

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, July 12, 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

<b>Budget and Finance Committee</b> Supervisors Farrell, Tang, Yee, Kim, Wiener	Wednesday 10:00 AM
<b>Budget and Finance Sub-Committee</b> Supervisors Farrell, Tang, Yee	Wednesday 10:00 AM
<b>Government Audit and Oversight Committee</b> Supervisors Peskin, Yee, Breed	1st and 3rd Thursday 9:30 AM
<b>Land Use and Transportation Committee</b> Supervisors Cohen, Wiener, Peskin	Monday 1:30 PM
<b>Public Safety and Neighborhood Services Committee</b> Supervisors Kim, Avalos, Campos	2nd Thursday 2:30 PM
<b>Rules Committee</b> 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, July 12, 2016, with President London Breed presiding.*

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*President London Breed called the meeting to order at 2:04 p.m. On the call of the roll, Supervisor Mar was noted not present. There was a quorum.*

## COMMUNICATIONS

*There were no communications.*

## APPROVAL OF MEETING MINUTES

*President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of June 7, 2016, or the June 8, 2016, Special Meeting Minutes at the Budget and Finance Committee. There were no corrections.*

**Supervisor Campos, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of June 7, 2016, and the June 8, 2016, Special Meeting Minutes at the Budget and Finance Committee. The motion carried by the following vote, following general public comment:**

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

Absent: 1 - Mar

## AGENDA CHANGES

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendations of the Government Audit and Oversight Committee

#### **160500 [Settlement of Lawsuit - Ken Meisle - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Ken Meisle against the City and County of San Francisco for \$40,000; the lawsuit was filed on November 26, 2014, in San Francisco Superior Court, Case No. CGC-14-542935; entitled Ken Meisle v. City and County of San Francisco; the lawsuit involves personal injury and property damage. (City Attorney)

**Ordinance No. 131-16**

**FINALLY PASSED**

**160501 [Settlement of Lawsuit - Martha Abbene - \$81,000]**

Ordinance authorizing settlement of the lawsuit filed by Martha Abbene against the City and County of San Francisco for \$81,000; the lawsuit was filed on January 21, 2015, in San Francisco Superior Court, Case No. CGC-15-543761; entitled Martha Abbene v. City and County of San Francisco, et al.; the lawsuit involves personal injury due to uneven road surface. (City Attorney)

**Ordinance No. 132-16**

**FINALLY PASSED**

**160576 [Settlement of Lawsuits - Justice Operating Co. LLC, and Justice Investors LP, Kearny Street Employers LLC - \$1,450,000]**

Ordinance authorizing settlement of two lawsuits filed by Justice Investors LP, Kearny Street Employers LLC, and Justice Operating Co. LLC, against the City and County of San Francisco for \$1,450,000; the first lawsuit was filed on July 16, 2015, in San Francisco Superior Court, Case No. CGC-15-546897; entitled Justice Investors LP, Justice Operating Co. LLC v. City and County of San Francisco; the second lawsuit was filed on October 19, 2015, in San Francisco Superior Court, Case No. CPF-15-514532; entitled Justice Investors LP, Kearny Street Employers LLC v. City and County of San Francisco; these are suits for refund of Real Property Transfer Tax, Transient Occupancy Tax and Tourism Improvement District Fees; other material term of said settlement is San Francisco's dismissal of its cross-complaint in Case No. CPF-15-514532. (City Attorney)

**Ordinance No. 133-16**

**FINALLY PASSED**

**Recommendations of the Land Use and Transportation Committee****160360 [Zoning Map - Rezoning Potrero HOPE SF Parcels at 25th and Connecticut Streets]**

**Sponsor: Cohen**

Ordinance amending the Planning Code to facilitate development of the Potrero HOPE SF (Housing Opportunities for People Everywhere San Francisco) Project by revising Zoning Map Sheet ZN08 to rezone Assessor's Parcel Block No. 4287, Lot No. 007, at 25th and Connecticut Streets from Public (P) to Residential, Mixed Districts, Moderate Density (RM-2); revising Zoning Map Sheet HT08 to rezone Assessor's Parcel Block No. 4287, Lot Nos. 001A and 007, from a 40-X height and bulk limit to a 50-X height and bulk limit; 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.

