

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, February 23, 2016 - 2:00 PM

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

Regular Meeting

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

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Tang, Yee	Wednesday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Yee, Breed	2nd and 4th Thursday 9:30 AM
Land Use and Transportation Committee Supervisors Cohen, Wiener, Peskin	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Kim, Avalos, Campos	2nd Thursday 2:30 PM
Rules Committee Supervisors Tang, Mar, Cohen	2nd and 4th Thursday 11:00 AM

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, February 23, 2016, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President London Breed called the meeting to order at 2:01 p.m. On the call of the roll, Supervisors Wiener and Yee were not present. There was a quorum.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board that she was in receipt of a communication, dated February 22, 2016, from the appellant, Ariana Casanova, representing Fair, Legal and Environmental Transit, Sue Vaughan, Robert Planthold, and SEIU 1021, formally withdrawing the appeal related to Item Nos. 26, 27, 28, and 29 (File Nos. 151269, 151270, 151271, and 151272) on today's agenda regarding the Proposed Commuter Shuttle Permit Program.

Supervisor Wiener was noted present at 2:02 p.m.

Supervisor Yee was noted present at 2:03 p.m.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of January 12, 2016. There were no corrections.

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of January 12, 2016. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

Supervisor Campos recognized Former Mayor Art Agnos who was in attendance at today's meeting.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

151259 [Administrative Code - City-Owned Fiber-Optic Facilities]

Sponsors: Farrell; Mar

Ordinance amending the Administrative Code to require the Department of Technology to gather information from City departments concerning City-owned fiber-optic facilities; and to require the Public Utilities Commission to consider and approve any future expansion of City-owned fiber-optic facilities.

(Fiscal Impact)

Ordinance No. 025-16

FINALLY PASSED

151278 [Agreement Amendment - AT&T Corporation - Telecommunications Services - Not to Exceed \$122,429,557]

Sponsor: Farrell

Ordinance retroactively authorizing the Department of Technology and the Department of Contract Administration to enter into the Third Amendment of an Agreement between the City and the AT&T Corporation, for the City's telecommunications services, by extending the term of the agreement for an additional five years through December 31, 2020, and increasing the total not-to-exceed amount of the agreement from \$97,953,700 to \$122,429,557.

(Fiscal Impact)

Ordinance No. 026-16

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee**150494 [Planning, Building Codes - Conditional Use Required to Remove Any Residential Unit in a C-3 District, Including Illegal Units; Permeable Surfaces and Landscaping Requirements Citywide for Building Additions and Residential Mergers]****Sponsor: Avalos**

Ordinance amending the Planning Code to require Conditional Use authorization for the removal of any residential unit in a C-3 (Downtown Commercial) District (whether legal or illegal) and to require compliance Citywide with landscaping and permeable surfaces requirements for building additions and residential mergers, and to exempt from the Conditional Use application requirement illegal units in C-3 Districts where there is no legal path for legalization and residential units that have received prior Planning approval; amending the Building Code to require that notices of violation in a C-3 District order the filing of an application to legalize an illegal unit unless infeasible under the Building Code or the Planning Commission approves its removal, and to require re-issuance of unabated notices of violation in a C-3 District to include the new requirement; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1.
(Economic Impact)

Ordinance No. 023-16**FINALLY PASSED****151251 [Administrative Code - Water Efficient Irrigation]****Sponsors: Wiener; Farrell**

Ordinance amending the Administrative Code by revising the applicability threshold to 500 square feet for requirements for the development and maintenance of landscape irrigation controls for specified new construction landscapes and landscape rehabilitation projects.

Ordinance No. 024-16**FINALLY PASSED****The foregoing items were acted upon by the following vote:**

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

REGULAR AGENDA

UNFINISHED BUSINESS

The President requested that File Nos. 151276 and 150940 be called together. After the items were called, Supervisor Peskin requested these matters be considered separately.

Referred Without Recommendation from the Budget and Finance Committee

151276 [General Obligation Bond Election - Public Health and Safety - \$350,000,000]

Sponsors: Mayor; Breed, Farrell and Mar

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 7, 2016, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$350,000,000 to finance the construction, acquisition, improvement, seismic strengthening and betterment of critical community and mental health, emergency response and safety, and homeless shelter and service facilities and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code, Chapter 31; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and with the General Plan, consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; incorporating the provisions regarding the Citizens' Bond Oversight Committee in Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

(Fiscal Impact)

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

Ordinance No. 022-16

FINALLY PASSED by the following vote:

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

Noes: 1 - Peskin

Recommendation of the Rules Committee

150940 [Charter Amendment - Park, Recreation and Open Space Fund]

Sponsors: Farrell; Mar, Wiener, Yee, Breed, Cohen and Avalos

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, extend the annual set-aside and the baseline appropriation for 15 years to FY2045-2046, and modify the Recreation and Park Department's planning obligations to include equity analysis and Board of Supervisors review, at an election to be held on June 7, 2016.

ORDERED SUBMITTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Wiener, Yee

Noes: 2 - Peskin, Tang

NEW BUSINESS

Recommendations of the Budget and Finance Committee

160009 [Real Property Acquisition - Easements from John Daly Boulevard Associates, L.P., Monarch Ventures, L.P., and Wilbak Investments, L.P. - Regional Groundwater Storage and Recovery Project, San Mateo County - \$78,185]

Resolution approving and authorizing the acquisition of one temporary construction easement, two permanent surface access easements and one permanent subsurface easement for water utility purposes from John Daly Boulevard Associates, L.P., a California limited partnership, Monarch Ventures, L.P., a California limited partnership, and Wilbak Investments, L.P., a California limited partnership, for \$78,185 to be used by the City and County of San Francisco under the Water System Improvement Program for the access, installation, modification, removal, inspection, maintenance, repair, replacement, periodic scheduled maintenance, emergency repairs, and construction of the project known as the Regional Groundwater Storage and Recovery Project, Project No. CUW30103; 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. (Real Estate Department)

