



**Legislation Introduced at Roll Call**

**Tuesday, June 28, 2016**

**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**

- 151258 [Planning Code - Affordable Housing Requirement and Fee in Divisadero and Fillmore Neighborhood Commercial Transit Districts]**  
**Sponsor:** Breed  
Ordinance amending the Planning Code to require additional affordable housing or payment of a fee for certain sites that obtained higher residential development potential as a result of the rezoning of the Divisadero Street Neighborhood Commercial Transit District and the Fillmore Street Neighborhood Commercial Transit District in 2015; 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. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.
- 160362 [Administrative Code - Collection of Sexual Orientation and Gender Identity Data]**  
**Sponsor:** Wiener  
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. SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.
- 160747 [Administrative Code - Health Service System Plans and Contribution Rates for Calendar Year 2017]**  
**Sponsor:** Farrell  
Ordinance approving Health Service System plans and contribution rates for calendar year 2017, and amending the Administrative Code to remove those rates from the Code. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

- 160748 [Planning Code - Amusement Arcades in South of Market and Eastern Neighborhoods Mixed Use Districts]**  
**Sponsor:** Kim  
 Ordinance amending the Planning Code to allow amusement arcades in all South of Market and Eastern Neighborhoods Mixed Use Districts except for the Residential Enclave Districts; 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 convenience, necessity, and welfare under Planning Code, Section 302. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 160749 [Administrative Code - Neighborhood Crime Unit in Police Department]**  
**Sponsor:** Yee  
 Ordinance amending the Administrative Code to create the Neighborhood Crime Unit in the Police Department, to be activated when the Controller certifies that the Department is at the full staffing level mandated in the Charter, and to set minimum staffing levels for and assign duties to the Unit. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.
- 160750 [Public Works Code - City Responsibility for Maintaining Street Trees]**  
**Sponsor:** Yee  
 Ordinance amending the Public Works Code to transfer responsibility for the maintenance of street trees to the City; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

**Resolutions**

- 160751 [Sublease of Non-Profit Office Space Under City's Master Lease - At The Crossroads - 167 Jessie Street - \$1 per Year Base Rent]**  
**Sponsors:** Mayor; Kim  
 Resolution authorizing the Sublease between the City and County of San Francisco, as Tenant and Sublandlord, and At The Crossroads, as Subtenant, of 4,124 rentable square feet in the building located at 167 Jessie Street, for an initial term of five years at a base rent of \$1 per year, to commence upon approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 160752 [Agreement - SPX Genfare - Procurement, Installation, and Maintenance of a Transit Vehicle Farebox System - Not to Exceed \$30,000,000]**  
**Sponsor:** Breed  
 Resolution approving the agreement with SPX Genfare, for services related to the procurement, installation, and maintenance of a Transit Vehicle Farebox System, which includes fareboxes, a Revenue Transfer and Collection System, a Data Collection and Reporting System, Computer Aided Dispatch/Automatic Vehicle Location System Integration, and five years of warranty and preventative maintenance services, in an amount not to exceed \$30,000,000 and for an initial term that includes an installation period plus five years commencing August 1, 2016, or later, with the option to extend for up to two five-year terms for a total term not to exceed 16 years. (Municipal Transportation Agency). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 160753 [Civic Center Community Benefit District - Annual Report to the City - FY2014-2015]**  
**Sponsors:** Kim; Breed  
 Resolution receiving and approving an annual report for the Civic Center 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. (Department of Economic and Workforce Development). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160754 [North of Market/Tenderloin Community Benefit District - Annual Reports to the City - FYs 2013-2014 and 2014-2015]**  
**Sponsor:** Kim  
 Resolution receiving and approving annual reports for the North of Market/Tenderloin Community Benefit District for FYs 2013-2014 and 2014-2015, 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. (Department of Economic and Workforce Development). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160755 [Owner Participation/Disposition and Development Agreement - Successor Agency to the San Francisco Redevelopment Agency Land - Block One Property Holder, L.P. - Transbay Block One]**  
**Sponsor:** Kim  
 Resolution approving the disposition of land located on the southern one-third of the block bounded by Howard, Spear, Folsom, and Main Streets, Assessor's Parcel Block No. 3740, Lot No. 027, by the Office of Community Investment and Infrastructure, as Successor Agency to the San Francisco Redevelopment Agency, to Block One Property Holder, L.P, a Delaware limited partnership and an affiliate of Tishman Speyer, for the purpose of developing affordable for-sale housing for low and moderate income households; and making findings under California Health and Safety Code, Section 33433. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 160756 [Establish Yerba Buena Gardens Conservancy - Yerba Buena Gardens Operations and Management]**  
**Sponsor:** Kim  
 Resolution establishing a new public benefit civic nonprofit entitled the Yerba Buena Gardens Conservancy to assume long-term operating and management responsibility for Yerba Buena Gardens under a master lease with the City of San Francisco. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 160612 [Board Response - Civil Grand Jury - Auto Burglary in San Francisco]**  
 Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2015-2016 Civil Grand Jury Report, entitled "Auto Burglary in San Francisco;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 160757 [Urging the Bay Area Air Quality Management District to Adopt a Refinery Emission Reduction Rule that Includes Enforceable Numeric Limits on Refinery-Wide Emissions of Greenhouse Gas and Particulate Matter Air Pollution]**  
**Sponsors:** Avalos; Mar  
 Resolution urging the Board of Directors of the Bay Area Air Quality Management District to adopt a version of Regulation 12, Rule 16, which includes all four proposed refinery emission reduction options, including the Community-Worker Alternative to adopt enforceable numeric emission limits to ensure the health and safety of both refinery workers and the greater community. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 160758 [Affirming San Francisco's Commitment to the Success of the Department of Homelessness and Supportive Housing]**  
**Sponsor:** Peskin  
 Resolution affirming that the Board of Supervisors will not approve policies or submit ballot measures that underfund or otherwise undermine the ability of the Department of Homelessness and Supportive Housing to successfully implement a housing first and public health approach to addressing homelessness. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 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 fingerprint-based criminal background checks currently required of 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. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 160765 [Declaration of Election Results of the June 7, 2016, Consolidated Municipal Election]**  
 Resolution declaring the results of the June 7, 2016, Consolidated Municipal Election. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Motions**

