



# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

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

Tuesday, July 19, 2016 - 2:00 PM

## Regular Meeting

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LONDON BREED, PRESIDENT  
JOHN AVALOS, DAVID CAMPOS, MALIA COHEN,  
MARK FARRELL, JANE KIM, ERIC MAR, AARON PESKIN, KATY TANG, SCOTT WIENER,  
NORMAN YEE

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at [www.sfbos.org](http://www.sfbos.org)

## BOARD COMMITTEES

### Committee Membership

**Budget and Finance Committee**  
Supervisors Farrell, Tang, Yee, Kim, Wiener

**Budget and Finance Sub-Committee**  
Supervisors Farrell, Tang, Yee

**Government Audit and Oversight Committee**  
Supervisors Peskin, Yee, Breed

**Land Use and Transportation Committee**  
Supervisors Cohen, Wiener, Peskin

**Public Safety and Neighborhood Services Committee**  
Supervisors Kim, Avalos, Campos

**Rules Committee**  
Supervisors Tang, Mar, Cohen

### Meeting Days

Wednesday  
1:00 PM

Wednesday  
10:00 AM

1st and 3rd Thursday  
9:30 AM

Monday  
1:30 PM

2nd Thursday  
2:30 PM

2nd and 4th Thursday  
11:00 AM

## Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

## Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

**IMPORTANT INFORMATION:** The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

**LAPTOP COMPUTER FOR PRESENTATIONS:** Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

**AGENDA PACKET:** Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B Goodlett Place, Room 244, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

**LANGUAGE INTERPRETERS:** Language services are available in Spanish and Chinese at all regular and special Board meetings, excluding Committee meetings. Currently, Filipino is available upon request if made at least 48 hours in advance of the meeting to help ensure availability. Additionally, requests for Board Committee meetings must be received at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Peggy Nevin at (415) 554-5184.

所有常規及特別市參事委員會會議（Board meetings）除委員會會議（Committee meetings）之外，將予以提供西班牙文及中文的語言服務。目前，菲律賓文將根據所收到的請求予以提供，但須在會議前最少48小時作出請求，旨在確保服務屆時可予以提供。另外，向市參事委員會會議請求有關服務亦須預先在會議前最少48小時作出，也將有助於確保服務屆時可予以提供。更多資訊或請求有關服務，請致電 (415) 554-7719 聯絡 Linda Wong。

**AVISO EN ESPAÑOL:** Los servicios de idiomas están disponibles en español y en chino en todas las reuniones regulares y reuniones especiales de la Junta, excluyendo las reuniones de los Comités. Actualmente, el idioma Filipino está disponible de ser requerido si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Adicionalmente, las solicitudes para las Reuniones de los Comités de la Junta deben ser recibidas por lo menos 48 horas antes de la reunión con el fin de ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a Derek Evans (415) 554-7702.

**PAUNAWA:** Mayroong serbisyong pang-wika sa Espanyol at Intsik para sa lahat ng mga regular at espesyal na pulong ng Board, pero wala para sa pulong ng mga Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Filipino na maaaring i-request sa minimum na di bababa sa 48 oras bago ang pulong upang matiyak na matutugunan and inyong kahilingan. Dagdag pa, ang mga request para sa pulong ng Komite ng Board ay kailangang matanggap sa minimum na di bababa sa 48 oras bago ang pulong upang matiyak ang pagkakaroon nito. Para sa karagdagang impormasyon o para mag-request ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

### **Disability Access**

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

### **Know Your Rights Under The Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>

## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

## **COMMUNICATIONS**

## **APPROVAL OF MEETING MINUTES**

*Approval of the June 14, 2016, Board Meeting Minutes, and the June 17, 2016, Special Meeting Minutes at the Budget and Finance Committee Meeting, which constituted a quorum of the Board of Supervisors.*

## **AGENDA CHANGES**

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

*Pursuant to Charter Section 3.100(7), the Mayor shall appear, in person, at one regularly scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board. This item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.*

*By supermajority vote of the Board of Supervisors (8 votes), the Board may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.*

*There were no questions submitted from Supervisors representing the odd districts. The Mayor may address the Board for up to five minutes.*

## CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

### Items 1 through 5

#### Recommendation of the Budget and Finance Committee

*Present: Supervisors Farrell, Tang, Yee, Kim, Wiener*

1. [160667](#) **[Administrative Code - Requests for Qualifications]**  
**Sponsor: Mayor**  
Ordinance amending the Administrative Code to extend the permissible period for using a list of prequalified entities to contract for commodities and/or services following the issuance of a Request for Qualifications from two years to four years if certain conditions are met.  
  
07/12/2016; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

#### Recommendations of the Budget and Finance Sub-Committee

*Present: Supervisors Farrell, Tang, Yee*

2. [150729](#) **[Administrative Code - Neighborhood Noticing Ordinance]**  
**Sponsors: Farrell; Breed**  
Ordinance amending the Administrative Code to direct the Chief Data Officer to develop a pilot program for expanding public notice of significant projects and permitting decisions in the City, in the areas of construction and infrastructure repair work, public health and safety services and facilities, and transportation.  
  
(Fiscal Impact)  
  
07/12/2016; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

3. [160718](#) **[Park Code - Accept and Expend - Francisco Park Conservancy - \$25,000,000 Plus \$150,000 per Year, Plus Future Gifts - New Park at Francisco Reservoir Site]**

**Sponsors: Farrell; Peskin**

Ordinance authorizing the Recreation and Park Department (RPD) to enter into an agreement with the Francisco Park Conservancy (FPC) regarding the funding and stewardship of a new park on the Francisco Reservoir Site, located between Hyde and Larkin Streets south of Bay Street, and on the 0.96 acre parcel located immediately adjacent to and south of the Francisco Reservoir Site; authorizing RPD to accept and expend an in-kind grant from the FPC of approximately \$25,000,000 in construction services for the new park, and annual cash grants from the FPC anticipated to be approximately \$150,000 each year for future maintenance of the new park; authorizing RPD to accept and expend future grants and gifts from the FPC for additional improvements at the new park; and amending the Park Code to list the new park as a park where no alcoholic beverages may be consumed.

(Fiscal Impact)

07/12/2016; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

### **Recommendations of the Land Use and Transportation Committee**

*Present: Supervisors Cohen, Wiener, Peskin*

4. [160319](#) **[Administrative Code - San Francisco Fire Victims Assistance Fund]**  
**Sponsors: Breed; Campos, Farrell, Cohen and Mar**

Ordinance amending the Administrative Code to establish the San Francisco Fire Victims Assistance Fund.

07/12/2016; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

5. [160499](#) **[Summary Street Vacation - Greenwich Street - Pioneer Park Improvements]**

Ordinance ordering the summary street vacation of a portion of Greenwich Street adjacent to Coit Tower, and generally bounded by Assessor's Parcel Block No. 0079 to the north, Assessor's Parcel Block No. 0086 to the south, Kearny Street to the west, and Montgomery Street to the east, as part of improvements to Pioneer Park; approving an interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance. (Recreation and Park Department)

07/12/2016; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Budget and Finance Committee

*(Pursuant to Charter, Section 9.100(b), the Board shall not adopt the Budget earlier than July 15th nor later than August 1st.)*

*Present: Supervisors Farrell, Tang, Yee, Kim, Wiener*

6. [160628](#) **[Budget and Appropriation Ordinance for Departments - FYs 2016-2017 and 2017-2018]**

**Sponsor: Mayor**

Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments, including those selected departments recommended for approval by the Budget and Finance Committee on May 25, 2016, of the City and County of San Francisco as of May 31, 2016, for the FYs ending June 30, 2017, and June 30, 2018.