Resolution No. 062-16

ADOPTED by the following vote:

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

160045 [Agreement Amendment - Hatch Mott MacDonald - Construction Management Services - New Irvington Tunnel Project - Not to Exceed \$20,500,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 3 to Agreement No. CS-918, New Irvington Tunnel Project - Construction Management Services with Hatch Mott MacDonald, to continue providing construction management services for the final construction and close-out of the tunnel, increasing the agreement by \$1,000,000 for a total agreement amount not to exceed \$20,500,000 and with a time extension of three months, for a total agreement duration of seven years and three months from August 1, 2009, through October 31, 2016, pursuant to Charter, Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

Resolution No. 063-16

ADOPTED by the following vote:

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

**160066 [Subordination Agreement - Seismic and Safety Loan Program - HealthRight 360 - 890 Hayes Street and 214 Haight Street - \$8,500,000]
Sponsors: Mayor; Kim and Breed**

Resolution authorizing the subordination of two existing Seismic and Safety Loan Program loans, secured in part by real property commonly known as 890 Hayes Street and 214 Haight Street, to a new loan from the Nonprofit Finance Fund to HealthRight 360 in the amount of \$8,500,000 for the construction of HealthRight 360's new headquarters and clinic located at 1563 Mission Street.
(Fiscal Impact)

Resolution No. 054-16

ADOPTED by the following vote:

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

Noes: 1 - Peskin

160068 [Paratransit Broker Agreement Amendment - Transdev Services, Inc. - Not to Exceed \$125,443,773]

Sponsor: Campos

Resolution approving Amendment No. 6 to the Paratransit Broker Agreement with Transdev Services, Inc., to continue providing paratransit broker services to administer the City's Paratransit Program, and increase the amount of the contract by \$6,844,063 to a total amount not to exceed \$125,443,773 for the term of April 1, 2010, through June 30, 2016.
(Fiscal Impact)

Resolution No. 065-16

ADOPTED by the following vote:

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

160069 [Real Property Acquisition - 1101 Connecticut Street - San Francisco Unified School District - \$1,800,000]**Sponsor: Cohen**

Resolution authorizing the acquisition of real property from the San Francisco Unified School District located at 1101 Connecticut Street, near the intersection of Connecticut Street and 25th Street, in order to further the General Plan priority of preserving and enhancing the supply of affordable housing, for the purchase price of \$1,800,000.

(Fiscal Impact)

Resolution No. 055-16**ADOPTED by the following vote:**

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

160071 [Accept and Expend Grant - State of California Department of Housing and Community Development - Housing-Related Parks Program Grant - \$2,686,325]**Sponsor: Farrell**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant in the amount of \$2,686,325 from the State of California Department of Housing and Community Development to fund Housing Related Parks Projects identified in Exhibit A of the Grant Standard Agreement for the period of October 9, 2015, through June 30, 2017; and delegating authority to the General Manager of the Recreation and Park Department to reallocate funds among approved projects where necessary to maximize City recovery from the Grant during the eligible expenditure period.

Resolution No. 066-16**ADOPTED by the following vote:**

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

160075 [Contract Amendment - Children's Council of San Francisco - Preschool for All Program - Not to Exceed \$74,390,567]**Sponsors: Tang; Mar**

Resolution retroactively approving the sixth contract amendment with the Children's Council of San Francisco to manage the Preschool for All Program subsidies to eligible children of the City, and increasing the not to exceed amount from \$47,326,791 to \$74,390,567 for the period of July 1, 2012, to June 30, 2016.

(Fiscal Impact)

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

Resolution No. 069-16**ADOPTED by the following vote:**

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

Recommendations of the Government Audit and Oversight Committee

The President requested File Nos. 150936, 150937, and 151147 be called together.

150936 [Donation of Obsolete Ambulance to San Francisco Unified School District]

Sponsor: Breed

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

Resolution No. 057-16

ADOPTED by the following vote:

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

150937 [Donation of Retired Fire Engine to City College of San Francisco]

Sponsor: Breed

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

Resolution No. 058-16

ADOPTED by the following vote:

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

151147 [Accept Gift - Mr. and Mrs. Bernard Osher - Donation for Purchase of Two New Ambulances - \$350,000]

Sponsor: Breed

Resolution authorizing the San Francisco Fire Department to accept a gift in the amount of \$350,000 from Mr. and Mrs. Bernard Osher specifically for the purchase of two new ambulances by the San Francisco Fire Department.

Resolution No. 061-16

ADOPTED by the following vote:

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

The President requested that File Nos. 160067, 160072, and 160073 be called together.

160067 [Mission Miracle Mile Business Improvement District - Annual Reports to the City - Calendar Years 2010-2015]

Sponsor: Campos

Resolution receiving and approving annual reports for the Mission Miracle Mile Business Improvement District for calendar years 2010-2015, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

Resolution No. 064-16

ADOPTED by the following vote:

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

160072 [Lower Polk Community Benefit District - Annual Report to the City - FY2014-2015]

Sponsor: Peskin

Resolution receiving and approving an annual report for the Lower Polk Community Benefit District for FY2014-2015, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

Resolution No. 067-16

ADOPTED by the following vote:

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

160073 [Greater Union Square Business Improvement District - Annual Report to the City - FY2014-2015]

Sponsor: Peskin

Resolution receiving and approving an annual report for the Greater Union Square Business Improvement District for FY2014-2015, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

Resolution No. 068-16

ADOPTED by the following vote:

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

From the Land Use and Transportation Committee with a Recommendation of "Do Not Pass"

151257 [Planning Code - Increasing Transportation Sustainability Fee for Non-residential Projects]