- 160760 [Initiative Ordinance - Business and Tax Regulations and Administrative Codes - Tax on Technology Companies to Fund Affordable Housing and Homeless Services; Business Registration Fee Reduction]**  
**Sponsors:** Mar, Peskin and Campos  
 Motion ordering submitted to the voters at an election to be held on November 8, 2016, an Ordinance amending the Business and Tax Regulations Code and Administrative Code to reduce the business registration fee on persons with \$1,000,000 or less in gross receipts and to impose a new 1.5% special tax on the payroll expense of technology companies engaged in business in the City to fund affordable housing and homeless services; and increasing the City's appropriations limit by the amount of the new tax for four years from November 8, 2016. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

- 160761 [Initiative Ordinance - Police Code - Process for Removal of Encampments and Transition to Housing]**  
**Sponsor:** Peskin  
 Motion ordering submitted to the voters, at an election to be held on November 8, 2016, an Ordinance amending the Police Code to provide a process for the removal of encampments when housing or shelter is available for encampment residents. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 160762 [Calling from Committee - Committee of the Whole - Planning Code Amendment (File No. 160252) - Construction of Accessory Dwelling Units]**  
**Sponsor:** Peskin  
 Motion calling from the Land Use and Transportation Committee, pursuant to Board Rule 3.37, the proposed Ordinance (File No. 160252) amending the Planning Code to allow for 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, and scheduling the Board of Supervisors to sit as a Committee of the Whole on July 19, 2016, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 160745 [Closed Session - Existing Litigation - David Zeller]**  
 Motion that the Board of Supervisors convene in closed session on July 12, 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). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **Requests for Hearing**

