



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

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

Tuesday, September 27, 2016 - 2:00 PM

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

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Farrell, Tang, Yee

Government Audit and Oversight Committee
Supervisors Peskin, Yee, Breed

Land Use and Transportation Committee
Supervisors Cohen, Wiener, Peskin

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

Rules Committee
Supervisors Tang, Mar, Cohen

Meeting Days

Wednesday
10:00 AM

1st and 3rd Thursday
9:30 AM

Monday
1:30 PM

2nd Thursday
2:30 PM

2nd and 4th Thursday
11:00 AM

Agenda Item Information

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

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

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

Meeting Procedures

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

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

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

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

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

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

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

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

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

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

Disability Access

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

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

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

AGENDA CHANGES

CONSENT AGENDA

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

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

Items 1 through 21

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Yee

1. [160661](#) **[Settlement of Lawsuit - Wayne Kappelman - \$176,275]**
Ordinance authorizing settlement of the lawsuit filed by Wayne Kappelman against the City and County of San Francisco for \$176,275; the lawsuit was filed on September 2, 2014, in United States District Court, Northern District of California, Case No. 14-CV-04434 MEJ; entitled Wayne Kappelman v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

2. [160739](#) **[Settlement of Lawsuit - Jack K. Frazier - \$4,990,000]**
Ordinance authorizing settlement of the lawsuit filed by Jack K. Frazier against the City and County of San Francisco for \$4,990,000; the lawsuit was filed on October 28, 2013, in San Francisco Superior Court, Case No. CGC-13-535089; entitled Jack K. Frazier v. City and County of San Francisco, et al.; the lawsuit involves personal injury due to collision with fire truck; other material terms of the settlement are that defendant Michael Quinn pay plaintiff \$10,000. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

3. [160819](#) **[Settlement of Lawsuit - Travis Ian Hall - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Travis Ian Hall against the City and County of San Francisco for \$40,000; the lawsuit was filed on September 9, 2015, in United States District Court, Case No. 15-cv-4092; entitled Travis Ian Hall v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. [160922](#) **[Settlement of Lawsuit - Federal Insurance Company - \$273,853.76]**
Ordinance authorizing settlement of the lawsuit filed by Federal Insurance Company against the City and County of San Francisco for \$273,853.76; the lawsuit was filed on December 11, 2014, in San Francisco Superior Court, Case No. CGC-14-543173; entitled Federal Insurance Company, et al. v. San Francisco Independent Taxi Association dba Yevgeniy Komarov, et al.; the lawsuit involves a motor vehicle accident causing damage to City and adjacent real property; co-defendant and cross-defendant San Francisco Independent Taxi doing, business as Yevgeniy Komarov, will pay \$500,000. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. [160923](#) **[Settlement of Lawsuit - 691 O'Farrell, LLC - City to Receive \$273,853.76]**
Ordinance authorizing partial settlement of the cross-complaint filed by the City and County of San Francisco against 691 O'Farrell, LLC, for \$273,853.76; the cross-complaint was filed on March 20, 2015, in San Francisco Superior Court, Case No. CGC-14-543173; entitled City and County of San Francisco v. San Francisco Independent Taxi Association DBA Yevgeniy Komarov, et al.; the lawsuit involves a motor vehicle accident causing damage to City and adjacent real property. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. [160924](#) **[Dismissal of Lawsuit - Sunol Valley Golf and Recreation Company]**
Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Sunol Valley Golf and Recreation; the lawsuit was filed on June 18, 2014, amended complaint filed June 2, 2016, in Alameda Superior Court, Case No. RG14729649; entitled City and County of San Francisco, through the Public Utilities Commission v. Sunol Valley Golf and Recreation Company, related to termination of lease agreement entered into in September 2003 between the Public Utilities Commission and Sunol Valley Golf and Recreation Company for Parcels 61 and 65, consisting of two 18-hole golf courses and a two-story building in Alameda County. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. [160931](#) **[Settlement of Lawsuit and Supplemental Appropriation - CSAA Insurance Exchange - \$700,000]**
Ordinance authorizing settlement of the lawsuit filed by CSAA Insurance Exchange against the City and County of San Francisco for \$700,000; the lawsuit was filed on June 17, 2014, in San Francisco Superior Court, Case No. CGC-14-539993; entitled CSAA Insurance Exchange v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage arising from the break of the Public Utilities Commission's water transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Street in San Francisco; and appropriating \$700,000 from the Water Enterprise fund balance for such purpose. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
8. [160932](#) **[Settlement of Lawsuit and Supplemental Appropriation - Civil Service Employees Insurance Company - \$439,500]**
Ordinance authorizing settlement of the lawsuit filed by Civil Service Employees Insurance Company against the City and County of San Francisco for \$439,500; the lawsuit was filed on April 2, 2014, in San Francisco Superior Court, Case No. CGC-14-538389; entitled Civil Service Employees Insurance Company v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage arising from the break of the Public Utilities Commission's water transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Street in San Francisco; and appropriating \$439,500 from the Water Enterprise fund balance for such purpose. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
9. [160933](#) **[Settlement of Lawsuit and Supplemental Appropriation - Encompass Insurance Company - \$1,250,000]**
Ordinance authorizing settlement of the lawsuit filed by Encompass Insurance Company against the City and County of San Francisco for \$1,250,000; the lawsuit was filed on April 2, 2014, in San Francisco Superior Court, Case No. CGC-14-538395; entitled Encompass Insurance Company v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage arising from the break of the Public Utilities Commission's water transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Street in San Francisco; and appropriating \$1,250,000 from the Water Enterprise fund balance for such purpose. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
10. [160934](#) **[Settlement of Lawsuit and Supplemental Appropriation - Stacey A. Lawrence - \$224,000]**
Ordinance authorizing settlement of the lawsuit filed by Stacey A. Lawrence against the City and County of San Francisco for \$224,000; the lawsuit was filed on May 8, 2015, in San Francisco Superior Court, Case No. CGC-14-542269; entitled Stacey A. Lawrence v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage arising from the break of the Public Utilities Commission's water transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Street in San Francisco; and appropriating \$224,000 from the Water Enterprise fund balance for such purpose. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

