amount to \$30,378,734 for the remaining term through September 21, 2017. (Department of Technology)
(Fiscal Impact)

Resolution No. 145-15**ADOPTED by the following vote:**

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

150211 [Lease and Use Agreement Modifications - Air France, and Cathay Pacific Airways, Limited - Estimated Minimum Combined Rent of \$29,666,807.61]

Resolution approving Modification No. 1 to 2011 Lease and Use Agreement No. L10-0076 with Air France, and Modification No. 2 to L10-0081 with Cathay Pacific Airways Limited, and the City and County of San Francisco, acting by and through its Airport Commission, for changes in demised premises, with an estimated minimum combined rent of \$29,666,807.61 for the remainder of the lease terms, expiring on June 30, 2021. (Airport Commission)

Resolution No. 136-15

ADOPTED by the following vote:

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

150237 [Lease and Use Agreement Modification - Delta Air Lines, Inc. - Estimated Rent of \$74,192,941.78]

Resolution approving Modification No. 1 to 2011 Lease and Use Agreement No. L10-0083 between Delta Air Lines, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for changes in the demised premises, with an estimated minimum rent of \$74,192,941.78 for the remainder of the lease term expiring on June 30, 2021. (Airport Commission)

Resolution No. 146-15

ADOPTED by the following vote:

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

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

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

Resolution No. 147-15

ADOPTED by the following vote:

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

150311 [Accept and Expend Grant - Mansell Corridor Project - \$848,059]

Sponsors: Avalos; Campos

Resolution retroactively authorizing the Recreation and Park Department to accept and expend an Urban Greening for Sustainable Communities Grant in the amount of \$848,059 from the California Natural Resources Agency for the Mansell Corridor Project in McLaren Park for the period of February 1, 2015, through May 1, 2017.

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

Resolution No. 148-15

ADOPTED by the following vote:

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

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

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

Resolution No. 115-15**ADOPTED by the following vote:**

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

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

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

PASSED, ON FIRST READING by the following vote:

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

150117 [Administrative Code - Relocation Payments to Evicted Tenants]**Sponsors: Campos; Kim, Avalos and Mar**

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

PASSED, ON FIRST READING by the following vote:

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

150316 [Approving the Nominations of Five Priority Conservation Areas]**Sponsors: Mar; Cohen**

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

Resolution No. 149-15**ADOPTED by the following vote:**

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

Recommendation of the Rules Committee**150222 [Administrative Code - Membership and Functions of the Our Children, Our Families Council]****Sponsors: Yee; Christensen, Tang, Kim and Campos**

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

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

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations**Privilege of the Floor**

Supervisor Farrell, seconded by Supervisor Mar, 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 Farrell introduced, welcomed, and presented a Certificate of Honor to Dr. John Maa, health advocate, in recognition of his accomplishments and continued community support. Supervisor Mar shared in this commendation.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to members of the Surfrider Foundation in recognition of their accomplishments and continued community support.

COMMITTEE REPORTS

Recommendations of the Public Safety and Neighborhood Services Committee

150242 [Health Code - Ban on Smokeless Tobacco Use - Defining Tobacco Product to Include Devices for Using Tobacco]

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

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

Supervisors Yee and Campos requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

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

141173 [Liquor License Transfer - 201 Folsom Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 225-11th Street to 201 Folsom Street, Suite 101 (District 6), to Christopher Foley for SMARKET LLC, dba Market on Main, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 150-15

ADOPTED by the following vote:

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

150112 [Liquor License Transfer - 4448 Mission Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 298 Munich Street to 4448 Mission Street (District 11), to Esperanza Gudino for the Golden State Market and Deli, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 151-15

ADOPTED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

150246 [Planning Code - Landmark Designation - 2178-2174 Market Street (aka Swedish American Hall Building)]

Sponsors: Wiener; Cohen

Ordinance designating 2178-2174 Market Street (aka Swedish American Hall Building), Assessor's Block No. 3542, Lot No. 017, as a Landmark under Planning Code, Article 10; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING 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

Andrew Yip; expressed various concerns.

Christopher Dahl; expressed various concerns relating to sea level rise.

Peter Alexander; expressed various concerns.

Joe Brenner (CPath); spoke in support to proposed legislation relating to opposing Fast Tracking of the Trans-Pacific Partnership.