- 160763 [Hearing - San Francisco Employee Retirement System Investments in the United States Military Industrial Complex]**  
**Sponsor:** Avalos  
 Hearing on the extent of San Francisco Employees Retirement System (SFERS) investments in military armaments, gun, and munitions manufacturers, including a report on total investments in the United States Military Industrial Complex, nuclear weapons, armaments, and gun and ammunition manufacturers; and requesting SFERS to report. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 160764 [Hearing - Bicyclist Fatalities, Bike Lane Safety, and Enforcement]**  
**Sponsors:** Kim; Mar, Avalos, Peskin, Campos and Yee  
 Hearing on recent bicyclist fatalities, bike lane safety, and enforcement City-wide, with special attention to SF Vision Zero's "high-injury" network area; and requesting the San Francisco Municipal Transportation Agency, Police Department, and the Department of Public Health to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 160611 [Hearing - Civil Grand Jury - Auto Burglary in San Francisco]**  
 Hearing on the recently published 2015-2016 Civil Grand Jury report, entitled "Auto Burglary in San Francisco." (Clerk of the Board). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 160715 [Hearing - Report of Assessment Costs - Building Code Enforcement Violations]**  
Hearing to consider objections to a report of delinquent charges for assessment costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to the provisions of San Francisco Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above; scheduled pursuant to Motion No. M16-088, approved on June 28, 2016. (Clerk of the Board). RECEIVED AND ASSIGNED to Board of Supervisors for the Board meeting of July 26, 2016.

**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**

- 160702 [Amending Ordinance No. 1061 - Sidewalk Width Change - Portions of Henry Adams, Alameda, Rhode Island, and Division Streets]**  
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to change the official sidewalk width at 1 Henry Adams Street along Alameda, Rhode Island, Division, and Henry Adams Streets on Assessor's Parcel Block No. 3911, Lot No. 001; adopting the Planning Commission's environmental findings 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. (Public Works). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 160703 [Settlement of Lawsuit - Muaadh Alawadhi and Suad Mahyoub - \$156,250]**  
Ordinance authorizing settlement of the lawsuit filed by Muaadh Alawadhi and Suad Mahyoub against the City and County of San Francisco for \$156,250; the lawsuit was filed on January 7, 2015, in San Francisco Superior Court, Case No. CGC-15-543559; entitled Muaadh Alawadhi, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged medical negligence; other material terms of the settlement are co-defendant Regents of the University of California to pay \$156,250. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160704 [Settlement of Lawsuit - Ricardo Palikiko-Garcia, Stanley Harris, and Keith Dwayne Richardson - \$90,000]**  
Ordinance authorizing settlement of the lawsuit filed by Ricardo Palikiko-Garcia, Stanley Harris, and Keith Dwayne Richardson against the City and County of San Francisco for \$90,000; the lawsuit was filed on March 16, 2016, in United States District Court for the Northern District of California, Case No. C16-1305 JCS; entitled Ricardo Palikiko-Garcia, et al. v. City and County of San Francisco, et al.; the lawsuit involves allegations of excessive force, cruel and unusual punishment, and egregious government conduct. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 160705 [Settlement of Lawsuit - Blue Cross of California and Anthem Blue Cross Life and Health Insurance Company - City to Receive \$6,250,000 and Future Payments]**  
Ordinance authorizing settlement of the lawsuit filed by the City Attorney, acting on behalf of the People of the State of California, against Blue Cross of California dba Anthem Blue Cross, Anthem Blue Cross Life and Health Insurance Company (collectively, "Blue Cross") and Health Net of California for the payment by Blue Cross of \$6,250,000 in restitution and civil penalties for under-reimbursing Zuckerberg San Francisco General Hospital and Trauma Center ("ZSFG") for emergency medical care provided to Blue Cross's insureds prior to July 1, 2015, and for the payment of additional amounts for such emergency medical care provided between July 1, 2015 and June 30, 2019; the lawsuit was filed on May 24, 2011, in San Francisco Superior Court, Case No. 11-511181; entitled People of the State of California v. Blue Cross of California, et al.; other material terms of said settlement are that Blue Cross and the City will enter into a prompt payment agreement under which Blue Cross agrees to pay and ZSFG agrees to accept certain specified rates for treatment provided by ZSFG to Blue Cross's insureds for emergency medical services rendered from July 1, 2015, through at least June 30, 2019. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160706 [Settlement of Lawsuit - State Farm General Insurance Company - \$90,000]**  
Ordinance authorizing settlement of the lawsuit filed by State Farm General Insurance Company against the City and County of San Francisco for \$90,000; the lawsuit was filed on February 13, 2014, in San Francisco Superior Court, Case No. CGC-14-537478; entitled State Farm General Insurance Company v. City and County of San Francisco; the lawsuit involves alleged property damage arising from flooding. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160707 [Settlement of Lawsuit - Paul Walker - \$80,000]**  
Ordinance authorizing settlement of the lawsuit filed by Paul Walker against the City and County of San Francisco for \$80,000; the lawsuit was filed on November 10, 2015, in United States District Court, Northern District, Case No. CV-15-5129-JCS; entitled Paul Walker v. City and County of San Francisco; the lawsuit involves alleged Americans with Disabilities Act violations. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160708 [Settlement of Lawsuit - Mery Perez - \$87,500]**  
Ordinance authorizing settlement of the lawsuit filed by Mery Perez against the City and County of San Francisco for \$87,500; the lawsuit was filed on February 9, 2015, in San Francisco Superior Court, Case No. CGC-15-544024; entitled Mery Perez v. City and County of San Francisco; the lawsuit involves a medical malpractice claim; other material terms of the settlement are that co-defendant Dr. Derrick Lung is to pay \$87,500. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160709 [Settlement of Lawsuit - People of the State of California - \$250,000]**  
Ordinance authorizing settlement of the lawsuit filed by the People of the State of California against the City and County of San Francisco for \$250,000; the lawsuit will be filed in Alameda County Superior Court; and be entitled People of the State of California v. San Francisco Public Utilities Commission and the City and County of San Francisco; the lawsuit involves alleged violations of California pollution prevention and hazardous materials laws at Public Utilities Commission facilities near Sunol in Alameda. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **PROPOSED RESOLUTIONS**