**Ordinance No. 129-16**

**FINALLY PASSED**

**160385 [Transportation Code - Fare Evasion and Passenger Conduct Regulations]****Sponsors: Mar, Campos, Breed and Cohen**

Ordinance amending the Transportation Code to consolidate and clarify existing fare evasion regulations, revise passenger conduct violations to make consistent with recent state law changes, and authorize the San Francisco Municipal Transportation Agency to establish separate fine amounts for fare evasion and passenger conduct violations committed by youth; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

**Ordinance No. 130-16**

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

**Appointment of President Pro Tempore**

*At the request of President Breed, Supervisor Campos assumed the chair at 2:07 p.m. so the President could participate in the debate on File No. 160383 from the floor. The President resumed the chair at 2:09 p.m.*

**Severed from the Consent Agenda**

*President Breed requested that File No. 160383 be severed so that it may be considered separately.*

**160383 [Environment Code - Food Service and Packaging Waste Reduction]****Sponsors: Breed; Peskin, Mar, Campos and Cohen**

Ordinance amending the Environment Code to prohibit the sale of food service ware and other specified products including packing materials that are made from polystyrene foam or that are non-recyclable and non-compostable; setting operative dates; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Supervisor Breed, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 8, Line 9, by striking 'within the City', Line 10, by striking 'includes take-out food, but', Lines 10-11, by adding 'raw eggs or', and Lines 11-12, by adding 'a refrigerator case'. The motion carried by the following vote:**

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

**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

## REGULAR AGENDA

## UNFINISHED BUSINESS

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

*Supervisor Mar was noted present at 2:14 p.m.*

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

**Sponsors: Mayor; Tang**

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

**Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 22, Line 16, by striking '(B)' and adding '(iv)', and Line 24, by adding a new Section 206.3(d)(1)(A)(v) that requires applicants to comply with applicable state or federal relocation acts; and on Page 52, Line 15, by adding the following to Section 328(c) 'The Planning Commission, upon recommendation of the Planning Director, may also apply the standards of Section 261.1 to bonus floors for all projects on narrow streets and alleys in order to ensure that these streets do not become overshadowed, including potential upper story setbacks, and special consideration for the southern side of East-west streets, and Mid-block passages, as long as such setbacks do not result in a smaller number of residential units.' The motion carried by the following vote:**

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

**Supervisor Yee, seconded by Supervisor Tang, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 19, Line 7, by adding 'RH-2(D)'. 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: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

*President Breed requested File Nos. 160690 and 160691 be called together.*

**160690 [Mission Bay South - Accepting Portions of Channel, El Dorado Street North and South, and Long Bridge Street]**

**Sponsor: Kim**

Ordinance accepting the irrevocable offer of public infrastructure acquisition facilities associated with Mission Bay South Redevelopment Plan Block 13 on Channel, El Dorado Street North, El Dorado Street South, and Long Bridge Street ("Block 13 Public Infrastructure"); accepting an irrevocable offer of dedication for real property underlying a portion of Long Bridge Street; declaring City property and additional property as shown on official Public Works maps as open public right-of-way; dedicating the Block 13 Public Infrastructure for public use and designating such streets and associated Public Infrastructure for public street and roadway purposes; establishing official public right-of-way widths and street grades; amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to establish official sidewalk width on the abovementioned streets; accepting the Block 13 Public Infrastructure for City maintenance and liability purposes, subject to specified limitations; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Public Works Order; and authorizing official acts in connection with this Ordinance.

**Ordinance No. 134-16**

**FINALLY PASSED by the following vote:**

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

**160691 [Mission Bay South - Park P26 Acceptance]**

**Sponsor: Kim**

Ordinance dedicating City-jurisdictional property, located on a portion of State Trust Parcel 14, commonly known as Mission Bay Park P26, lying along Mariposa Street and Owens Street, as open public right-of-way and naming the new park "Mariposa Park," accepting an irrevocable offer for the acquisition facilities that comprise the park improvements; designating said facilities for public open space and park purposes, accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Public Works Order; and authorizing official acts in connection with this Ordinance.

**Ordinance No. 135-16**

**FINALLY PASSED by the following vote:**

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*President Breed requested File Nos. 160628, 160629, 160462, 160463, 160642, 160644, 160630, 160631, 160632, 160633, 160634, 160635, 160636, 160637, 160640, 160474, 160648, 160646, 160647, 160649, 160650, 160651, 160652, 160653, 160654, and 160606 be called together.*

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

**Sponsor: Mayor**

Proposed Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2016, for the FYs ending June 30, 2017, and June 30, 2018.