(Fiscal Impact)

07/12/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/12/2016; CONTINUED AS AMENDED.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

7. [160629](#) **[Annual Salary Ordinance - FYs 2016-2017 and 2017-2018]**

**Sponsor: Mayor**

Annual Salary Ordinance enumerating positions, including those selected departments recommended for approval by the Budget and Finance Committee on May 25, 2016, in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2017, and June 30, 2018, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

(Fiscal Impact)

07/12/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/12/2016; CONTINUED AS AMENDED.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

Present: Supervisors Farrell, Tang, Yee, Kim

8. [160642](#) **[Treasure Island Development Authority Budget - FYs 2016-2017 and 2017-2018]**  
**Sponsor: Mayor**  
Resolution approving the Budget of the Treasure Island Development Authority for FYs 2016-2017 and 2017-2018. (Treasure Island Development Authority)

(Fiscal Impact; No Budget and Legislative Analyst Report)

07/12/2016; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

Present: Supervisors Farrell, Tang, Yee, Kim, Wiener

9. [160644](#) **[Office of Community Investment and Infrastructure, Operating as Successor Agency to the San Francisco Redevelopment Agency - FY2016-2017 Budget - Bond Issuance Not to Exceed \$185,000,000]**  
**Sponsor: Mayor**

Resolution approving the FY2016-2017 Budget of the Office of Community Investment and Infrastructure (OCII), operating as the Successor Agency to the San Francisco Redevelopment Agency; and approving the Issuance by OCII of Bonds in an aggregate principal amount not to exceed \$185,000,000, which will be used in conjunction with a portion of the bonding authority authorized but unissued in the FY2015-2016 budget, for the purpose of financing a portion of enforceable obligations.

(Fiscal Impact; No Budget and Legislative Analyst Report)

07/12/2016; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

10. [160630](#) **[Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling - Tax Year 2016]**  
**Sponsor: Mayor**

Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2016. (Controller)

07/12/2016; CONTINUED.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

11. [160631](#) **[Administrative Code - City Membership in Certain Organizations]**  
**Sponsor: Mayor**  
Ordinance amending the Administrative Code to modify the requirements for City departments to acquire and maintain membership in professional, trade, and other organizations. (Controller)

07/12/2016; CONTINUED.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**



12. [160632](#) **[Planning, Administrative Codes - Planning Department Fees - Future Fee Adjustments]**

**Sponsor: Mayor**

Ordinance amending the Planning and Administrative Codes to adopt fee amounts for Planning Department fees, and set the process for annually adjusting the fee amounts; and affirming the Planning Department's determination under the California Environmental Quality Act, making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Planning Commission)

07/12/2016; CONTINUED.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*Present: Supervisors Farrell, Tang, Yee*

13. [160633](#) **[Administrative Code - Establishing District Attorney Neighborhood Justice Fund]**

**Sponsor: Mayor**

Ordinance amending the Administrative Code to establish the District Attorney Neighborhood Justice Fund (Justice Fund) and abolish the Mayor's Community Support Fund (Support Fund), authorize the District Attorney to establish guidelines for disbursement of monies in the Justice Fund and permit the District Attorney to disburse monies from the Justice Fund consistent with those guidelines, rename the Community Courts Program the Neighborhood Courts Program and direct that all penalties and fines collected from participants in that program previously deposited in the Support Fund be deposited in the Justice Fund, and designate the District Attorney as administrator of the San Francisco Dispute Resolution Program Fund. (District Attorney)

07/12/2016; CONTINUED.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*Present: Supervisors Farrell, Yee, Kim, Wiener*

14. [160634](#) **[Administrative Code - Department of Public Health Managed Care Contracts]**

**Sponsor: Mayor**

Ordinance amending the Administrative Code to extend the authorization of the Director of Health to enter into managed care contracts for the provision of services to individuals covered under federal and state programs including subsidized health coverage for low income populations. (Public Health Department)

07/12/2016; CONTINUED.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

15. [160635](#) **[Health Code - Patient Rates - FYs 2016-2017 and 2017-2018]**  
**Sponsor: Mayor**  
Ordinance amending the Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2016, through June 30, 2018. (Public Health Department)  
  
07/12/2016; CONTINUED.  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
16. [160636](#) **[Administrative Code - County Adult Assistance Programs]**  
**Sponsor: Mayor**  
Ordinance amending the Administrative Code to: 1) streamline the statutory authority for the City's indigent aid programs by eliminating redundancies and moving the authority for all programs under one renumbered Article; 2) create the Family General Relief program, to provide aid under limited circumstances to indigent households with minors who are ineligible for state aid; 3) authorize the Department of Human Services to create an intensive employment services program; 4) remove the authority to impose recoupments to collect overpayments resulting from agency error; 5) expand the types of identification that are acceptable as proof of identity; 6) repeal the requirement that applicants transfer to the City any interests in real property; 7) conform to changes in state law governing time limits applied to receipt of benefits under the CalWORKs program; 8) delete outdated provisions that no longer reflect current operation of the General Assistance program; and 9) reduce the time during which records must be retained from five to three years. (Human Services Agency)  
  
(Fiscal Impact; No Budget and Legislative Analyst Report)  
  
07/12/2016; CONTINUED.  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**  
  
*Present: Supervisors Farrell, Tang, Yee*
17. [160637](#) **[Fire Code - Increasing Fire Department Overtime Fee]**  
**Sponsor: Mayor**  
Ordinance amending the Fire Code to increase the Fire Department Overtime Fee from \$133 to \$134 per hour. (Fire Department)  
  
07/12/2016; CONTINUED.  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
18. [160640](#) **[Administrative Code - Fee for Credit and Debit Card Transactions]**  
**Sponsor: Mayor**  
Ordinance amending the Administrative Code to impose a fee for credit and debit card transactions processed by the City and County of San Francisco. (Treasurer-Tax Collector)  
  
07/12/2016; CONTINUED.  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*Present: Supervisors Farrell, Tang, Yee, Wiener*

**19. [160474](#) [Proposition J Contract Certification Specified Contracted-Out Services Previously Approved]**

**Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees for the following services: information booths, security, parking operations, and shuttle bus (Airport); citations processing, towing, paratransit, parking meter, security, and transit shelter (Municipal Transportation Agency); security and janitorial (Port); and security (Public Utilities Commission).

07/12/2016; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Farrell, Tang, Yee, Kim, Wiener*

**20. [160648](#) [Proposition J Contract Certification Specified Contracted-Out Services Previously Approved]**

**Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: budget analyst (Board of Supervisors); citywide custodial services (excluding City Hall), citywide security services, and central shops security, convention facilities management (General Services Agency-City Administrator); mainframe system support (General Services Agency-Technology); security services (Human Services Agency); food services for jail inmates (Sheriff); assembly of vote-by-mail envelopes (Department of Elections); security services-1680 Mission Street; and security services-30 Van Ness Avenue (General Services Agency-Public Works). (Controller)

07/12/2016; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

**21. [160646](#) [Authorized Representative in Sales and Use Tax Records Examination - MuniServices, LLC]**

**Sponsor: Mayor**

Resolution designating MuniServices, LLC ("Contractor") as the City and County of San Francisco's authorized representative in Sales and Use Tax Records Examination. (Controller)

07/12/2016; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

**22. [160647](#) [Access Line Tax Adjustment - Consumer Price Index of 2016]**

**Sponsor: Mayor**

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2016, and adjusting the Access Line Tax by the same rate. (Controller)

07/12/2016; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Farrell, Yee, Kim, Wiener*

**23. [160649](#) [Accept and Expend Grants - Recurring State Grant Funds - Department of Public Health- FY2016-2017]**

**Sponsor: Mayor**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2016-2017. (Public Health Department)

(Fiscal Impact; No Budget and Legislative Analyst Report)

07/12/2016; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

**24. [160650](#) [Accept and Expend Grant - The San Francisco Foundation - Hope SF - \$1,400,500]**

**Sponsor: Mayor**

Resolution retroactively authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$1,400,500 from The San Francisco Foundation to participate in a program entitled Hope SF for the period of September 1, 2015, through June 30, 2018, waiving indirect costs. (Public Health Department)