Sponsors: Avalos; Campos and Mar

Ordinance amending the Planning Code to increase the Transportation Sustainability Fee for Non-residential projects larger than 99,999 gross square feet, and to require Non-residential or Production, Distribution and Repair (PDR) projects that filed development or environmental applications on or before July 21, 2015, but that have not yet received approvals, to pay the Transportation Sustainability Fee with a partial refund; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including general findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 2 through 3, by striking 'Ordinance No.' and adding 'the Ordinance in Board File No. 151257', Line 5, by striking '(1)' and adding '(A)', Line 7, by striking '(2)' and adding '(B)', and Lines 12 through 13, by striking 'Ordinance No.' and adding 'the Ordinance in Board File No. 151257'; and Page 4, Lines 3 through 24, by adding a table to clarify the different applicability scenarios for projects that are in the approval process. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Avalos, Campos, Kim, Mar, Peskin, Yee

Noes: 5 - Breed, Cohen, Farrell, Tang, Wiener

Recommendation of the Public Safety and Neighborhood Services Committee

151228 [Administrative Code - Special Law Enforcement Services ("10B Officers")]

Sponsors: Campos; Farrell, Avalos and Breed

Ordinance amending the Administrative Code to require event organizers seeking additional Police Department personnel ("10B officers") and equipment for law enforcement purposes to include a request for approval of alcohol license application, if applicable, and a security plan with the request for those services; require the Department to respond to the request for services, and provide a staffing plan if the response is favorable, at least 90 days before the event if the request was received at least 125 days before the event; require the Chief of Police to reconsider denials and staffing plans if so requested; and require the Department after the event to provide to the event organizer and the Entertainment Commission a written report reviewing the use of 10B officers at the event and the costs of the event.

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

PASSED, ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee

160034 [Initiative Ordinance - Administrative Code - Paid Sick Leave Ordinance Amendments]

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

Motion ordering submitted to the voters an Ordinance amending the Administrative Code to revise the City's Paid Sick Leave Ordinance (PSLO) to include protections for employees under the PSLO that largely parallel recent State law enactments pertaining to paid sick leave, primarily the Healthy Workplaces, Healthy Families Act of 2014, as amended, at an election to be held on June 7, 2016.

Motion No. M16-019

APPROVED by the following vote:

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

151005 [Administrative Code - Extending Single Room Occupancy Task Force]

Sponsors: Yee; Mar

Ordinance amending the Administrative Code to codify the Single Room Occupancy Task Force and extend its sunset date by three years to December 31, 2018.

PASSED, ON FIRST READING by the following vote:

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

160111 [Confirming Appointment, Port Commission - Eleni Kounalakis]

Sponsors: Mayor; Mar

Motion confirming the mayoral appointment of Eleni Kounalakis to the Port Commission, term ending May 1, 2016.

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

Motion No. M16-020

APPROVED by the following vote:

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

160113 [Appointment, Small Business Commission - William Ortiz-Cartagena]

Motion reappointing William Ortiz-Cartagena, term ending January 6, 2020, to the Small Business Commission. (Rules Committee)

Motion No. M16-021

APPROVED by the following vote:

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

Supervisor Mar was noted absent at 5:17 p.m.

SPECIAL ORDER 3:00 P.M.**151269 [Public Hearing - Appeal of Categorical Exemption from Environmental Review - Proposed Commuter Shuttle Permit Program]**

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 October 22, 2015, and approved by the San Francisco Municipal Transportation Agency on November 17, 2015, for the proposed Commuter Shuttle Permit Program. (Appellant: Rebecca L. Davis, on behalf of the Coalition for Fair, Legal and Environmental Transit, Sue Vaughan, and Robert Planthold) (Filed December 17, 2015). (Clerk of the Board)

The President reiterated the Clerk of the Board's communication earlier in the meeting indicating the Appellant has withdrawn the appeal. The President then opened the public hearing and inquired as to whether any member of the public wished to address the Board. Leslie Dreyer (Housing Rights Committee); Sylvia Johnson; Tony Robles; Ariana Casanova (SEIU 1021); Tom Gilbert; spoke in support of the appeal and on the withdraw of the appeal by the Appellant. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

151270 [Affirming Categorical Exemption Determination - Proposed Commuter Shuttle Permit Program]

Motion affirming the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency Commuter Shuttle Permit Program is categorically exempt from environmental review. (Clerk of the Board)

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

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

151271 [Reversing the Categorical Exemption Determination - Proposed Commuter Shuttle Permit Program]

Motion reversing the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency Commuter Shuttle Permit Program is categorically exempt from environmental review. (Clerk of the Board)

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

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

151272 [Preparation of Findings to Reverse the Categorical Exemption Determination - Proposed Commuter Shuttle Permit Program]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency Commuter Shuttle Permit Program is categorically exempt from environmental review. (Clerk of the Board)

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

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee
Absent: 1 - Mar

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****151120 [Hearing - Infrastructure Financing District No. 2 (Port of San Francisco)]**

Hearing of persons interested in or objecting to a proposed Ordinance (File No. 151119) establishing an Infrastructure Financing District, an Infrastructure Financing Plan, a Tax Administration Agreement, and approving other matters in connection with establishing City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco); a proposed Resolution (File No. 151118) approving a Memorandum of Understanding Relating to Infrastructure Financing District No. 2 (Port of San Francisco), Sub-Project Area G-1 (Pier 70 - Historic Core), and approving other matters in connection therewith; and a proposed Resolution (File No. 151117) approving issuance of bonds in an amount not to exceed \$25,100,000 for City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco), with respect to Sub-Project Area G-1 (Pier 70 - Historic Core), approving an Indenture of Trust and Pledge Agreement, and approving other matters in connection therewith.