Vladimir; expressed various concerns relating to fascism.

Joe Coppel (Local 6); expressed various concerns relating to equal pay.

Male Speaker; expressed various concerns.

Ellen Anderson; expressed various concerns relating to in-law units and housing for students.

Male Speaker; expressed various concerns relating to chronic disease and infection.

Thea Salby (San Francisco Transit Riders); spoke requesting participation in the upcoming Muni challenge (#OnBoardSF).

Male Speaker; expressed various concerns relating to services for the African-American community.

Ace Washington; expressed various concerns relating to accountability.

Maira Sutton (Electronic Frontier Foundation); spoke in support to proposed legislation relating to opposing Fast Tracking of the Trans-Pacific Partnership.

Xiomara Castro (Citizen's Trade Campaign); spoke in support to proposed legislation relating to opposing Fast Tracking of the Trans-Pacific Partnership.

Tia Lebherz (Food & Water Watch); spoke in support to proposed legislation relating to opposing Fast Tracking of the Trans-Pacific Partnership.

Male Speaker; expressed various religious concerns.

Tim Paulson (San Francisco Labor Council); spoke in support to proposed legislation relating to opposing Fast Tracking of the Trans-Pacific Partnership.

Ray Hartz (San Francisco Open Government); expressed concerns relating to open government, public comment, and immediate disclosure requests.

Tom Gilberty; expressed various concerns relating to inclusion and wheelchair accessibility.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**150378 [Supporting Senate Bill 716 (Lara) - Prohibiting Abusive Behavior Towards the Elephant]****Sponsors: Tang; Wiener**

Resolution supporting California Senate Bill 716, authored by State Senator Lara, which prohibits the discipline, management, or training of the elephant by specific methods, including the use of a bullhook, ankus, guide, or pitchfork in California.

Resolution No. 158-15**ADOPTED****150379 [Approving the Nomination of the California Coastal Trail as a Priority Conservation Area]****Sponsors: Tang; Mar**

Resolution authorizing the nomination of the California Coastal Trail as a Priority Conservation Area by the Association of Bay Area Governments.

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

Resolution No. 152-15**ADOPTED****150380 [Armenian Genocide Commemoration Day - April 24, 2015]****Sponsors: Wiener; Yee and Farrell**

Resolution declaring April 24, 2015, as Armenian Genocide Centennial Commemoration Day in the City and County of San Francisco.

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

Resolution No. 157-15**ADOPTED****The foregoing items were acted upon by the following vote:**

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Avalos requested that File Nos. 150374 and 140375 be severed so that they may be considered separately.

150374 [Margie Stokes Day - May 2, 2015]

Sponsor: Avalos

Resolution commending Margie Stokes on the occasion of her 81st birthday for her leadership, commitment, and uncompromising dedication to San Francisco's children, families, and child care providers; and declaring May 2, 2015, Margie Stokes Day in the City and County of San Francisco.

Resolution No. 154-15

ADOPTED by the following vote:

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

150375 [Opposing Fast Tracking of the Trans-Pacific Partnership (TPP), Expressing Concerns about Elements of the TPP, and Supporting Fair Trade Practices that Protect Jobs, Workers, the Environment, Public Health, and the Free and Open Internet]

Sponsors: Avalos; Campos and Mar

Resolution urging San Francisco's representatives in Congress to oppose Trade Promotion Authority ("Fast Track Authority") for the proposed Trans-Pacific Partnership Agreement (TPP); expressing concerns about draft elements of the TPP; and supporting fair trade practices and agreements that protect jobs, workers, the environment, and the free and open Internet to improve the quality of life in all signatory countries, maintain the integrity and sovereignty of our judicial system, promote free speech, privacy rights, and protection of whistleblowers, and to prevent multinational corporations from being granted excessive power to undermine national and local governmental authority to create reasonable rules and regulations.

Supervisors Campos and Mar requested to be added as co-sponsors.

Supervisor Avalos, seconded by Supervisor Mar, 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, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Resolution urging San Francisco's representatives in Congress to oppose Trade Promotion Authority ("Fast Track Authority") for the proposed Trans-Pacific Partnership Agreement (TPP); expressing concerns about draft elements of the TPP; and supporting fair trade practices and agreements that protect jobs, workers, the environment, public health, and the free and open Internet to improve the quality of life in all signatory countries, maintain the integrity and sovereignty of our judicial system, promote free speech, privacy rights, and protection of whistleblowers, and to prevent multinational corporations from being granted excessive power to undermine national and local governmental authority to create reasonable rules and regulations.