11. [160935](#) **[Settlement of Unlitigated Claim and Supplemental Appropriation - California Department of Fish and Wildlife - \$300,263.26]**

Ordinance authorizing settlement of the claim by the California Department of Fish and Wildlife, Office of Spill Prevention and Response against the City and County of San Francisco for \$300,263.26; regarding discharges of chlorinated water to San Mateo Creek, and appropriating \$300,263.26 from the Water Enterprise fund balance for such purpose. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. [160936](#) **[Settlement of Lawsuit - Laudenia Pleitez - \$95,000]**

Ordinance authorizing settlement of the lawsuit filed by Laudenia Pleitez against the City and County of San Francisco for \$95,000; the lawsuit was filed on June 17, 2013, in San Francisco Superior Court, Case No. CGC 13-532162; entitled Foo Soo Li and Laudenia Pleitez v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. [160937](#) **[Settlement of Lawsuit - Foo Soo Li - \$99,000]**

Ordinance authorizing settlement of the lawsuit filed by Foo Soo Li against the City and County of San Francisco for \$99,000; the lawsuit was filed on June 17, 2013, in San Francisco Superior Court, Case No. CGC 13-532162; entitled Foo Soo Li and Laudenia Pleitez v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. [160938](#) **[Settlement of Lawsuit and Supplemental Appropriation - Karen Caldwell - \$155,000]**

Ordinance authorizing settlement of the lawsuit filed by Karen Caldwell against the City and County of San Francisco for \$155,000; the lawsuit was filed on April 10, 2014, in San Francisco Superior Court, Case No. CGC-14-538566; entitled Karen Caldwell v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage arising from the break of the Public Utilities Commission's water transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Avenue in San Francisco; and appropriating \$155,000 from the Water Enterprise fund balance for such purpose. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. [160939](#) **[Settlement of Lawsuit - Beverley Shungu-Omba - \$30,000]**