07/12/2016; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

**25. [160651](#) [Withdrawing from the Statewide Finger Imaging System in County Adult Assistance Programs]**

**Sponsor: Mayor**

Resolution authorizing the San Francisco Human Services Agency to withdraw from the Statewide Finger Imaging System for purposes of administering the County Adult Assistance Programs. (Human Services Agency)

07/12/2016; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Farrell, Tang, Yee, Kim, Wiener*

**26. [160652](#) [Real Property Purchase - 440 Turk Street - San Francisco Housing Authority - Not to Exceed \$5,000,000]**

**Sponsor: Mayor**

Resolution authorizing the execution and acceptance of a Purchase and Sale Agreement by and between the City and the Housing Authority of the City and County of San Francisco ("Seller"), for the real property located at 440 Turk Street (Assessor's Parcel Block No. 0336, Lot No. 005) for no greater than \$5,000,000; and finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

07/12/2016; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

27. [160653](#) **[Homelessness and Supportive Housing Fund - Approval of FYs 2016-2017 and 2017-2018 Expenditure Plans]**  
**Sponsor: Mayor**  
Resolution approving the FYs 2016-2017 and 2017-2018 Expenditure Plans for the Department of Homelessness and Supportive Housing Fund.  
  
(Fiscal Impact; No Budget and Legislative Analyst Report)  
  
07/12/2016; CONTINUED.  
  
**Question: Shall this Resolution be ADOPTED?**
28. [160654](#) **[Parking and Transit Violation Citation Overpayments Transfer to the General Fund - Up to \$4,000,000]**  
**Sponsor: Mayor**  
Resolution approving the recognition of \$4,000,000 for overpayments and duplicate payments received by the City for parking and transit violations issued between January 1, 1994, and June 30, 2012, and approving the transfer of up to \$4,500,000 to the General Fund. (Municipal Transportation Agency)  
  
07/12/2016; CONTINUED.  
  
**Question: Shall this Resolution be ADOPTED?**
29. [160606](#) **[Cost of Living Adjustment to the Contract for Budget and Legislative Analyst Services - \$2,174,806 - FY2016-2017]**  
Motion enacting a 2.25% cost of living adjustment (COLA) to the base FY2016-2017 contract amount of \$2,126,950 for Budget and Legislative Analyst Services, to be effectuated as of July 1, 2016, resulting in a new FY2016-2017 contract amount of \$2,174,806, an increase of \$47,856; and directing the Clerk of the Board to take all necessary administrative action to amend the contract accordingly. (Clerk of the Board)  
  
07/12/2016; CONTINUED.  
  
**Question: Shall this Motion be APPROVED?**

### **Recommendation of the Government Audit and Oversight Committee**

*Present: Supervisors Peskin, Breed*

30. [160383](#) **[Environment Code - Food Service and Packaging Waste Reduction]**  
**Sponsors: Breed; Peskin, Mar, Campos and Cohen**  
Ordinance amending the Environment Code to prohibit the sale of food service ware and other specified products including packing materials that are made from polystyrene foam or that are non-recyclable and non-compostable; setting operative dates; and affirming the Planning Department's determination under the California Environmental Quality Act.  
  
06/28/2016; PASSED, ON FIRST READING.  
  
07/12/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.  
  
07/12/2016; PASSED ON FIRST READING AS AMENDED.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

**Referred Without Recommendation from the Land Use and Transportation Committee**

*Present: Supervisors Cohen, Wiener, Peskin*

**31. 160687 [Planning Code - 100% Affordable Housing Bonus Program]**

**Sponsors: Mayor; Tang**

Ordinance amending the Planning Code to create the 100 Percent Affordable Housing Bonus Program, to provide for development bonuses and zoning modifications for 100 percent affordable housing projects; to establish the procedures in which the 100 Percent Affordable Housing Bonus Program projects shall be reviewed and approved; adding a fee for applications under the Program; amending the Planning Code to exempt 100 Percent Affordable Housing Bonus Program projects from the height limits specified in the Planning Code and the Zoning Maps; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

06/21/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

06/21/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

06/21/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

06/21/2016; CONTINUED AS AMENDED.

06/28/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

06/28/2016; CONTINUED AS AMENDED.

07/12/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/12/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/12/2016; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

**Referred Without Recommendation from the Rules Committee**

*Present: Supervisors Tang, Cohen, Avalos*

**32. 151273 [Charter Amendment - Filling Vacancies in Local Elective Office]**

**Sponsors: Avalos; Mar**

Charter Amendment (Fifth Draft) to amend the Charter of the City and County of San Francisco to require the Department of Elections to hold a special election when there is a vacancy in the Office of Member of the Board of Supervisors, unless a regularly scheduled election will be held within 180 days of the vacancy; provide that the Mayor shall appoint an interim Supervisor to fill a supervisorial vacancy until an election is held to fill that vacancy, with the interim Supervisor being ineligible to compete in that election; and require the Mayor to fill vacancies in all local elective offices within 28 days of the vacancy, at an election to be held on November 8, 2016.

07/12/2016; CONTINUED.

**Question: Shall this Charter Amendment be SUBMITTED?**

Present: Supervisors Tang, Mar, Cohen

**33. [160381](#) [Charter Amendment and Business and Tax Regulations Code - City Responsibility and Parcel Tax for Street Trees]**

**Sponsors: Wiener; Mar**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to transfer responsibility for the maintenance of street trees to the City and establish a special fund primarily to pay for such maintenance and the maintenance of trees on San Francisco Unified School District property; to amend the Business and Tax Regulations Code to add a special parcel tax primarily to fund the City's maintenance of street trees and the maintenance of trees on San Francisco Unified School District property; to increase the City's appropriations limit by the amount of the parcel tax for four years from November 8, 2016; and to affirm the Planning Department's determination under the California Environmental Quality Act.

07/12/2016; CONTINUED.

**Question: Shall this Charter Amendment be SUBMITTED?**

**Recommendation of the Rules Committee**

Present: Supervisors Tang, Mar, Cohen

**34. [160581](#) [Charter Amendment - Homeless Housing and Services Fund; Transportation Improvement Fund - Budget Set-Asides]**

**Sponsors: Mayor; Wiener and Farrell**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to: create a Homeless Housing and Services Fund and appropriate \$12.5 million to the Fund in fiscal year 2016-2017 and \$50 million annually to the Fund, adjusted for changes in discretionary City revenues, for the next 24 years, and create a Transportation Improvement Fund and appropriate \$25.4 million to the Fund in fiscal year 2016-2017 and \$101.6 million annually to the Fund, adjusted for changes in discretionary City revenues, for the next 24 years, and authorize the City to issue indebtedness secured by monies deposited in the Transportation Improvement Fund, at an election to be held on November 8, 2016.

07/12/2016; CONTINUED.

**Question: Shall this Charter Amendment be SUBMITTED?**

**Referred Without Recommendation from the Rules Committee**

*Present: Supervisors Tang, Mar, Cohen*

35. [160582](#) **[Charter Amendment - City Responsibility for Maintaining Street Trees]**  
**Sponsors: Avalos; Mar**  
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to transfer responsibility for the maintenance of street trees from abutting property owners to the City; and affirming the Planning Department’s determination under the California Environmental Quality Act, at an election to be held on November 8, 2016.

07/12/2016; CONTINUED.

**Question: Shall this Charter Amendment be SUBMITTED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Tang, Mar, Cohen*

36. [160585](#) **[Charter Amendment - Dignity Fund]**  
**Sponsors: Cohen; Mar, Yee, Avalos, Campos, Breed and Kim**  
Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to: 1) establish the Dignity Fund to support Seniors and Adults with Disabilities; 2) require an annual contribution by the City to the Fund including an annual baseline amount of \$38 million, increasing by \$6 million for fiscal year 2017-2018, and increasing by \$3 million a year for the next 9 years until fiscal year 2026-2027, and continuing at that amount, adjusted annually for changes in aggregate discretionary City revenues, for the next 10 years until fiscal year 2036-2037; 3) establish a planning process for expenditures from the Fund; 4) create an Oversight and Advisory Committee; 5) set an expiration date of June 30, 2037; and, 6) change the “Commission on Aging” to the “Aging and Adult Services Commission” and update its responsibilities, at an election to be held on November 8, 2016.