The President opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to the Infrastructure Financing District No. 2 (Port of San Francisco) (File Nos. 151119, 151118, and 151117). Harvey Rose (Office of the Budget and Legislative Analyst) provided an overview of the project and responded to questions raised throughout the discussion. Tom Gilbert; Sylvia Johnson; spoke on various concerns regarding the hearing matter. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

151119 [Establishing an Infrastructure Financing District and Adopting an Infrastructure Financing Plan (Port of San Francisco)]**Sponsors: Mayor; Cohen**

Ordinance establishing an Infrastructure Financing District (IFD) (including Sub-Project Area G-1 (Pier 70 - Historic Core) and adopting an Infrastructure Financing Plan (IFP) (including Appendix G-1) for City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco); approving a Tax Administration Agreement; affirming the Planning Department's determination under the California Environmental Quality Act; and approving other matters in connection with the IFD and IFP, as defined herein.

(Fiscal Impact)

Supervisor Cohen, seconded by Supervisor Yee, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 5, Lines 8 through 10, by recognizing both public hearings held on January 26, 2016, and February 23, 2016; Page 5, Line 24, through Page 6, Line 8, by adding a finding specifying the Lease tenant's acknowledgement that the Port stated its intention to establish the IFD; Page 6, Lines 9 through 13, by adding a finding on the specifics found in Appendix G-1; Page 7, Lines 15 through 16, by striking 'Qualified Port Costs' and adding 'Port Benefit Tasks'; and Page 8, Lines 3 through 8, by requesting the Port to take steps to form a community facilities district at a future date. The motion carried by the following vote:

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

Absent: 1 - Mar

(Fiscal Impact)

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Absent: 1 - Mar

151118 [Authorizing Issuance of Bonds - Port Infrastructure Financing District - Pier 70 (Historic Core) - Not to Exceed \$25,100,000]**Sponsors: Mayor; Cohen**

Resolution approving issuance of bonds in an amount not to exceed \$25,100,000 for City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco) with respect to Sub-Project Area G-1 (Pier 70 - Historic Core); approving an Indenture of Trust and a Pledge Agreement; and approving other matters in connection with the bonds, as defined herein.

(Fiscal Impact)

Resolution No. 060-16**ADOPTED by the following vote:**

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

Absent: 1 - Mar

151117 [Authorizing Execution of a Memorandum of Understanding Relating to Infrastructure Financing District No. 2]

Sponsors: Mayor; Cohen

Resolution approving a Memorandum of Understanding (MOU) relating to Sub-Project Area G-1 (Pier 70 - Historic Core) of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco); and approving other matters in connection with the MOU, as defined herein.

(Fiscal Impact)

Resolution No. 059-16

ADOPTED by the following vote:

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

Absent: 1 - Mar

Supervisor Mar was noted present at 7:30 p.m.

SPECIAL ORDER 3:00 P.M. - CALLED FROM COMMITTEE

Board of Supervisors Sitting as a Committee of the Whole

160137 [Hearing - Charter Amendment - Authorizing Board of Supervisors to Update Inclusionary or Affordable Housing Requirements and Providing Increased Interim Requirements]

Hearing of persons interested in or objecting to a proposed Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize the Board of Supervisors to update the inclusionary or affordable housing obligations for housing development projects, and setting forth increased interim requirements; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held on June 7, 2016. (Clerk of the Board)

The President opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to the proposed Charter Amendments as referenced in File No. 151274. Ken Rich (Office of Economic and Workforce Development), Jon Givner (Office of the City Attorney), Ben Rosenfield, Controller (Office of the City Controller), and Nicole Elliott (Mayor's Office) presented information and responded to questions raised throughout the discussion. Tom Gilbert; Wing Hoo Leung (Community Tenants Association); Male Speaker; Paul Webber; Jim Worshall; Dennis Antenore; Yue Yuan Yu (Tenderloin Chinese Rights Association); Male Speaker; Darnell Boyd, Frank Leonard, Jr., and Joel (Hospitality House); Angelina Lero; Merlina Meneses; Gerry Crowley (Neighborhood Network); Fernando Marti (Council of Community Housing Organizations); Debra Close; Glenn; Female Speaker; Lorenzo Listana; Charles Rathbone; Latina Cohen; Ken Tray; Jordan Gwendolyn Davis; Kathy Lipscomb (Senior Disability Action Network); Marla Knight (North Beach Tenants Committee); Marti Sousanis; Silvia Johnson; Jaime Vilorio; Male Speaker; Jesse Johnson; Tony Robles (Senior and Disability Action Network); Oz Hunter; Sonya Mayer; James Pounders (Tenderloin Votes); Tes Welborn (D5 Action); Peter Cohen (Council of Community Housing Organizations); Otto Duffy; Winnie; spoke in support of the proposed Charter Amendment. Jim Chappell; Male Speaker; Anton Hermes; Laura Clark (Grow SF); Michael Theriault (San Francisco Building Trades); Male Speaker; Patrick Kennedy (Panoramic Interest); Tim Colen (San Francisco Housing Action Coalition); Tony Rodriguez (Sprinkler Fitters, Local 483); Jeffrey Hearst; Oz Erickson; Brian Spears; Juan Carlos Wallace; Daniel Camp; Male Speaker; Male Speaker; Female Speaker; John Walton; Lou Vasquez (Build Inc.); Kristy Wang (SPUR); Lee Chang; spoke in opposition to the proposed Charter Amendment. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

President Breed recessed the meeting at 8:56 p.m. and reconvened the meeting at 9:00 p.m.

151274 [Charter Amendment - Authorizing Board of Supervisors to Update Inclusionary or Affordable Housing Requirements and Providing Increased Interim Requirements]
Sponsors: Kim; Peskin, Mar, Avalos and Campos

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize the Board of Supervisors to update the inclusionary or affordable housing obligations for housing development projects, and setting forth increased interim requirements; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held on June 7, 2016.