Ordinance authorizing settlement of the lawsuit filed by Beverley Shungu-Omba against the City and County of San Francisco for \$30,000; the lawsuit was filed on April 16, 2015, in San Francisco Superior Court, Case No. CGC-15-545348; entitled Beverley Shungu-Omba v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City street. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. [160940](#) **[Settlement of Lawsuit - Kathleen Carroll - \$162,500]**
Ordinance authorizing settlement of the lawsuit filed by Kathleen Carroll against the City and County of San Francisco for \$162,500; the lawsuit was filed on March 2, 2015, in San Francisco Superior Court, Case No. CGC-15-544452; entitled Kathleen Carroll v. The City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
17. [160822](#) **[Settlement of Unlitigated Claim - Capital One N.A. - \$33,145.03]**
Resolution approving the settlement of the unlitigated payroll expense tax claim filed by Capital One N.A. against the City and County of San Francisco for \$33,145.03; claim was filed on July 27, 2015. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
18. [160823](#) **[Settlement of Unlitigated Claim - Capital One Services II, LLC - \$108,301.61]**
Resolution approving the settlement of the unlitigated claim for a payroll expense tax refund filed by Capital One Services II, LLC against the City and County of San Francisco for \$108,301.61; claim was filed on July 27, 2015. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
19. [160941](#) **[Settlement of Administrative Civil Liability Complaint - California Regional Water Quality Control Board - \$27,000]**
Resolution approving settlement of an administrative civil liability complaint proposed by California Regional Water Quality Control Board against the City and County of San Francisco for \$27,000; the complaint is entitled Administrative Civil Liability Complaint for Assessment of Mandatory Minimum Penalties, San Francisco Public Utilities Commission, Lower Cherry Aqueduct Mobile Plant Project, Tuolumne County; the matter involves alleged violations of wastewater discharge permit limitations and the California Water Code. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
20. [160942](#) **[Settlement of Unlitigated Claim - San Mateo County Parks Department - \$54,688]**
Resolution approving the settlement of the unlitigated claim filed by San Mateo County Parks Department against the City and County of San Francisco for \$54,688; the claim was filed on May 3, 2016; the claim involves alleged property damages and lost revenues arising from flooding. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
21. [160943](#) **[Settlement of Unlitigated Claim - Melvin Galvez - \$35,339.44]**
Resolution approving the settlement of the unlitigated claim filed by Melvin Galvez against the City and County of San Francisco for \$35,339.44; the claim was filed on July 9, 2015; the claim involves an employment dispute. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Tang, Yee

22. [160850](#) **[Appropriation - Mayor's Office of Housing and Community Development - Proceeds from General Obligation Housing Bond - FY2016-2017 - \$77,000,000]**
Sponsors: Mayor; Breed
Ordinance appropriating \$77,000,000 of proceeds from the General Obligation Housing Bond, Series 2016F to the Mayor's Office of Housing and Community Development for Public Housing, Low-Income Housing, Investment in Mission Neighborhood, and Middle Income Housing-DALP and TND in FY2016-2017, and placing these funds on Controller's Reserve pending sale of the bonds.
- (Fiscal Impact)
- 09/20/2016; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
23. [160892](#) **[Administrative Code - San Francisco City College Enrollment Fee Assistance Fund]**
Sponsors: Kim; Yee and Mar
Ordinance amending the Administrative Code to establish the San Francisco City College Enrollment Fee Assistance Fund.
- 09/20/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 09/20/2016; PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Tang, Yee

24. [160199](#) **[Administrative Code - Prevailing Wages for Commercial Vehicle Loading and Unloading on City Property]**
Sponsor: Wiener
Ordinance amending the Administrative Code to require that prevailing wages be paid for work loading or unloading materials, goods, or products for special events and shows on City property, and the driving of commercial vehicles for that purpose.

(Fiscal Impact)
Question: Shall this Ordinance be PASSED ON FIRST READING?
25. [160769](#) **[Waiving Competitive Process Requirement - Lease Agreement - Amoura International, Inc. - Interim Employee Café]**
Ordinance waiving the competitive process requirement of Administrative Code, Section 2A.173, for a lease agreement between Amoura International, Inc., and the City and County of San Francisco, by and through its Airport Commission, for an interim employee café at Airport Terminal 1. (Airport Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?
26. [160899](#) **[Accept and Expend Grant - San Francisco Parks Alliance - Parks Alliance Retroactive Grant for FY2014-2015 - \$84,202]**
Sponsor: Farrell
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a Grant from the San Francisco Parks Alliance to fund community events, staff development, recreation programming, and other activities from FY2014-2015 that together are valued at approximately \$84,202. (Recreation and Park Department)

Question: Shall this Resolution be ADOPTED?
27. [160926](#) **[Engineering Design Agreement Amendment - Kennedy/Jenks Consultants - Water System Improvement Program - Not to Exceed \$18,500,000]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 4 to Engineering Project Design Services Agreement No. CS-879C for Water System Improvement Program-funded projects between the City and County of San Francisco and Kennedy/Jenks Consultants, to extend the contract for three years to commence December 6, 2016, for a total term of December 6, 2007, through December 6, 2019, for an additional amount of \$2,000,000 for a total amount not to exceed \$18,500,000. (Public Utilities Commission)