(Supervisor Tang dissented in committee.)

07/12/2016; NOT AMENDED.

07/12/2016; NOT AMENDED.

07/12/2016; NOT AMENDED.

07/12/2016; CONTINUED.

**Question: Shall this Charter Amendment be SUBMITTED?**



37. [160586](#) **[Charter Amendment - Department of Police Accountability]**  
**Sponsor: Cohen**  
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to: re-name the Office of Citizen Complaints (OCC) as the Department of Police Accountability (DPA); give DPA direct authority over its proposed budget; and require DPA to conduct a performance audit every two years of how the Police Department has handled claims of officer misconduct and use of force, at an election to be held on November 8, 2016.

07/12/2016; CONTINUED.

**Question: Shall this Charter Amendment be SUBMITTED?**

38. [160589](#) **[Charter Amendment - Municipal Transportation Agency - Appointments to Board of Directors and Budget Process]**  
**Sponsors: Yee; Kim, Peskin and Campos**  
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to split the power to make appointments to the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors between the Mayor and the Board of Supervisors, to lower the vote by which the Board of Supervisors may reject the SFMTA Budget from seven to six, and to make related changes implementing these amendments, at an election to be held on November 8, 2016.

(Supervisor Tang dissented in committee.)

07/12/2016; CONTINUED.

**Question: Shall this Charter Amendment be SUBMITTED?**

## NEW BUSINESS

### Recommendations of the Budget and Finance Sub-Committee

*Present: Supervisors Farrell, Tang, Yee*

39. [160639](#) **[Initiative Ordinance - Business and Tax Regulations Code - Three-Quarter Cent Sales Tax Increase]**  
**Sponsors: Mayor; Farrell and Wiener**  
Ordinance amending the Business and Tax Regulations Code to impose a transactions (sales) and use tax at the rate of three-quarters of one percent (0.75%) for a period of 25 years, to be administered by the State Board of Equalization in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code; and increasing the City's appropriations limit by the amount of the tax increase for four years from November 8, 2016; and directing submission of the tax for voter approval at the November 8, 2016, general municipal election.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

40. [160593](#) **[Prevailing Wage Requirements - Parking Meter Coin Collections and Counting]**  
**Sponsor: Wiener**  
Ordinance authorizing the Municipal Transportation Agency to include, in any contract for parking meter coin collections, counting, and support services it executes after issuing a competitive solicitation, provisions that require the contractor and subcontractors to pay prevailing wages to meter collector, coin room operator, crew lead, and foreperson positions, and to provide transitional employment and retention to the prior contractor's employees performing such services, subject to compliance with all applicable state laws and regulations; and making findings as to the applicable prevailing wage rates for the positions covered by this ordinance.  
  
(Fiscal Impact)  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
41. [160408](#) **[Intergovernmental Agreement - San Mateo County - Reimburse Dispatched Calls - Not to Exceed \$1,000,000 - Share Transient Occupancy Tax]**  
Resolution approving an Intergovernmental Agreement between San Mateo County and the City and County of San Francisco, by and through its Airport Commission, to reimburse San Mateo County for the cost of dispatched calls to the Airport in an amount not to exceed \$1,000,000 for the period retroactive to July 1, 2015, through June 30, 2020; and to share the Transient Occupancy Tax relating to the Airport's Hotel. (Airport Commission)  
  
(Fiscal Impact)  
  
**Question: Shall this Resolution be ADOPTED?**
42. [160410](#) **[Agreement Amendment - San Francisco AIDS Foundation - Housing and Urban Health Program Services - Not to Exceed \$39,809,206]**  
Resolution approving a first amendment to the agreement between the Department of Public Health and the San Francisco AIDS Foundation to provide Housing and Urban Health Program Services, to extend the contract by five years, from July 1, 2011, through June 30, 2016, to July 1, 2011, through June 30, 2021, with a corresponding increase of \$20,123,296 from \$19,685,910; for a total amount not to exceed \$39,809,206. (Public Health Department)  
  
(Fiscal Impact)  
  
**Question: Shall this Resolution be ADOPTED?**
43. [160445](#) **[Lease Agreement - Andale Management Group, Inc. - Pre- and Post-Security Concessions - \$560,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0012 between Andale Management Group, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years and three one-year options to extend, and a post-security concession with a term of ten years and two one-year options to extend, each term to commence upon Board approval, and an initial minimum annual guarantee of \$560,000. (Airport Commission)  
  
**Question: Shall this Resolution be ADOPTED?**

44. [160446](#) **[Lease Agreement - High Flying Foods SFO, LLC - Post-Security Concession - \$294,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0013 between High Flying Foods SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession for a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of \$294,000. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
45. [160447](#) **[Lease Agreement - Tastes On The Fly, San Francisco, LLC - Pre- and Post-Security Concessions - \$910,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0014 between Tastes On The Fly, San Francisco, LLC and the City and County of San Francisco, acting by and through its Airport Commission, for one pre-security concession for a term of seven years with three one-year options to extend, and two post-security concessions for a term of ten years with two one-year options to extend, each term to commence following Board approval, and an initial Minimum Annual Guarantee of \$910,000. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
46. [160448](#) **[Lease Agreement - Mum Fresh SF, Inc. - Post-Security Concession - \$165,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0015 between Mum Fresh SF, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of \$165,000. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
47. [160449](#) **[Lease Agreement - Tomokazu Japanese Cuisine (SFO), Inc. - Post-Security Concession - \$165,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0016 between Tomokazu Japanese Cuisine (SFO), Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of \$165,000. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
48. [160450](#) **[Lease Agreement - SSP America, Inc. - Post-Security Concession - \$225,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0017 between SSP America, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of \$225,000. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**

49. [160451](#) **[Lease Agreement - Joe & The Juice SFO, LLC - Post-Security Concession - \$150,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0018 between Joe & The Juice SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of \$150,000. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
50. [160452](#) **[Lease Agreement - Stix Holdings, LLC - Pre-Security Concession - \$155,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0019 between Stix Holdings, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years to commence following Board approval, with three one-year options to extend, and an initial minimum annual guarantee of \$155,000. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
51. [160453](#) **[Lease Agreement - Midfield Concession Enterprises, Inc. - Pre-Security Concession - \$125,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0020 between Midfield Concession Enterprises, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years to commence following Board approval, with three one-year options to extend, and an initial minimum annual guarantee of \$125,000. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
52. [160454](#) **[Lease Agreement - Bayport Concessions, LLC - Pre-Security Concession - \$155,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0021 between Bayport Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years to commence following Board approval, with three one-year options to extend, and an initial minimum annual guarantee of \$155,000. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
53. [160455](#) **[Lease Agreement - Adam Light - Pre-Security Concessions - \$190,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0022 between Adam Light and the City and County of San Francisco, acting by and through its Airport Commission, for two pre-security concessions with a term of seven years to commence upon Board approval, with three one-year options to extend, and an initial minimum annual guarantee of \$190,000. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**