- 160710 [Real Property Lease - Townsend Associates, LLC - 650-5th Street, Suites 307-309 and Four Parking Stalls - \$177,480 Annual Base Rent]**  
Resolution authorizing the lease of approximately 3,060 square feet at 650-5th Street, Suites 307-309, with four parking stalls, with Townsend Associates, LLC, a California limited liability company, for a five year term commencing upon approval by the Board of Supervisors and Mayor, with one option to extend for three years at the monthly base rent of \$14,790, for a total annual base rent of \$177,480. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 160711 [Real Property Lease Amendment - Orchard Supply Company, LLC - San Francisco Utilities Commission Parcel No. 29 in Millbrae, CA - \$460,673]**  
Resolution authorizing the amendment of Orchard Supply Company, LLC's lease of property from the City and County of San Francisco, to reduce the size of the leased premises to accommodate the San Francisco Public Utilities Commission (SFPUC) Regional Groundwater Storage and Recovery Project, Project No. CUW30103, in consideration of City's payment of \$460,673; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31; adopting findings of consistency with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property and/or the SFPUC General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 160712 [Contract Agreement - Newcomb Anderson McCormick - Professional Services Related to Energy and Climate Programs - Not to Exceed \$44,000,000]**  
Resolution approving an agreement with Newcomb Anderson McCormick for professional services related to energy and climate programs, for a five year term to commence following Board approval through June 1, 2021, at a total cost not to exceed \$44,000,000. (Environment). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 160713 [Settlement of Unlitigated Claim - Isis, also known as Isis Bastet - \$59,155]**  
Resolution approving the settlement of the unlitigated claim filed by Isis, also known as Isis Bastet, against the City and County of San Francisco for \$59,155; the claim was filed on March 10, 2016; the claim involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160716 [Report of Assessment Costs - Building Code Enforcement Violations]**  
Resolution approving Report of Delinquent Charges for Assessment Costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to Building Code, Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, the costs thereof having accrued pursuant to code enforcement violations. (Building Inspection Department). RECEIVED AND ASSIGNED to Board of Supervisors.



**Clerk to Act - June 28, 2016**

**Board Meeting Minutes for May 24, 2016 approved.**

*There were no Clerk to Act requests submitted at the June 28, 2016 Board Meeting.*

**In Memoriam**

John L. Taylor - Entire Board

Katherine Slattery - Supervisor Kim

Cpl. Magdalena Leones - Supervisor Kim

Heather Miller - Supervisor Mar

Joseph G. Lambert - Supervisor Avalos