(Fiscal Impact)
Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Yee

28. [160425](#) **[Administrative Code - Ban on City-Funded Travel to and City Contracts Involving States With Anti-LGBT Laws]**
Sponsors: Wiener; Campos and Farrell
Ordinance amending the Administrative Code to prohibit City-funded travel to states that have enacted laws after June 26, 2015, reversing anti-discrimination protections for LGBT individuals or permitting discrimination against LGBT individuals, and to prohibit City contracting with companies headquartered in states that have enacted such laws, or where work on the contract would be performed in such states.
Question: Shall this Ordinance be PASSED ON FIRST READING?
29. [160784](#) **[Settlement of Lawsuit and Supplemental Appropriation - Allied Insurance Company - \$60,000]**
Ordinance authorizing settlement of the lawsuit filed by Allied Insurance Company against the City and County of San Francisco for \$60,000; the lawsuit was filed on January 22, 2015, in San Francisco Superior Court, Case No. CGC-15-543789; entitled Allied Insurance Company v. The City and County of San Francisco, et al.; the lawsuit involves alleged property damage arising from flooding; and appropriating \$60,000 from the Water Enterprise fund balance for such purpose. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?
30. [160785](#) **[Settlement of Lawsuit and Supplemental Appropriation - Raymond Kruse and Ashley Kruse - \$325,000]**
Ordinance authorizing settlement of the lawsuit filed by Raymond Kruse and Ashley Kruse against the City and County of San Francisco for \$325,000; the lawsuit was filed on September 17, 2014, in San Francisco Superior Court, Case No. CGC-14-541704; entitled Raymond Kruse, et al. v. Precision Engineering, Inc., et al.; the lawsuit involves alleged property damage arising from flooding; and appropriating \$325,000 from the Water Enterprise fund balance for such purpose. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Yee, Breed

31. [160616](#) **[Board Response - Civil Grand Jury - Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings]**
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 "Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings;" 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. (Government Audit and Oversight Committee)
Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, Yee

32. [160618](#) **[Board Response - Civil Grand Jury - San Francisco Homeless Health and Housing: A Crisis Unfolding on Our Streets]**
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 "San Francisco Homeless Health and Housing: A Crisis Unfolding on Our Streets;" 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. (Government Audit and Oversight Committee)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Wiener, Peskin

33. [160321](#) **[Planning Code - Housing Balance Report]**
Sponsor: Kim
Ordinance amending the Planning Code to require inclusion in the Housing Balance Report data about the withdrawal of housing units from the rental market by all means, including owner move-ins; 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, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Present: Supervisors Cohen, Wiener, Peskin

34. [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.
- 03/01/2016; REFERRED to the Land Use and Transportation Committee.
- Question: Shall this Resolution be ADOPTED?**

Referred Without Recommendation from the Land Use and Transportation Committee

Present: Supervisors Cohen, Wiener, Peskin

**35. [160426](#) [Planning Code, Zoning Map - Rezoning Midtown Terrace Neighborhood]
Sponsor: Yee**

Ordinance amending the Planning Code by revising the Zoning Map to rezone all lot numbers in Assessor's Parcel Block Nos. 2780, 2783, 2784, 2785, 2786, 2787, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2820, 2822, 2822A, 2822B, 2823, 2823A, 2823B, 2823C, 2824, 2825, 2833, 2834, 2835, 2836; all lots in Block 2643B except Lot Nos. 5 and 8; all lots in Block 2781 except Lot No. 22; all lots in Block 2782 except Lot No. 27; all lots in Block 2788 except Lot No. 27; all lots in Block 2789 except Lot No. 29; and Lot Nos. 1, 2, 9, 12, 13, 14, 15, 16, 17, 23, and 24 of Assessor's Parcel Block No. 2821, from their current designation as Residential, House: One-Family (RH-1) to Residential, House: One-Family (Detached Dwellings) (RH-1(D)); revising the Zoning Map to rezone Assessor's Parcel Block No. 2643B, Lot No. 8, in from its current designation as Public to RH-1(D); amending the Planning Code to exempt the above blocks and lots from the requirements for Accessory Dwelling Units in RH-1(D) zoning districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

36. ROLL CALL FOR INTRODUCTIONS

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

37. PUBLIC COMMENT

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

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

Items 38 through 41

- 38. [161027](#) [Urging the City to Convene a Working Group Around Modular Housing Options for the Homeless]**
Sponsors: Kim; Campos
Resolution urging the City and County of San Francisco to convene a working group comprised of affordable housing developers, homelessness experts, labor organizations, and City staff to develop a blueprint for a modular housing pilot program.

09/20/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 39. [161028](#) [Youth Leadership Institute Day - September 22, 2016]**
Sponsor: Mar
Resolution declaring September 22, 2016, as Youth Leadership Institute Day and recognizing the organization's 25th anniversary in the City and County of San Francisco.

09/20/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 40. [161012](#) [Final Map 8123 - 468 Clementina Street]**
Motion approving Final Map 8123, a 13 residential unit Condominium Project, located at 468 Clementina Street, being a subdivision of Assessor's Parcel Block No. 3732, Lot No. 233, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

09/13/2016; RECEIVED FROM DEPARTMENT.