54. [160456](#) **[Lease Agreement - Host International, Inc. - Pre-Security Concessions - \$120,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0023 between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for two pre-security concessions with a term of seven years to commence with Board approval, with three one-year options to extend, and an initial minimum annual guarantee of \$120,000. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
55. [160457](#) **[Lease Agreement - SSP America, Inc. - Pre-Security Concession - \$196,000 Minimum Annual Guarantee]**  
Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0024 between SSP America, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years to commence with Board approval, with three one-year options to extend, and an initial minimum annual guarantee of \$196,000. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
56. [160503](#) **[Contract Amendment - Helios Healthcare, LLC - Not to Exceed \$14,635,152]**  
Resolution approving a third amendment to the Department of Public Health contract with Helios Healthcare, LLC, for long-term mental health services in a 24-hour locked facility, to extend the contract by two years from July 1, 2011, through June 30, 2016, to July 1, 2011, through June 30, 2018, with a corresponding increase of \$4,688,841 for a total amount not to exceed \$14,635,152. (Public Health Department)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
57. [160539](#) **[Master License Agreement - New Cingular Wireless PCS, LLC, dba AT&T - Outdoor Distributed Antenna System Pole Installation]**  
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Master License Agreement for Outdoor Distributed Antenna System Pole Installation between the City and County of San Francisco and New Cingular Wireless PCS, LLC, dba AT&T, for a term of 12 years to commence following Board approval. (Public Utilities Commission)
- Question: Shall this Resolution be ADOPTED?**

58. [160540](#) **[Real Property Acquisition - Easement from 2525 Marin LP - Kansas and Marin Streets Sewer System Improvement Project - \$13,500]**

Resolution approving and authorizing the acquisition of one permanent access easement from 2525 Marin LP, a Delaware limited partnership, for \$13,500 to be used by the City and County of San Francisco for the right to improve, inspect, maintain, repair, operate, and have access over, in, and upon a portion of the property located at 2525 Marin Street for the Kansas and Marin Streets Sewer System Improvement Project, Project No. CWWSIPCSSR03; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and approving the Agreement and authorizing the Director of Property and/or the San Francisco Public Utilities Commission General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Public Utilities Commission)

**Question: Shall this Resolution be ADOPTED?**

**Referred Without Recommendation from the Budget and Finance Sub-Committee**

*Present: Supervisors Farrell, Tang, Yee*

59. [150582](#) **[Initiative Ordinance - Business and Tax Regulations Code - Additional Utility Users Tax on Gas and Non-Renewable Electricity]**

**Sponsor: Avalos**

Motion ordering submitted to the voters an ordinance amending the Business and Tax Regulations Code to impose an additional utility users tax on persons using electrical energy in the City equal to 2.5% of the charges incurred, subject to certain exemptions including an exemption for persons using electrical energy from certain renewable energy resources, and an additional utility users tax on persons using gas in the City equal to 2.5% of the charges incurred, subject to certain exemptions; and increasing the City's appropriations limit by the amount of the additional tax for four years from November 8, 2016, at an election to be held on November 8, 2016.

**Question: Shall this Motion be APPROVED?**

**Recommendation of the Government Audit and Oversight Committee**

*Present: Supervisors Yee, Wiener*

60. [160362](#) **[Administrative Code - Collection of Sexual Orientation and Gender Identity Data]**

**Sponsors: Wiener and Yee**

Ordinance amending the Administrative Code to require City departments and contractors that provide health care and social services to seek to collect and analyze data concerning the sexual orientation and gender identity of the clients they serve.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Referred Without Recommendation from the Land Use and Transportation Committee**

*Present: Supervisors Cohen, Wiener, Peskin*

**61. [160252](#) [Planning, Administrative Codes - Construction of Accessory Dwelling Units]  
Sponsor: Peskin**

Ordinance amending the Planning Code to allow the construction of Accessory Dwelling Units (ADUs, also known as Secondary or In-Law Units) on all lots in the City in areas that allow residential use; amending the Administrative Code to revise the definition of "rental unit" as it applies to ADUs; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting findings under Planning Code, Section 302; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development after adoption.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Recommendations of the Land Use and Transportation Committee**

*Present: Supervisors Cohen, Wiener, Peskin*

**62. [160599](#) [Interim Zoning Controls - Hotel Conversion Ordinance]  
Sponsors: Peskin; Kim and Cohen**

Resolution imposing interim zoning controls for an 18-month period for all Residential Hotels, requiring Conditional Use authorization for any application for a permit to convert Residential Hotel Units under Administrative Code, Chapter 41; and making environmental findings and findings of consistency with the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

**Question: Shall this Resolution be ADOPTED?**

**63. [160655](#) [Apply for Grants - California Department of Resources Recycling and Recovery Funds]  
Sponsor: Mayor**

Resolution authorizing the Department of the Environment to submit applications for all grants offered by the California Department of Resources Recycling and Recovery. (Environment)

**Question: Shall this Resolution be ADOPTED?**

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

## SPECIAL ORDER 3:00 P.M.

*(Hearing scheduled pursuant to Resolution No. 226-16 (File No. 160387) adopted on June 7, 2016.)*

## Board of Supervisors Sitting as a Committee of the Whole

64. [160701](#) **[Hearing - Administrative Code - Establishing Downtown Neighborhoods Preservation Fund; Street Vacation and Sale of Property at Jessie Street and Elim Alley - Oceanwide Center, LLC - Oceanwide Center Project - Approximately \$36,000,000]**

Hearing of persons interested in or objecting to the proposed Ordinance (File No. 160382) amending the Administrative Code to establish the Downtown Neighborhoods Preservation Fund; vacating a portion of Jessie Street and a portion of Elim Alley northwest of Mission and First Streets in connection with the Oceanwide Center Project at 50 First Street; approving and authorizing the sale and quitclaim of City's interest in the approximately 5,000 square foot vacation area for \$22,619,000 plus an additional payment to the aforementioned Fund of approximately \$13,000,000 for a total of approximately \$36,000,000; authorizing the City's Director of Property to execute an agreement for the sale of real estate for the vacated area by and between the City and Oceanwide Center, LLC; waiving approximately \$27,000,000 of affordable housing fees under Planning Code, Sections 413 et seq. and 415 et seq., and requiring Oceanwide Center, LLC, as part of the agreement for the sale of real estate, to pay the equivalent fee amount to the aforementioned Fund; approving a vehicular and pedestrian easement and an overland water flow easement over a portion of Assessor's Parcel Block No. 3708, Lot No. 012, where Jessie Street will be rerouted; approving an emergency vehicle access easement and commercial vehicle access easement; accepting the Public Works Order concerning the street vacations; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the street vacation and all other actions contemplated in this ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; making findings of public necessity, convenience, and general welfare under Planning Code, Section 302; and authorizing actions in furtherance of this Ordinance, as defined herein; scheduled pursuant to Resolution No. 226-16, enacted June 13, 2016. (Clerk of the Board)

**Question: Shall this Hearing be HEARD AND FILED?**



## Committee of the Whole Adjourn and Report

### Referred Without Recommendation from the Land Use and Transportation

*Present: Supervisors Cohen, Wiener*

65. [160382](#) **[Administrative Code - Establishing Downtown Neighborhoods Preservation Fund; Street Vacation and Sale of Property at Jessie Street and Elim Alley - Oceanwide Center, LLC - Oceanwide Center Project - Approximately \$36,000,000]**

**Sponsors: Mayor; Kim**

Ordinance amending the Administrative Code to establish the Downtown Neighborhoods Preservation Fund; vacating a portion of Jessie Street and a portion of Elim Alley northwest of Mission and First Streets in connection with the Oceanwide Center Project at 50 First Street; approving and authorizing the sale and quitclaim of City's interest in the approximately 5,000 square foot vacation area for \$22,619,000 plus an additional payment to the aforementioned Fund of approximately \$13,000,000 for a total of approximately \$36,000,000; authorizing the City's Director of Property to execute an agreement for the sale of real estate for the vacated area by and between the City and Oceanwide Center, LLC; waiving approximately \$27,000,000 of affordable housing fees under Planning Code, Sections 413 et seq. and 415 et seq., and requiring Oceanwide Center, LLC, as part of the agreement for the sale of real estate, to pay the equivalent fee amount to the aforementioned Fund; approving a vehicular and pedestrian easement and an overland water flow easement over a portion of Assessor's Parcel Block No. 3708, Lot No. 012, where Jessie Street will be rerouted; approving an emergency vehicle access easement and commercial vehicle access easement; accepting the Public Works Order concerning the street vacations; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the street vacation and all other actions contemplated in this ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; making findings of public necessity, convenience, and general welfare under Planning Code, Section 302; and authorizing actions in furtherance of this Ordinance, as defined herein.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**SPECIAL ORDER 3:00 P.M.***APPEAL PROCEDURES*