Resolution No. 155-15

ADOPTED AS AMENDED by the following vote:

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

Supervisor Farrell requested that File No. 150376 be severed so that it may be considered separately.

150376 [The Junior League of San Francisco, Inc., Women at the Center Honors Day - May 4, 2015]

Sponsor: Farrell

Resolution declaring May 4, 2015, as The Junior League of San Francisco, Inc., Women at the Center Honors Day in the City and County of San Francisco.

Resolution No. 156-15

ADOPTED by the following vote:

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

Supervisor Mar requested that File No. 150377 be severed so that it may be considered separately.

150377 [Supporting Assembly Bills 404 (Chiu), 1385 and 1397 (Ting) - Community Colleges and Accreditation]

Sponsors: Mar; Yee, Campos, Farrell and Cohen

Resolution supporting Assembly Bill 404, authored by Assembly Member David Chiu, and Assembly Bills 1385 and 1397, authored by Assembly Member Phil Ting, to reform rules and procedures in California's community college accreditation process.

Supervisors Campos, Farrell, and Cohen requested to be added as co-sponsors.

ADOPTED by the following vote:

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

Supervisor Mar, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:

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

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

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

Resolution No. 153-15

ADOPTED AS AMENDED by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

Ordinances

150221 [Planning, Public Works Codes - Street Trees and Adoption of Associated Fees] **Sponsors: Wiener; Christensen**

Ordinance amending the Planning and Public Works Codes to shift the authority to require street trees in the case of certain types of development projects from the Planning Department to Public Works; to require a permit to perform major maintenance on street trees within a specified distance of general advertising signs, adopt a fee for such permit, and impose penalties for violations; to require a tree protection plan in advance of construction and adopt a fee for review and approval of the plan; to give specified Public Works staff enforcement authority; and affirming the Planning Department's determination under the California Environmental Quality Act, and making other findings including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

03/03/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

03/17/15; REFERRED TO DEPARTMENT.

03/18/15; REFERRED TO DEPARTMENT.

04/21/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

150295 [Administrative Code - Short-Term Residential Rentals]

Sponsors: Campos; Mar and Avalos

Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to: limit short-term rental of a Residential Unit to no more than 60 days per calendar year; require Hosting Platforms to verify that a Residential Unit is on the City Registry prior to listing, remove a listing once a Residential Unit has been rented for Tourist or Transient Use for more than 60 days in a calendar year, and provide certain usage data to the Planning Department; revise the definition of Interested Parties who may enforce the provision of Chapter 41A through a private right of action to include Permanent Residents residing within 100 feet; amend the private right of action provisions to allow for a private right of action against Hosting Platforms and create an additional private right of action against Owners, Business Entities, and Hosting Platforms under certain circumstances; and provide for criminal penalties against Hosting Platforms in violation of this Chapter 41A; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Economic Impact; Office of Economic Analysis Report.)

03/24/15; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Transportation Committee.

04/14/15; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

04/21/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

150408 [Purchase and Sale of Electricity and Related Products and Services - Public Utilities Commission]**Sponsors: Mayor; Breed, Avalos and Mar**

Ordinance authorizing the Public Utilities Commission (PUC) to use pro forma agreements to purchase and sell electricity and related products and services to operate the City's municipal electric utility and community choice aggregation program; authorizing the General Manager of the PUC, in such agreements, to deviate from certain otherwise applicable requirements of City law, under certain circumstances; and authorizing the PUC, within specified parameters, to approve agreements with terms in excess of ten years or requiring expenditures of \$10,000,000 or more for renewable and greenhouse-gas-free power and related products and services.

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

04/21/15; ASSIGNED to Budget and Finance Sub-Committee.

150409 [Appropriation - Wastewater Enterprise General Reserve for Claims Settlements and Related Expenses as a Result of December 2014 Storms - \$1,750,000 - FY2014-2015]**Sponsor: Mayor**

Ordinance appropriating \$1,750,000 from Wastewater Enterprise designated for general reserve in the Public Utilities Commission Wastewater Enterprise Department budget to pay the claims settlements, legal expenses, and related costs due to the extraordinary expenses incurred as a result of the December 2014 storms in FY2014-2015.