09/21/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

41. [161029](#) [Calling from Committee - Committee of the Whole - Hearing on the Blue Ribbon Panel Report (File No. 160806)]

Sponsor: Cohen

Motion calling from the Public Safety and Neighborhood Services Committee, pursuant to Board Rule 3.37, a hearing on the final report, findings, and recommendations of the Blue Ribbon Panel on Transparency, Accountability, and Fairness in Law Enforcement, and requesting the Police Department and Police Commission to report; and scheduling the Board of Supervisors to convene a Committee of the Whole on Tuesday, October 4, 2016, at 3:00 p.m. to hold the public hearing.

09/20/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

42. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

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 RESOLUTION

161011 [Public Utilities Commission - 2016 Issuance Water Revenue Bonds - Aggregate Principal Amount Not to Exceed \$295,000,000]

Resolution approving the issuance of water revenue bonds in an aggregate principal amount not to exceed \$295,000,000 to be issued by the Public Utilities Commission of the City and County of San Francisco pursuant to prior ordinances and the Charter of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which water revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

09/19/2016; RECEIVED FROM DEPARTMENT.

09/27/2016; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

161013 [Petitions and Communications]

Petitions and Communications received from September 12, 2016, through September 19, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 27, 2016.

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

From Mayor Lee, designating Supervisor Farrell as Acting-Mayor from September 15, 2016, until September 17, 2016. Copy: Each Supervisor. (1)

From Clerk of the Board, reporting that the following individual has submitted a Form 700 Statement: (2)

Rosemary E. Dilger - Legislative Aide - Assuming Office

From Clerk of the Board, reporting that the following agencies have submitted 2016 Local Agency Biennial Conflict of Interest Code Review reports: (3)

Children and Families Commission
Fine Arts Museums of San Francisco
Human Services Agency
Retirement

From Police Department, submitting a Federal Grant Budget Revision report. Copy: Each Supervisor. (4)

From Airport, regarding Emergency Repairs of Storm Drain Pump Station 2 Outfall Structure. Copy: Each Supervisor. (5)

From Office of the Treasurer and Tax Collector, submitting Monthly Pooled Investment Report for August 2016. Copy: Each Supervisor. (6)

From the Clerk of the Board, submitting 60 Day Receipt of responses for Civil Grand Jury Report "San Francisco Homeless Health and Housing: A Crisis Unfolding on Our Streets." Copy: Each Supervisor. (7)

From the Clerk of the Board, regarding Civil Grand Jury's reply to Department/Agency Responses regarding "Officer-Involved Shootings". Copy: Each Supervisor. (8)

From the Clerk of the Board, reporting 60 Day Receipt of responses for Civil Grand Jury Report, "Drinking Water Safety in San Francisco: A Reservoir of Good Practice." Copy: Each Supervisor. (9)

From Controller, submitting September 2016 preliminary report on Inclusionary Housing Working Group. File No. 160255. Copy: Each Supervisor. (10)

From San Francisco Municipal Transportation Agency, regarding Chapter 14B Local Business Enterprise (LBE) Annual Report. Copy: Each Supervisor. (11)

From San Francisco Residential Rent Stabilization and Arbitration Board, submitting FY2015-2016 Annual Report. Copy: Each Supervisor. (12)

From State of California Fish and Game Commission, submitting notice of proposed changes in regulations for federal groundfish and associated species. Copy: Each Supervisor. (13)

From State of California, Board of State and Community Corrections, submitting 2014-2016 Biennial Inspection report. Copy: Each Supervisor. (14)

From Sonja Trauss, regarding Midtown Terrace downzoning. File No. 160426. Copy: Each Supervisor. (15)

From concerned citizens, regarding proposed ordinance prohibiting first story Business or Professional Service uses in the West Portal Avenue Neighborhood Commercial District for 45 days. 3 letters. File No. 160894. Copy: Each Supervisor. (16)

From concerned citizens, regarding conditional use appeal - 2785 San Bruno Avenue. 4 letters. File No. 160918. Copy: Each Supervisor. (17)

From concerned citizens, regarding legislation to preserve historic Van Ness Avenue streetlamps. 11 letters. File No. 160993. Copy: Each Supervisor. (18)

From Dave Massen, regarding revenue-neutral carbon tax. Copy: Each Supervisor. (19)

From concerned citizens, submitting signatures for petition titled, "Stop SFMTA." 4,323rd signer. Copy: Each Supervisor. (20)

ADJOURNMENT