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

**66. [160676](#) [Public Hearing - Appeal of Categorical Exemption from Environmental Review - 3516-3526 Folsom Street]**

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on March 26, 2014, for a proposed project to allow the construction of two 3,000-square-foot single-family residences on two vacant lots at 3516-3526 Folsom Street. (District 9) (Appellant: Ryan J. Patterson, on behalf of the Bernal Heights South Slope Organization, Bernal Safe & Liveable, Neighbors Against the Upper Folsom Street Extension, Marcus Ryu, and Ann Lockett) (Filed June 3, 2016). (Clerk of the Board)

**Question: Shall this Hearing be HEARD AND FILED?**

*Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.*

**(Only one of the following two Motions should be approved.)****67. [160677](#) [Affirming the Categorical Exemption Determination - 3516-3526 Folsom Street]**

Motion affirming the determination by the Planning Department that a proposed project at 3516-3526 Folsom Street is categorically exempt from environmental review. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

68. [160678](#) **[Reversing the Categorical Exemption Determination - 3516-3526 Folsom Street]**  
Motion reversing the determination by the Planning Department that a proposed project at 3516-3526 Folsom Street is categorically exempt from environmental review. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

69. [160679](#) **[Preparation of Findings to Reverse the Categorical Exemption Determination - 3516-3526 Folsom Street]**  
Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 3516-3526 Folsom Street is categorically exempt from environmental review. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

**SPECIAL ORDER 3:00 P.M.****Board of Supervisors Sitting as a Committee of the Whole**

70. [160803](#) **[Hearing - Initiative Ordinance (File No. 160604) - Business and Tax Regulations Code - Increase Real Property Transfer Tax on Properties of At Least \$5,000,000]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on July 19, 2016, at 3:00 p.m., to consider the Motion (File No. 160604) ordering submitted to the voters, at an election to be on held November 8, 2016, an Ordinance amending the Business and Tax Regulations Code to increase the Real Property Transfer Tax rate from 2% to 2.25% on properties with a consideration or value of at least \$5,000,000 and less than \$10,000,000; from 2.5% to 2.75% on properties with a consideration or value of at least \$10,000,000 and less than \$25,000,000; and from 2.5% to 3% on properties with a consideration or value of at least \$25,000,000, and to clarify the application of the Real Property Transfer Tax to transfers of ownership interests in legal entities; and increasing the City's appropriations limit by the amount of the tax increase for four years from November 8, 2016. (Clerk of the Board)

**Question: Shall this Hearing be HEARD AND FILED?**

**Committee of the Whole Adjourn and Report**

71. [160604](#) **[Initiative Ordinance - Business and Tax Regulations Code - Increase Real Property Transfer Tax on Properties of At Least \$5,000,000]**

**Sponsors: Kim; Campos, Peskin, Mar, Avalos and Yee**

Motion ordering submitted to the voters, at an election to be on held November 8, 2016, an ordinance amending the Business and Tax Regulations Code to increase the Real Property Transfer Tax rate from 2% to 2.25% on properties with a consideration or value of at least \$5,000,000 and less than \$10,000,000; from 2.5% to 2.75% on properties with a consideration or value of at least \$10,000,000 and less than \$25,000,000; and from 2.5% to 3% on properties with a consideration or value of at least \$25,000,000, and to clarify the application of the Real Property Transfer Tax to transfers of ownership interests in legal entities; and increasing the City's appropriations limit by the amount of the tax increase for four years from November 8, 2016.

07/12/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/12/2016; CONTINUED AS AMENDED.

**Question: Shall this Motion be APPROVED?**

## COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

*The following items will be considered by the Budget and Finance Sub-Committee at a Special Meeting on Monday, July 18, 2016, at 10:30 a.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, July 19, 2016.*

72. [160557](#) **[General Obligation Bond Election - Amending Earthquake Loan Bond Program to Finance Permanent Affordable Housing - \$350,000,000]**  
**Sponsor: Peskin**  
Resolution determining and declaring that the public interest and necessity demand the acquisition, improvement and rehabilitation and conversion of “at-risk” multi-unit residential buildings to permanent affordable housing and performing needed seismic, fire, health, and safety upgrades, and other major rehabilitation for habitability, to be financed through bonded indebtedness in an amount not to exceed \$350,000,000; providing for the levy and collection of taxes to pay both principal and interest on such bonds; setting certain procedures and requirements for the election; adopting findings under the California Environmental Quality Act; and finding that the proposed bond is in conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
  
(Fiscal Impact)  
  
**Question: Shall this Resolution be ADOPTED?**
73. [160552](#) **[General Obligation Bond Election - Amending Earthquake Loan Bond Program to Finance Permanent Affordable Housing]**  
**Sponsor: Peskin**  
Ordinance calling and providing for a special election to be held in the City and County of San Francisco on November 8, 2016, for the purpose of submitting to San Francisco voters a proposition to amend Proposition A (approved November 1992) to authorize the City to incur general obligation bonded indebtedness (Bonds) for the purpose of making amendments to the Affordable Housing Loan Program (as defined herein) and the Market Rate Loan Program (as defined) for the additional purposes of providing loans to finance the costs to acquire, improve, and rehabilitate and to convert at-risk multi-unit residential buildings to permanent affordable housing, performing needed seismic, fire, health, and safety upgrades and other major rehabilitation for habitability, and related costs necessary or convenient for the foregoing purposes; providing for the levy and collection of taxes to pay both principal and interest on such Bonds; incorporating the provisions of the Administrative Code relating to the Citizens’ General Obligation Bond Oversight Committee’s review of the Bonds; setting certain procedures and requirements for the election; adopting findings under the California Environmental Quality Act; and finding that the proposed Bonds are in conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b).  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**

74. [160670](#) **[Initiative Ordinance - Business and Tax Regulations Code - Half-Cent Sales Tax Increase for Transportation]**

**Sponsors: Wiener; Avalos**

Ordinance amending the Business and Tax Regulations Code to impose a transactions (sales) and use tax at the rate of one-half of one percent (0.5%) for 25 years, to be imposed by the San Francisco County Transportation Authority and administered by the State Board of Equalization; adopt the San Francisco Transportation Expenditure Plan; designate the Transportation Authority as the independent agency to oversee implementation of the San Francisco Transportation Expenditure Plan; authorize the issuance of bonds or other obligations to finance the projects identified in the Expenditure Plan; and establish an appropriations limit; and directing submission of the tax for voter approval at the November 8, 2016 general municipal election.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, July 18, 2016, at 1:30 p.m. The Chair intends to request the Committee to send the following item to the Board as a Committee Report on Tuesday, July 19, 2016.*

75. [160657](#) **[Planning, Administrative Code - Construction of Accessory Dwelling Units]**

**Sponsors: Farrell; Wiener**

Ordinance amending the Planning Code to allow the construction of Accessory Dwelling Units (ADUs, also known as Secondary or In-Law Units) on all lots in the City in areas that allow residential use; amending the Administrative Code to revise the definition of "rental unit" as it applies to ADUs; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302; and directing the Clerk to send a copy of this ordinance to the California Department of Housing and Community Development after adoption.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*The following item will be considered by the Public Safety and Neighborhood Services Committee at a Regular Meeting on Thursday, July 14, 2016, at 2:30 p.m. The Chair intends to request the Committee to send the following item to the Board as a Committee Report on Tuesday, July 19, 2016.*

76. [160592](#) **[Administrative Code - Lactation in the Workplace Policy]**

**Sponsors: Tang; Cohen, Kim, Wiener, Yee, Mar, Farrell, Peskin, Breed, Campos and Avalos**

Ordinance amending the Administrative Code to require the Department of Human Resources to develop a Lactation in the Workplace Policy for all City departments.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

The following items will be considered by the Rules Committee at a Special Meeting on Thursday, July 14, 2016, at 11:00 a.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, July 19, 2016.