(Fiscal Impact)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding 'including those selected departments recommended for approval by the Budget and Finance Committee on May 25, 2016,' to the long title after 'expenditures for Departments'. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee  
Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments, including those selected departments recommended for approval by the Budget and Finance Committee on May 25, 2016, of the City and County of San Francisco as of May 31, 2016, for the FYs ending June 30, 2017, and June 30, 2018.

(Fiscal Impact)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED AS AMENDED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

#### **160629 [Annual Salary Ordinance - FYs 2016-2017 and 2017-2018]**

**Sponsor: Mayor**

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

(Fiscal Impact)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding 'including those selected departments recommended for approval by the Budget and Finance Committee on May 25, 2016,' in the long title after 'enumerating positions'. The motion carried by the following vote:**

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

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

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED AS AMENDED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160462 [Proposed Budget and Appropriation Ordinance for Selected Departments, as of May 2, 2016, for FYs 2016-2017 and 2017-2018]**

**Sponsor: Mayor**

Proposed Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the Airport Commission, Board of Appeals, Department of Building Inspection, Child Support Services, County Education Office, Department of the Environment, Law Library, Municipal Transportation Agency, Port, Public Library, San Francisco Public Utilities Commission, the Residential Rent Stabilization and Arbitration Board, and Retirement System as of May 2, 2016, for FYs 2016-2017 and 2017-2018. (Fiscal Impact)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be TABLED. The motion carried by the following vote:**

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

**160463 [Proposed Annual Salary Ordinance for Selected Departments, as of May 2, 2016, for FYs 2016-2017 and 2017-2018]**

**Sponsor: Mayor**

Proposed Annual Salary Ordinance enumerating positions in the Proposed Budget and Appropriation Ordinance for the Airport Commission, Board of Appeals, Department of Building Inspection, Child Support Services, Department of the Environment, Law Library, Municipal Transportation Agency, Port, Public Library, San Francisco Public Utilities Commission, the Residential Rent Stabilization and Arbitration Board, and Retirement System as of May 2, 2016, for FYs 2016-2017 and 2017-2018. (Fiscal Impact)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be TABLED. The motion carried by the following vote:**

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

**160642 [Treasure Island Development Authority Budget - FYs 2016-2017 and 2017-2018]**

**Sponsor: Mayor**

Resolution approving the Budget of the Treasure Island Development Authority for FYs 2016-2017 and 2017-2018. (Treasure Island Development Authority)  
(Fiscal Impact; No Budget and Legislative Analyst Report)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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



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

**Sponsor: Mayor**

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

(Fiscal Impact; No Budget and Legislative Analyst Report)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160630 [Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling - Tax Year 2016]**

**Sponsor: Mayor**

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

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160631 [Administrative Code - City Membership in Certain Organizations]**

**Sponsor: Mayor**

Ordinance amending the Administrative Code to modify the requirements for City departments to acquire and maintain membership in professional, trade, and other organizations. (Controller)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160632 [Planning, Administrative Codes - Planning Department Fees - Future Fee Adjustments]**

**Sponsor: Mayor**

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

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160633 [Administrative Code - Establishing District Attorney Neighborhood Justice Fund]****Sponsor: Mayor**

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

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160634 [Administrative Code - Department of Public Health Managed Care Contracts]****Sponsor: Mayor**

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

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160635 [Health Code - Patient Rates - FYs 2016-2017 and 2017-2018]****Sponsor: Mayor**

Ordinance amending the Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2016, through June 30, 2018. (Public Health Department)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160636 [Administrative Code - County Adult Assistance Programs]****Sponsor: Mayor**

Ordinance amending the Administrative Code to: 1) streamline the statutory authority for the City's indigent aid programs by eliminating redundancies and moving the authority for all programs under one renumbered Article; 2) create the Family General Relief program, to provide aid under limited circumstances to indigent households with minors who are ineligible for state aid; 3) authorize the Department of Human Services to create an intensive employment services program; 4) remove the authority to impose recoupments to collect overpayments resulting from agency error; 5) expand the types of identification that are acceptable as proof of identity; 6) repeal the requirement that applicants transfer to the City any interests in real property; 7) conform to changes in state law governing time limits applied to receipt of benefits under the CalWORKs program; 8) delete outdated provisions that no longer reflect current operation of the General Assistance program; and 9) reduce the time during which records must be retained from five to three years. (Human Services Agency)

(Fiscal Impact; No Budget and Legislative Analyst Report)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160637 [Fire Code - Increasing Fire Department Overtime Fee]****Sponsor: Mayor**

