



# 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

Thursday, July 28, 2016 - 8:40 AM

## Special Meeting

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

Angela Calvillo, Clerk of the Board

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

## BOARD COMMITTEES

### Committee Membership

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

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

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

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

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

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

### Meeting Days

Wednesday  
1:00 PM

Wednesday  
10:00 AM

1st and 3rd Thursday  
9:30 AM

Monday  
1:30 PM

2nd Thursday  
2:30 PM

2nd and 4th Thursday  
11:00 AM

## Agenda Item Information

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

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

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

## Meeting Procedures

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

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

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

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

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

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

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

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

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

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

### **Disability Access**

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

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

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

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

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

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

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

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

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

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

## ROLL CALL

## COMMUNICATIONS

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

*(Hearing scheduled pursuant to an approved motion that carried without objection at the Board meeting of July 26, 2016.)*

1. [160846](#) **[Hearing - Charter Amendment - Department of Police Accountability]**  
Hearing to consider a Charter Amendment (Third Draft) (File No. 160586) to amend the Charter of the City and County of San Francisco to rename the Office of Citizen Complaints (OCC) as the Department of Police Accountability (DPA); give DPA direct authority over its proposed budget; and require DPA to conduct a performance audit every two years of how the Police Department has handled claims of officer misconduct and use of force, at an election to be held on November 8, 2016. (Clerk of the Board)

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

### Committee of the Whole Adjourn and Report

**Recommendation of the Rules Committee**

*Present: Supervisors Tang, Mar, Cohen*

*(Pending approval of Item No. 7 (File No. 160845), the provision of Board of Supervisors Rule 2.22.7 may be modified to allow this Charter Amendment to be submitted to the electorate by July 29, 2016, and modifying the six day requirement for the first appearance of a proposed Charter Amendment and any Board order of submission to the electorate.)*

**2. 160586 [Charter Amendment - Department of Police Accountability]**

**Sponsors: Cohen; Breed**

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

07/12/2016; CONTINUED.

07/19/2016; CONTINUED.

07/26/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/26/2016; CONTINUED AS AMENDED.

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

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

*(Hearing scheduled pursuant to an approved motion that carried without objection at the Board meeting of July 26, 2016.)*

3. [160847](#) **[Hearing - Charter Amendment - Public Advocate]**  
Hearing to consider a Charter Amendment (Fourth Draft) (File No. 160583) to amend the Charter of the City and County of San Francisco to: 1) create the Office of the Public Advocate; 2) set the Public Advocate's powers and duties; 3) authorize the Public Advocate to review the administration of City programs, including programs for transmitting information to the public, and to receive, investigate, and attempt to resolve complaints regarding City services and programs; 4) authorize the Public Advocate to receive and investigate specified whistleblower complaints; 5) authorize the Public Advocate to appoint the Director of the Office of Citizen Complaints; 6) provide for the Public Advocate's election, removal, and salary; and 7) set City policy regarding sufficient funding and minimum staffing for the Office of the Public Advocate; and setting operative dates, at an election to be held on November 8, 2016. (Clerk of the Board)
- Question: Shall this Hearing be HEARD AND FILED?**

## Committee of the Whole Adjourn and Report

**Recommendation of the Rules Committee**

*Present: Supervisors Tang, Mar, Cohen*

*(Pursuant to the approval of Motion No. 16-091 (File No. 160802), approved on July 15, 2016, the provision of Board of Supervisors Rule 2.22.7 has been modified to allow this Charter Amendment to be submitted to the electorate by July 29, 2016, and modifying the six day requirement for the first appearance of a proposed Charter Amendment and any Board order of submission to the electorate.)*

**4. 160583 [Charter Amendment - Public Advocate]**

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

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco to: 1) create the Office of the Public Advocate; 2) set the Public Advocate’s powers and duties; 3) authorize the Public Advocate to review the administration of City programs, including programs for transmitting information to the public, and to receive, investigate, and attempt to resolve complaints regarding City services and programs; 4) authorize the Public Advocate to receive and investigate specified whistleblower complaints; 5) authorize the Public Advocate to appoint the Director of the Office of Citizen Complaints; 6) provide for the Public Advocate’s election, removal, and salary; and 7) set City policy regarding sufficient funding and minimum staffing for the Office of the Public Advocate; and setting operative dates, at an election to be held on November 8, 2016.

07/19/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/19/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/19/2016; CONTINUED AS AMENDED.

07/26/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/26/2016; CONTINUED AS AMENDED.

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

## COMMITTEE REPORTS

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

*The following item will be considered by the Budget and Finance Sub-Committee at a Regular Meeting on Wednesday, July 27, 2016, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a Committee Report on Thursday, July 28, 2016.*

5. [160827](#) **[Agreements - Access to Fiber-Optic Facilities - Bay Bridge Consortium and Pacific Bell]**

**Sponsor: Mayor**

Ordinance approving two agreements to enable the City to obtain access to fiber-optic facilities owned by Pacific Bell located on the San Francisco-Oakland Bay Bridge: an agreement between the City and the Bay Bridge Consortium for a term potentially in excess of ten years, and an agreement between the City and Pacific Bell for a term potentially in excess of ten years; and, with respect to both agreements, waiving the requirements of Administrative Code, Section 21.9, prohibiting automatic renewal provision in contracts.

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

## 6. 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.*

7. [160845](#) **[Modifying Time for Submission of Charter Amendment under Rule 2.22.7 - Department of Police Accountability (File No. 160586)]**

**Sponsor: Cohen**

Motion modifying the amount of time required under Rule 2.22.7 between the first appearance on the Board's agenda of the proposed Charter Amendment (File No. 160586) regarding the Department of Police Accountability and the Board's order submitting them to the electorate for the November 8, 2016 election.

07/26/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

## ADJOURNMENT