(Fiscal Impact)

04/21/15; ASSIGNED to Budget and Finance Sub-Committee.

150410 [Administrative Code - Good Samaritan Status Under the Residential Rent Stabilization and Arbitration Ordinance]**Sponsors: Christensen; Wiener**

Ordinance amending the Administrative Code to expand the Good Samaritan Status under the Residential Rent Stabilization and Arbitration Ordinance to situations where tenants of the San Francisco Housing Authority are displaced by the commencement of rehabilitation on their housing units under a federal rental assistance demonstration program, thereby enabling those tenants to relocate with landlords who may seek to recover possession of the premises at the expiration of the Good Samaritan Status.

04/21/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/21/2015.

Resolutions**150411 [Accept and Expend Grant - Preterm Birth Initiative Project - \$213,369]****Sponsor: Christensen**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$213,369 from The Regents of the University of California, San Francisco to participate in a program entitled "Preterm Birth Initiative Project" for the period of July 1, 2014, through May 31, 2015.

04/21/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

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

Sponsor: Tang

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

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

04/21/15; ASSIGNED to Land Use and Transportation Committee.

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

Sponsors: Breed; Tang

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

04/21/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

Sponsors: Farrell; Christensen and Tang

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

04/21/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

150415 [Hearing - Disposition of 30 Van Ness Avenue]

Sponsors: Campos; Kim and Mar

Hearing to review the disposition of 30 Van Ness Avenue; and requesting the Department of Real Estate to report.

04/21/15; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

150416 [Hearing - Status of Drought Conditions in San Francisco]

Sponsor: Christensen

Hearing to review the status of drought conditions in San Francisco; and requesting the San Francisco Public Utilities Commission and the Department of the Environment to report.

04/21/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150417 [Hearing - Bayview Hunters Point Core Community Benefits Agreement Update]

Sponsor: Cohen

Hearing to receive an update on the Bayview Hunters Point Core Community Benefits Agreement; and requesting the Office of Community Investment and Infrastructure and members of the Implementation Committee to report.

04/21/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150418 [Hearing - Streamlining the Restaurant Business Permitting Process and Report]**Sponsor: Tang**

Hearing on the Controller's report regarding streamlining of the permitting process for restaurants, including the next steps to address permitting challenges for businesses and how to improve customer experience for small business owners; and requesting the Office of Economic and Workforce Development, the Office of Small Business, the Controller, the Planning Department, the Department of Building Inspection, and other City departments involved with the permitting process for businesses to report.

04/21/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150419 [Hearing - Economic Impact of Outdoor Events]**Sponsor: Wiener**

Hearing to review the economic impact study of outdoor events in San Francisco, including the number of jobs generated by the sector, the amount of taxes paid, the number of visitors drawn to San Francisco as a result of the sector, and potential legislation to support outdoor events to ensure that they remain a contributor to San Francisco's economic and cultural life; and requesting the Controller and the Entertainment Commission to report.

(Economic Impact; No Office of Economic Analysis Report.)

04/21/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150420 [Hearing - Chronic Absenteeism at San Francisco Public Schools]**Sponsor: Yee**

Hearing to discuss chronic absenteeism within the San Francisco Unified School District (SFUSD) and preventative strategies to reduce absenteeism; and requesting the SFUSD to report.

04/21/15; RECEIVED AND ASSIGNED to City and School District Select Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE**150357 [Planning Code - Rincon Hill Streetscape Master Plan]**

Ordinance amending Planning Code, Section 138.1, to acknowledge approval of the Rincon Hill Streetscape Master Plan; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

04/07/15; RECEIVED FROM DEPARTMENT.

04/21/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/21/2015.

PROPOSED RESOLUTION

150360 [Report of Assessment Costs for Blighted Properties]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works)

04/07/15; RECEIVED FROM DEPARTMENT.

04/21/15; RECEIVED AND ASSIGNED to Board of Supervisors.

In Memoriam

Peter Mezey - Supervisor Wiener

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:16 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 2, 2015.

Angela Calvillo, Clerk of the Board