Supervisor Cohen moved that this Ordinance be AMENDED by adding 'Section 16.110(h) Analysis' to require the Controller to submit a report to the Board of Supervisors analyzing the impacts of the inclusionary or affordable housing obligations, and adding 'Section 16.110(i) Future Legislation' to require the Board to pass legislation to conform inclusionary or affordable housing obligations to the findings of the report. Before the president called for a second, Supervisor Cohen withdrew the motion.

Supervisor Cohen, seconded by Supervisor Tang, moved that this Charter Amendment be AMENDED by adding 'Section 16.110(h) Analysis' to require the Controller and Planning Department to study the economic feasibility of the inclusionary or affordable housing obligations, and require the Controller to provide a report to the Board of Supervisors, along with a proposed ordinance amending the Planning Code to maximize housing affordability; and adding 'Section 16.110(i) Future Legislation' to require the Board of Supervisors to hold a public hearing within three months of receiving the Controller's proposed ordinance. The motion FAILED by the following vote:

Ayes: 4 - Cohen, Farrell, Tang, Wiener

Noes: 7 - Avalos, Breed, Campos, Kim, Mar, Peskin, Yee

Supervisor Peskin, seconded by Supervisor Campos, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of March 1, 2016. The motion carried by the following vote:

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

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

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

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

BLACK HISTORY MONTH

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Black History Month, their accomplishments, and their continued community support as referenced below:

*Supervisor Peskin recognized Byron Cobb (Cable Car Bell Ringing Champion);
Supervisor Tang recognized Sanford Johnson (Sunset Pet Supply business owner);
Supervisor Wiener recognized Brittini Chicuata (American Heart Association);
Supervisor Yee recognized Jay Taylor (Alice Fong Yu School student advisor);
Supervisor Avalos recognized Kevine Boggess (Director of Policy, Coleman Advocates for Children and Youth);
Supervisor Breed recognized Green Streets;
Supervisor Campos recognized Amos Gregory;
Supervisor Cohen recognized Jim Martin and Jim Queen (California Federations of Fathers and community activists);
Supervisor Farrell recognized Emanuel Stewart (Principal, George Washington Carver Elementary School);
Supervisor Kim recognized Brenda Washington (District 6 resident and Jefferson Hotel tenant leader); and
Supervisor Mar recognized Archbishop Franzo King (St. John Coltrane African Orthodox Church).*

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

*Peter Warfield; expressed concerns relating to proposed Public Library fees.
Merlin; shared his concerns regarding the current plight of taxi drivers in San Francisco.
Male Speaker; requested the Board consider the proposed tree landmark at 46 Cook Street.
Female Speaker; requested the Board consider the proposed tree landmark at 46 Cook Street.
Sarah Farlan; requested the Board consider the proposed tree landmark at 46 Cook Street.
Randy Weedaho; requested the Board consider the proposed tree landmark at 46 Cook Street.
Richard Moore; requested the Board consider the proposed tree landmark at 46 Cook Street.
Violet Travis; requested the Board consider the proposed tree landmark at 46 Cook Street.
Male Speaker; requested the Board consider the proposed tree landmark at 46 Cook Street.
Nancy Wuerfel; requested the Board consider the proposed tree landmark at 46 Cook Street.
Male Speaker; requested the Board consider the proposed tree landmark at 46 Cook Street.
Tom Gilberty; shared his various experiences in San Francisco during February 2016.
Otto Duffy; expressed his concerns regarding the current makeup of the Board.
Charles Pitts; shared his negative experiences at the Navigation Center.*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

160123 [Urging the University of California, San Francisco to Rehire Fired Impec Group Custodial Workers]

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

Resolution urging the Chancellor of the University of California, San Francisco, to rectify serious breaches of workers' rights by hiring the fired Impec Group custodial workers as full-time employees.

Supervisors Yee, Mar, and Avalos requested to be added as co-sponsors.

Supervisor Peskin, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 10, by striking '2399' and adding '3299'. The motion carried by the following vote:

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

Resolution No. 070-16

ADOPTED AS AMENDED by the following vote:

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

160135 [Final Map 7993 - 1450 Franklin Street]

Motion approving Final Map 7993, a 67 residential unit and one commercial unit, mixed-use Condominium Project, located at 1450 Franklin Street, being a subdivision of Assessor's Block No. 0671, Lot No. 006, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-022

APPROVED by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

Ordinances

150732 [Building, Administrative Codes - Mandatory Disability Access Improvements; Building Owner's Notice to Tenant; Administrative Fee]

Sponsor: Tang

Ordinance amending the Building Code to require any existing building with a place of public accommodation either to have all primary entries and path of travel into the building accessible by persons with disabilities or to receive from the City a determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; establishing a Disability Access Compliance Unit within the Department of Building Inspection; establishing a fee to offset the costs of the disability access improvement program; amending Administrative Code, Chapter 38, to require a building owner to give notice of the mandatory Building Code primary entry and path of travel accessibility requirements in any new or amended public accommodation lease; affirming the Planning Department's California Environmental Quality Act determination; making findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission upon final passage.

(Fiscal Impact)

07/07/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/6/2015.

07/14/15; REFERRED TO DEPARTMENT.

07/21/15; TRANSFERRED to Budget and Finance Committee.

09/24/15; REFERRED TO DEPARTMENT.

02/19/16; RECEIVED FROM DEPARTMENT.

02/23/16; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

150875 [Health Code - Definition of Projects for Alternative Water Source Requirements]**Sponsor: Wiener**

Ordinance amending the Health Code to revise the definition of development projects subject to the requirements for an Alternate Water Source system, and the definitions of large and small residential projects subject to specific requirements for such a system; and affirming the Planning Department's determination under the California Environmental Quality Act.

09/08/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/8/2015.