(Pursuant to the provisions of Board of Supervisors Rule 2.22.7, at least six days must intervene between the first appearance of a proposed Charter Amendment, before the Board as a referral from Committee, and any Board order of submission to the electorate. In accordance therewith, consideration of the following proposed Charter Amendments appropriately may be continued at least one week.)

77. [160587](#) **[Charter Amendment - Non-Citizen Voting in School Board Elections]**  
**Sponsors: Mar; Campos, Avalos, Cohen, Wiener and Kim**  
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize San Francisco residents who are not United States citizens but who are the parents, legal guardians, or caregivers of a child residing in San Francisco to vote in elections for the Board of Education, at an election to be held on November 8, 2016.
- Question: Shall this Charter Amendment be CONTINUED?**
78. [160583](#) **[Charter Amendment - Public Advocate]**  
**Sponsors: Campos; Avalos, Kim and Mar**  
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to: 1) create the Office of the Public Advocate; 2) set the Public Advocate's powers and duties; 3) authorize the Public Advocate to review the administration of City programs, including programs for transmitting information to the public, and to receive, investigate, and attempt to resolve complaints regarding City services and programs; 4) authorize the Public Advocate to receive and investigate specified whistleblower complaints; 5) provide for the Public Advocate's election, removal, and salary; and, 6) set City policy regarding sufficient funding and minimum staffing for the Office of the Public Advocate; and setting an operative date, at an election to be held on November 8, 2016.
- Question: Shall this Charter Amendment be CONTINUED?**
79. [160781](#) **[Charter Amendment - Public Advocate]**  
**Sponsors: Campos; Avalos, Kim and Mar**  
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to: 1) create the Office of the Public Advocate; 2) set the Public Advocate's powers and duties; 3) authorize the Public Advocate to review the administration of City programs, including programs for transmitting information to the public, and to receive, investigate, and attempt to resolve complaints regarding City services and programs; 4) authorize the Public Advocate to receive and investigate specified whistleblower complaints; 5) provide for the Public Advocate's election, removal, and salary; and, 6) set City policy regarding sufficient funding and minimum staffing for the Office of the Public Advocate; and setting an operative date, at an election to be held on November 8, 2016.
- Question: Shall this Charter Amendment be CONTINUED?**

80. [160669](#) **[Campaign and Governmental Conduct Code - Prohibiting Candidate-Controlled General Purpose Committees]**  
**Sponsor: Peskin**  
Ordinance amending the Campaign and Governmental Conduct Code to prohibit City elected officials from establishing candidate-controlled general purpose committees.  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**

81. [160699](#) **[Initiative Ordinance - Campaign and Governmental Conduct Code - Prohibiting Candidate-Controlled General Purpose Committees]**  
**Sponsor: Peskin**  
Motion ordering submitted to the voters an Ordinance amending the Campaign and Government Conduct Code to prohibit City elected officials from establishing candidate-controlled general purpose committees, at an election to be held on November 8, 2016.  
**Question: Shall this Motion be APPROVED?**

*The following items will be considered by the Rules Committee at a Special Meeting on Monday, July 18, 2016, at 12:30 p.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, July 19, 2016.*

*(Pursuant to the provisions of Board of Supervisors Rule 2.22.7, at least six days must intervene between the first appearance of a proposed Charter Amendment, before the Board as a referral from Committee, and any Board order of submission to the electorate. In accordance therewith, consideration of the following proposed Charter Amendments appropriately may be continued at least one week.)*

82. [160588](#) **[Charter Amendment - Housing and Development Commission]**  
**Sponsors: Peskin; Kim**  
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco, to create the Housing and Development Commission to oversee the Department of Economic and Workforce Development and the Department of Housing and Community Development; to require the Commission to review and make recommendations regarding proposed development agreements and conveyance of certain surplus City property before the Board of Supervisors considers such proposals; to require the Commission to hold hearings and make recommendations regarding proposals to adopt or change inclusionary housing requirements for housing developments; to require the Commission to adopt rules creating competitive selection processes for the Department of Housing and Community Development's expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of the Department of Housing and Community Development; and to provide that ordinances regarding inclusionary housing requirements and rules regarding competitive selection for affordable housing adopted under the processes set forth in the Charter may supersede ordinances and rules adopted by the Board of Supervisors or the voters prior to March 1, 2017, at an election to be held on November 8, 2016.  
**Question: Shall this Charter Amendment be CONTINUED?**



**83. [160813](#) [Charter Amendment - Housing and Development Commission]****Sponsors: Peskin; Kim**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco, to create the Housing and Development Commission to oversee the Department of Economic and Workforce Development and the Department of Housing and Community Development; to require the Commission to review and make recommendations regarding proposed development agreements and conveyance of certain surplus City property before the Board of Supervisors considers such proposals; to require the Commission to hold hearings and make recommendations regarding proposals to adopt or change inclusionary housing requirements for housing developments; to require the Commission to adopt rules creating competitive selection processes for the Department of Housing and Community Development's expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of the Department of Housing and Community Development; and to provide that ordinances regarding inclusionary housing requirements and rules regarding competitive selection for affordable housing adopted under the processes set forth in the Charter may supersede ordinances and rules adopted by the Board of Supervisors or the voters prior to March 1, 2017, at an election to be held on November 8, 2016.

**Question: Shall this Charter Amendment be CONTINUED?**

**84. ROLL CALL FOR INTRODUCTIONS**

*Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.*

**85. PUBLIC COMMENT**

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.*

*Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

## CLOSED SESSION

*(Pending approval of Item No. 91 (File No. 160804).)*

## CONFERENCE WITH CITY ATTORNEY - Existing Litigation

- 86. [160809](#) **[Closed Session - Existing Litigation - David Zeller - July 19, 2016]**  
 Closed Session for the Board of Supervisors to convene on July 19, 2016, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding existing litigation relating to the lawsuit filed on March 14, 2013, in San Francisco Superior Court, Case No. CGC-13-529554; entitled David Zeller v. City of San Francisco, et al.; in which the City is a defendant. (Clerk of the Board)

**Closed Session: The Board of Supervisors shall confer with the City Attorney.**

*[Elect To Disclose]*

*Motion that the Board finds it is in the best interest of the public that the Board elect at this time to disclose its closed session deliberations.*

*[Elect Not to Disclose]*

*Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.*

## **From the Government Audit and Oversight Committee with a Recommendation of "Do Not Pass"**

*Present: Supervisors Peskin, Breed*

- 87. [160187](#) **[Settlement of Lawsuit - David Zeller - \$900,000]**  
 Ordinance authorizing settlement of the lawsuit filed by David Zeller against the City and County of San Francisco for \$900,000; the lawsuit was filed on March 14, 2013, in San Francisco Superior Court, Case No. CGC-13-529554; entitled David Zeller v. San Francisco General Hospital, et al.; the lawsuit involves alleged medical malpractice. (City Attorney)

06/28/2016; CONTINUED.

07/12/2016; CONTINUED.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.*

*Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.*

### Items 88 through 91

**88. [160759](#) [Urging the California Public Utilities Commission to Adopt Regulations Requiring Fingerprint-Based Criminal Background Checks of Transportation Network Company Drivers]**

**Sponsor: Peskin**

Resolution urging the California Public Utilities Commission to adopt new regulations of Transportation Network Companies that would require the same criminal background checks required of traditional taxi cab companies, recognizing the importance of a level regulatory playing field between Transportation Network Companies and traditional taxi cab companies, and supporting the California Public Utilities Commission's solicitation for comment regarding the current method of criminal background checks for Transportation Network Companies.

06/28/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

07/12/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/12/2016; CONTINUED AS AMENDED.