09/16/15; REFERRED TO DEPARTMENT.

09/28/15; RESPONSE RECEIVED.

12/15/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

12/23/15; REFERRED TO DEPARTMENT.

02/23/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

160150 [Redevelopment Plan Amendment - Transbay Redevelopment Project Area - Zone One]**Sponsors: Mayor; Kim**

Ordinance approving an amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area, to increase the maximum height limit from 300 feet to 400 feet on Block 1 (Assessor's Block No. 3740, Lot Nos. 027, 029, 030, 031, and 032) within Zone One of the Transbay Redevelopment Project Area; and making environmental findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

02/23/16; ASSIGNED UNDER 30 DAY RULE to Board of Supervisors, expires on 3/24/2016.

160151 [Public Employment - Annual Salary Ordinance Amendment - Office of Small Business in the Mayor's Office of Economic and Workforce Development - FYs 2015-2016 and 2016-2017]**Sponsors: Campos; Peskin**

Ordinance amending Ordinance No. 129-15 (Annual Salary Ordinance - FYs 2015-2016 and 2016-2017) to reflect the addition of one (1) 9774 Sr. Community Development Specialist for the equivalent of seven full pay periods before the end of FY2015-2016 in the Office of Small Business in the Mayor's Office of Economic and Workforce Development (ECN) to administer the Legacy Business Registry and Historic Preservation Fund.
(Fiscal Impact)

02/23/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/24/2016.

160152 [Appropriation - Office of Small Business in the Mayor's Office of Economic and Workforce Development - \$343,359 from the General Reserve - FY2015-2016]**Sponsors: Campos; Peskin**

Ordinance appropriating \$343,359 from the General Reserve for grants and related administrative costs for the Legacy Business Registry and Historic Preservation Fund in the Office of Small Business in the Mayor's Office of Economic and Workforce Development in FY2015-2016.
(Fiscal Impact)

02/23/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/24/2016.

160153 [Street Vacation - James Alley - Chinese Hospital Improvements]**Sponsor: Peskin**

Ordinance ordering the street vacation of James Alley, generally bounded by Assessor's Block No. 0192 and Jackson Street, as part of improvements to the Chinese Hospital; approving a quitclaim of the City's interest in the vacation area pursuant to the terms and conditions of a Purchase and Sale Agreement between the City and County of San Francisco, as seller, and Chinese Hospital Association, as buyer; reserving various easement rights in favor of third party utilities and private property owners; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation 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.

02/23/16; ASSIGNED to Land Use and Transportation Committee.

160154 [Green Building, Environment Codes - Better Roof Requirements for Renewable Energy Facilities]**Sponsor: Wiener**

Ordinance amending the Green Building Code and the Environment Code to establish requirements for certain new building construction facilitating development of renewable energy facilities; updating provisions of the Green Building requirements for City buildings; setting an operative date of January 1, 2017; providing findings as to local conditions pursuant to the California Health and Safety Code; directing the Clerk of the Board of Supervisors to transmit the Ordinance to appropriate State officials; 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.

02/23/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/24/2016.

160155 [Public Works Code - Stormwater Management Requirements]**Sponsor: Wiener**

Ordinance amending the Public Works Code to incorporate changes to ensure consistency and compliance with California's municipal stormwater permit requirements; to revise application of the requirements from projects disturbing 5,000 square feet of ground surface area to projects that include construction or remodeling of 5,000 square feet of impervious surface area; and affirming the Planning Department's determination under the California Environmental Quality Act.

02/23/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/24/2016.

Resolutions**160118 [Commuter Shuttle Permit Program Recommendations]****Sponsors: Campos; Yee, Breed, Mar, Avalos, Peskin and Kim**

Resolution urging the San Francisco Municipal Transportation Agency to adopt a new one-year Commuter Shuttle Permit Program that includes key improvements.

02/09/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

02/12/16; REFERRED TO DEPARTMENT.

02/23/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

160156 [California Statewide Communities Development Authority Issuance of Tax-Exempt Bonds - California College of the Arts or an Affiliate - Not to Exceed \$16,000,000]
Sponsor: Cohen

Resolution approving in accordance with Internal Revenue Code, Section 147(f), the issuance of tax-exempt obligations by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$16,000,000 to finance and refinance various capital facilities to be owned and/or operated by California College of the Arts or an affiliate.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160157 [Accept and Expend Grant - United States Department of Justice's Office of Violence Against Women - Domestic Violence High Lethality Risk Team - \$750,000]
Sponsor: Cohen

Resolution retroactively authorizing the Department on the Status of Women to accept and expend a grant in the amount of \$750,000 from the United States Department of Justice's Office of Violence Against Women for the Multidisciplinary Domestic Violence High Lethality Risk Team Pilot Project, for a grant period of October 1, 2015, through September 30, 2018.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160158 [Accept and Expend Grant - San Francisco Safe Routes to School Program 2017-2019 Non-Infrastructure Project - \$2,797,000]
Sponsors: Wiener; Mar

Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$2,797,000 in Active Transportation Program Funds through Metropolitan Transportation Commission's Safe Routes to School Grant Program for the period of September 1, 2017, through August 31, 2019, waiving indirect costs, stating assurance to complete the project, and to delegate authorization to execute these agreements and any amendments thereto to the Director of Health.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160159 [Accept and Expend Grant - Alameda County Waste Management Authority ("StopWaste") - High-Efficiency Toilet and Urinal Incentive Programs - \$535,000]
Sponsor: Wiener

Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) General Manager to accept an award of up to \$535,000 through the SFPUC's Memorandum of Understanding with the Alameda County Waste Management Authority ("StopWaste") for implementation of a regional water conservation program funded in part by grant funds from the California Department of Water Resources.

(Fiscal Impact)

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160160 [Noe Valley Community Benefit District - Annual Reports to the City - FY2014-2015]
Sponsor: Wiener

Resolution receiving and approving annual report for the Noe Valley Community Benefit District for FY2014-2015, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

02/23/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160161 [Castro/Upper Market Community Benefit District - Annual Reports to the City - FY2014-2015]**Sponsor: Wiener**

Resolution receiving and approving annual report for the Castro/Upper Market Community Benefit District for FY2014-2015, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

02/23/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160162 [Supporting California Assembly Bill Nos. 1574 and 1677 (Chiu and Ting) and California Senate Bill 812 (Hill) - Increasing the Safety Oversight and Local Coordination of Tour Buses and Charter Party Bus Carriers]**Sponsors: Yee; Kim and Mar**

Resolution supporting California Assembly Bill Nos. 1574 and 1677, authored by Assembly Members Chiu and Ting, and California Senate Bill 812, authored by Senator Hill, that increase the inspection protocol, safety oversight, and local coordination between the Department of Motor Vehicles, the California Public Utilities Committee, and the National Highway Traffic Safety Administration for tour bus and charter-party carriers, and for both legislative bodies to pass the bills.

02/23/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160163 [Consolidation of Elections Scheduled for June 7, 2016]**Sponsor: Breed**

Resolution consolidating the following elections, all of which will be held on June 7, 2016: the State of California's Presidential Primary Election; the City and County of San Francisco Municipal Election; the City and County of San Francisco's Special Bond Election; the San Francisco Bay Restoration Authority's Special Election; and the San Francisco's Democratic County Central Committee's election, and providing that the election precincts, voting places, and officers for these elections shall be the same as for the State Presidential Primary Election.

02/23/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160164 [Supporting United States Senate Bill 1412 (Franken and Portman) - Housing for Homeless Students Act]**Sponsor: Farrell**

Resolution supporting United States Senate Bill 1412, the Housing for Homeless Students Act, sponsored by Senators Al Franken and Rob Portman.

02/23/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160165 [Helen Kunz Day - March 9, 2016]**Sponsor: Wiener**

Resolution declaring March 9, 2016, to be Helen Kunz Day in the City and County of San Francisco.

02/23/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160166 [Establishing City Policy Maximizing a Feasible Inclusionary Affordable Housing Requirement]**Sponsor: Yee**

Resolution establishing City policy to maximize the percentage of affordable Inclusionary Housing in market rate development through Board ordinance and to ensure fairness and feasibility.

02/23/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160183 [Urging the San Francisco Public Utilities Commission to Expand Public Access to the Peninsula Watershed Lands]**Sponsors: Avalos; Wiener and Campos**

Resolution urging the San Francisco Public Utilities Commission to provide enhanced public access to existing roads and trails in the Peninsula Watershed Lands consistent with the goals of protecting the water supply and the environmental quality of the area.

02/23/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions**160167 [Committee of the Whole - Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area - Zone One (File No. 160150) - April 12, 2016]****Sponsors: Mayor; Kim**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on April 12, 2016, at 3:00 p.m., to hold a public hearing to consider the proposed Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area (File No. 160150) to increase the maximum height limit from 300 feet to 400 feet on Block 1 of Zone One of the Transbay Redevelopment Project Area.

02/23/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160186 [Authorizing Preparation of Proponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the June 7, 2016, Consolidated Presidential Primary Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 7, 2016, Consolidated General Election. (Clerk of the Board)

02/23/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

160168 [Hearing - Citywide Implementation of Sanctuary City and Due Process for All Ordinances]

Sponsors: Avalos; Campos

Hearing on the status of citywide implementation of Administrative Code, Chapters 12H and 12I (the Sanctuary City and Due Process for All Ordinances) including a review of department-specific policies, procedures, trainings, challenges, complaints received, corrective actions taken following complaints, and outreach to the public; and requesting the Police Department, Sheriff's Department, the Department of Public Health, 311, Human Services Agency, Child Protective Services, Office of Citizen Complaints, the Office of Labor Standards Enforcement, Adult Probation, Juvenile Probation, City Administrator, San Francisco Unified School District, Airport, Department of Emergency Management, the Treasurer and Tax Collector, the Fire Department, District Attorney, Public Defender, the Office of Civic Engagement and Immigrant Affairs, and the Human Rights Commission to report.

02/23/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

160169 [Hearing - Police and Sheriff's Department Immigration Enforcement Policies, Practices, and Climate]

Sponsors: Avalos; Campos

Hearing to review the policies, practices, and climate of the San Francisco Police and Sheriff's Departments in relation to immigration enforcement including a review of needed updates to address new immigration enforcement procedures through the Priority Enforcement Program, and a review of the actions taken in the case of Pedro Figueroa-Zarceno and whether such actions were permitted under the Sanctuary City and Due Process for All Ordinances.

02/23/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

160170 [Hearing - Budget Update - Police Department - FYs 2016-2017 and 2017-2018]

Sponsor: Farrell

Hearing to receive a budget update from the Police Department for FYs 2016-2017 and 2017-2018.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160171 [Hearing - Budget Update - Recreation and Park Department - FYs 2016-2017 and 2017-2018]

Sponsor: Farrell

Hearing to receive a budget update from the Recreation and Park Department for FYs 2016-2017 and 2017-2018.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160172 [Hearing - Budget Update - Sheriff's Department - FYs 2016-2017 and 2017-2018]

Sponsor: Farrell

Hearing to receive a budget update from the Sheriff's Department for FYs 2016-2017 and 2017-2018.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160173 [Hearing - Budget Update - Department of Public Health - FYs 2016-2017 and 2017-2018]**Sponsor: Farrell**

Hearing to receive a budget update from the Department of Public Health for FYs 2016-2017 and 2017-2018.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160174 [Hearing - Budget Update - Human Services Agency - FYs 2016-2017 and 2017-2018]**Sponsor: Farrell**