**Question: Shall this Resolution be ADOPTED?**

**89. [160787](#) [Final Map 8113 - 18-28 Clyde Street]**

Motion approving Final Map 8113, a six unit residential Condominium Project, located at 18-28 Clyde Street, being a subdivision of Assessor's Parcel Block No. 3787, Lot No. 017, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

07/11/2016; RECEIVED FROM DEPARTMENT.

07/13/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

90. [160801](#) **[Zoning - Report on Interim Prohibition on Commercial Mergers in the Proposed Calle 24 Special Use District]**

**Sponsors: Mayor; Campos**

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

07/12/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

91. [160804](#) **[Closed Session - Existing Litigation - David Zeller]**

Motion that the Board of Supervisors convene in closed session on July 19, 2016, for the purpose of conferring with, or receiving advice from the City Attorney regarding existing litigation relating to the lawsuit filed on March 14, 2013, in San Francisco Superior Court, Case No. CGC-13-529554; entitled David Zeller v. City of San Francisco, et al.; in which the City is a defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), which permits this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the existing litigation. (Clerk of the Board)

07/12/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

92. **IMPERATIVE AGENDA**

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

## 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.*

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](http://www.sfbos.org/legislation_introduced).

### Introduced at the Request of a Department

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

## PROPOSED ORDINANCES

### **160784 [Settlement of Lawsuit - Allied Insurance Company - \$60,000]**

Ordinance authorizing settlement of the lawsuit filed by Allied Insurance Company against the City and County of San Francisco for \$60,000; the lawsuit was filed on January 22, 2015, in San Francisco Superior Court, Case No. CGC-15-543789; entitled Allied Insurance Company v. The City and County of San Francisco, et al.; the lawsuit involves alleged property damage arising from flooding. (City Attorney)

07/07/2016; RECEIVED FROM DEPARTMENT.

07/19/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

### **160785 [Settlement of Lawsuit - Raymond Kruse and Ashley Kruse - \$325,000]**

Ordinance authorizing settlement of the lawsuit filed by Raymond Kruse and Ashley Kruse against the City and County of San Francisco for \$325,000; the lawsuit was filed on September 17, 2014, in San Francisco Superior Court, Case No. CGC-14-541704; entitled Raymond Kruse, et al. v. Precision Engineering, Inc., et al.; the lawsuit involves alleged property damage arising from flooding. (City Attorney)

07/07/2016; RECEIVED FROM DEPARTMENT.

07/19/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

## PROPOSED RESOLUTION

**160786 [Master License Agreement - New Cingular Wireless, LLC - Wireless Telecommunication Equipment on Transit Support Poles - Revenue to Exceed \$1,000,000]**

Resolution retroactively approving an executed Master License Agreement between the City and County of San Francisco and New Cingular Wireless, LLC, for the installation of wireless telecommunication antennae and equipment on San Francisco Municipal Transportation Agency poles, each for an amount to exceed \$1,000,000 and a term of nine years estimated from December 30, 2015, through December 29, 2024; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

07/11/2016; RECEIVED FROM DEPARTMENT.

07/19/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

**160810 [Petitions and Communications]**

Petitions and Communications received from July 1, 2016, through July 11, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on July 19, 2016.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From Capital Planning Committee, submitting action items to be considered by the Board of Supervisors. Copy: Each Supervisor. (1)

From Controller, submitting Annual General Obligation Bond Program Report FY 2015-2016. (2)

From Controller, submitting a memo regarding audit of Public Works 2010 Earthquake Safety and Emergency Response General Obligation Bond Program. (3)

From Controller, submitting Quarterly Review of the Schedule of Cash, Investments, and Accrued Interest Receivable as of March 31, 2016. (4)

From San Francisco Police Department, per Admin Code 10.170-1(F), submitting memos for 2014 Forensic DNA and 2015 DNA Backlog Grant Budget Revisions. 2 memos. Copy: Each Supervisor. (5)

From Controller, regarding Airport Commission's compliance audit: Swiss International Air Lines Ltd. Landing Fees for 2013 and 2014. Copy: Each Supervisor. (6)

From Controller, submitting ninth amendment of the Software Maintenance Agreement with Cogsdale Corporation. File No. 160315. Copy: Each Supervisor. (7)

From San Francisco Civil Grand Jury, submitting a report entitled, 'Into the Open: Opportunities for more timely and transparent investigations of fatal SFPD Officer involved shootings.' Copy: Each Supervisor. (8)

From Juvenile Probation Department, pursuant to Admin Code Chapter 12I, submitting 2016 Annual Report on Civil Immigration Detainers. Copy: Each Supervisor. (9)

From Mayor Lee, pursuant to Charter Section 3.100, designating Supervisor Katy Tang as Acting-Mayor from July 7, at 9:05 a.m. to July 10, 2016 at 9:16 p.m. Copy: Each Supervisor. (10)

From Mayor Lee, regarding the following Charter Section 4.105, nomination to the Planning Commission: Copy: Each Supervisor. (11)  
Richard Hillis, term ending June 30, 2020

From Department of Public Health, pursuant to Admin Code 10.170-1(F), regarding Grant Budget Revision in excess of 15%. Copy: Each Supervisor. (12)

From San Francisco Public Library, pursuant to Admin Code 10.100-305, submitting FY2015-2016 Annual Report on Gifts Received. Copy: Each Supervisor. (13)

From San Francisco Municipal Transportation Agency, submitting FY2015-2016 Annual Report on Gifts Received. Copy: Each Supervisor. (14)

From San Francisco Public Utilities Commission, pursuant to Admin Code Section 10.100-305, submitting Annual Distributed Antenna System Program Revenue updated

from April 2015 through April 2016. Copy: Each Supervisor. (15)

From Clerk of the Board, reporting that the following departments have submitted their reports regarding Sole Source Contracts for FY 2015-2016: (16)

- Department on the Status of Women
- District Attorney
- Employees' Retirement System
- Health Service System
- Human Resources
- Public Library
- Sheriff's Department
- War Memorial and Performing Arts Center

From Bay Area Air Quality Management District, submitting 2015 Annual Report. Copy: Each Supervisor. (17)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to commercial hagfish traps. Copy: Each Supervisor. (18)

From West Area California Public Utilities Commission, regarding Notification Letter for various Verizon Facilities. Copy: Each Supervisor. (19)

From concerned citizens, regarding Teatro ZinZanni. File No. 160541. 8 letters. Copy: Each Supervisor. (20)

From Anastasia Yovanopoulos, regarding a proposed Charter Amendment to create a Homeless Housing and Services Fund. File No. 160581. Copy: Each Supervisor. (21)

From Mark Gordon, regarding proposed payroll tax on tech companies. File No. 160760. Copy: Each Supervisor. (22)

From concerned citizen, regarding bike collisions. Copy: Each Supervisor. (23)

From Ellie Sadler, regarding police reform. Copy: Each Supervisor. (24)

From Howard Chabner, regarding conditions of crosswalks. Copy: Each Supervisor. (25)

From Suzanne Boyle, regarding MUNI. Copy: Each Supervisor. (26)

From Kim Linden, regarding fireworks and pop-pops. Copy: Each Supervisor. (27)

From HIV/AIDS Provider Network, regarding HIV/AIDS epidemic. Copy: Each Supervisor. (28)

From concerned citizen, submitting signature for petition entitled, 'Stop SFMTA (San Francisco Municipal Transportation Agency).' 4,290th signer. Copy: Each Supervisor. (29)

From concerned citizens, regarding proposed Charter Amendment to split the power to make appointments to San Francisco Municipal Transportation Agency Board of Directors between the Mayor and the Board of Supervisors. File No. 160589. 3 letters. (30)

From San Francisco Bay Area Planning and Urban Research Association, proposed resolution to adopt new regulations for transportation network companies. File No. 160759. Copy: Each Supervisor. (31)



## **ADJOURNMENT**