Hearing to receive a budget update from the Human Services Agency for FYs 2016-2017 and 2017-2018.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160175 [Hearing - Budget Update - San Francisco Municipal Transportation Agency - FYs 2016-2017 and 2017-2018]**Sponsor: Farrell**

Hearing to receive a budget update from the Municipal Transportation Agency for FYs 2016-2017 and 2017-2018.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160176 [Hearing - Budget Update - Public Utilities Commission - FYs 2016-2017 and 2017-2018]**Sponsor: Farrell**

Hearing to receive a budget update from the San Francisco Public Utilities Commission for FYs 2016-2017 and 2017-2018.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160177 [Hearing - Budget Update - Department of Public Works - FYs 2016-2017 and 2017-2018]**Sponsor: Farrell**

Hearing to receive a budget update from the Department of Public Works for FYs 2016-2017 and 2017-2018.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160178 [Hearing - Budget Update - Department of Children, Youth, and Their Families and First Five Commission - FYs 2016-2017 and 2017-2018]**Sponsor: Farrell**

Hearing to receive a budget update from the Department of Children, Youth, and Their Families and First Five Commission for FYs 2016-2017 and 2017-2018.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160179 [Hearing - Update to City's Five-Year Financial Plan - FYs 2015-2020]**Sponsor: Farrell**

Hearing to receive an update from the Controller's Office and Mayor's Budget Office on the updated City's Five-Year Financial Plan for FYs 2015-2020.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160180 [Hearing - Controller's Six-Month Budget Status Report]**Sponsor: Farrell**

Hearing on the Six-Month Budget Status Report; and requesting the Controller's Office, and the Mayor's Budget Office to report.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160181 [Hearing - Budget Update - Fire Department - FYs 2016-2017 and 2017-2018]**Sponsor: Farrell**

Hearing to receive a budget update from the Fire Department for FYs 2016-2017 and 2017-2018.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160182 [Hearing - Citywide Construction Crane Safety]**Sponsor: Peskin**

Hearing to evaluate the monitoring, inspections, reporting, and enforcement of crane safety in San Francisco and identify the procedures that the City has in place to protect the safety of construction workers, crane operators, and the general public; and requesting Public Works, the Department of Building Inspections, and the California Division of Occupational Safety and Health to report.

02/23/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES**160128 [Settlement of Lawsuits - California Department of Health Care Services - City to Receive \$928,763.44]**

Ordinance authorizing settlement of the lawsuits filed by the City and County of San Francisco against the California Department of Health Care Services, et al., for \$928,763.44; the lawsuits were filed on July 24, 2007, and November 3, 2008, in San Francisco Superior Court, Case Nos. CPF-07-507445 and CPF-08-508951; both lawsuits are entitled City and County of San Francisco v. Sandra Shewry, Director of the Department of Health Care Services, State of California, et al.; to compel respondents to approve and pay Short Doyle Medi-Cal claims and implement an appeal procedure for denied claims. (City Attorney)

02/08/16; RECEIVED FROM DEPARTMENT.

02/23/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160130 [Settlement of Lawsuit - Roque and Sonia Ballesteros - \$79,000]

Ordinance authorizing settlement of the lawsuit filed by Roque and Sonia Ballesteros against the City and County of San Francisco for \$79,000; the lawsuit was filed on December 31, 2015, in San Francisco Superior Court, Case No. CGC 15-549684; entitled Roque Ballesteros, et al. v. City of San Francisco, et al. (City Attorney)

02/12/16; RECEIVED FROM DEPARTMENT.

02/23/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

160131 [Settlement of Unlitigated Claim - Pacific Gas and Electric Company - \$37,872.50]

Resolution approving the settlement of the unlitigated claim filed by the Pacific Gas and Electric Company against the City and County of San Francisco for \$37,872.50; claim was filed on August 27, 2015. (City Attorney)

02/12/16; RECEIVED FROM DEPARTMENT.

02/23/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160132 [Settlement of Unlitigated Claim - Frank Fong - \$44,992]

Resolution approving the settlement of the unlitigated claim filed by Frank Fong against the City and County of San Francisco for \$44,992; claim was filed on November 19, 2015. (City Attorney)

02/12/16; RECEIVED FROM DEPARTMENT.

02/23/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160133 [First Amended Tolling Agreement - California Department of Fish and Wildlife, Office of Spill Prevention and Response - San Mateo Creek Discharges]

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

02/08/16; RECEIVED FROM DEPARTMENT.

02/23/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160134 [Agreement - TEGSCO, LLC, dba San Francisco AutoReturn - Towing and Storage of Abandoned and Illegally-Parked Vehicles - Not to Exceed \$65,400,000]

Resolution approving the Agreement with TEGSCO, LLC, dba San Francisco AutoReturn, for services related to the towing, storage, and disposal of abandoned and illegally-parked vehicles in an amount not to exceed \$65,400,000 and for a five year term of April 1, 2016, through March 31, 2021, with the option to extend for up to five additional years; and approving a License between the San Francisco Municipal Transportation Agency and AutoReturn for a portion of the premises at 2650 Bayshore Boulevard in Daly City for use as the long-term vehicle storage and auction facility for a term of five years, with the option to extend for five additional years. (Municipal Transportation Agency)
(Fiscal Impact)

02/12/16; RECEIVED FROM DEPARTMENT.

02/23/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

In Memoriams

(Approved on April 12, 2016.)

*Major Keith R. Altenhofen - Supervisor Farrell
James Noel - Board President Breed
Jose LaCrosby - Board President Breed
Mary Brown - Supervisor Tang
Aaron Wimmer - Supervisor Wiener*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 9:31 p.m.

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

Approved by the Board of Supervisors on April 5, 2016.

Angela Calvillo, Clerk of the Board