Ordinance amending the Fire Code to increase the Fire Department Overtime Fee from \$133 to \$134 per hour. (Fire Department)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160640 [Administrative Code - Fee for Credit and Debit Card Transactions]****Sponsor: Mayor**

Ordinance amending the Administrative Code to impose a fee for credit and debit card transactions processed by the City and County of San Francisco. (Treasurer-Tax Collector)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160474 [Proposition J Contract Certification Specified Contracted-Out Services Previously Approved]****Sponsor: Mayor**

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

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160648 [Proposition J Contract Certification Specified Contracted-Out Services Previously Approved]****Sponsor: Mayor**

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

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160646 [Authorized Representative in Sales and Use Tax Records Examination - MuniServices, LLC]****Sponsor: Mayor**

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

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160647 [Access Line Tax Adjustment - Consumer Price Index of 2016]****Sponsor: Mayor**

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

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160649 [Accept and Expend Grants - Recurring State Grant Funds - Department of Public Health- FY2016-2017]****Sponsor: Mayor**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2016-2017. (Public Health Department)  
(Fiscal Impact; No Budget and Legislative Analyst Report)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160650 [Accept and Expend Grant - The San Francisco Foundation - Hope SF - \$1,400,500]****Sponsor: Mayor**

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

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160651 [Withdrawing from the Statewide Finger Imaging System in County Adult Assistance Programs]****Sponsor: Mayor**

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

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160652 [Real Property Purchase - 440 Turk Street - San Francisco Housing Authority - Not to Exceed \$5,000,000]****Sponsor: Mayor**

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

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160653 [Homelessness and Supportive Housing Fund - Approval of FYs 2016-2017 and 2017-2018 Expenditure Plans]****Sponsor: Mayor**

Resolution approving the FYs 2016-2017 and 2017-2018 Expenditure Plans for the Department of Homelessness and Supportive Housing Fund.  
(Fiscal Impact; No Budget and Legislative Analyst Report)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160654 [Parking and Transit Violation Citation Overpayments Transfer to the General Fund - Up to \$4,000,000]****Sponsor: Mayor**

Resolution approving the recognition of \$4,000,000 for overpayments and duplicate payments received by the City for parking and transit violations issued between January 1, 1994, and June 30, 2012, and approving the transfer of up to \$4,500,000 to the General Fund. (Municipal Transportation Agency)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160606 [Cost of Living Adjustment to the Contract for Budget and Legislative Analyst Services - \$2,174,806 - FY2016-2017]**

Motion enacting a 2.25% cost of living adjustment (COLA) to the base FY2016-2017 contract amount of \$2,126,950 for Budget and Legislative Analyst Services, to be effectuated as of July 1, 2016, resulting in a new FY2016-2017 contract amount of \$2,174,806, an increase of \$47,856; and directing the Clerk of the Board to take all necessary administrative action to amend the contract accordingly. (Clerk of the Board)

**Supervisor Farrell, seconded by Supervisor Mar, moved that this Motion be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160667 [Administrative Code - Requests for Qualifications]****Sponsor: Mayor**

Ordinance amending the Administrative Code to extend the permissible period for using a list of prequalified entities to contract for commodities and/or services following the issuance of a Request for Qualifications from two years to four years if certain conditions are met.

**PASSED, ON FIRST READING by the following vote:**

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

**160513 [Construction Management and Oversight Services Intergovernmental Agreement - Transbay Joint Powers Authority - \$4,491,461]****Sponsor: Mayor**

Resolution retroactively approving a Transbay Project Construction Management and Oversight Services Intergovernmental Agreement with the Transbay Joint Powers Authority, including anticipated compensation to the City, through the Department of Public Works, for performing such services, in the total amount of \$4,491,461 for a three-year term commencing January 4, 2016, and mutual indemnity provisions; and authorizing the Deputy Director of the Department of Public Works to execute that Agreement.

**Resolution No. 274-16****ADOPTED by the following vote:**

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

**160533 [Contract Approval - San Francisco In-Home Supportive Service Public Authority - Provider Benefits and Administration Contract Approval - \$267,094,964]**

Resolution approving the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority for the provision of administration, health, and dental benefits to IHSS Independent Providers for the period of July 1, 2016, to June 30, 2020, in the amount of \$267,094,964. (Human Services Agency)  
(Fiscal Impact; No Budget and Legislative Analyst Report)

**Resolution No. 275-16****ADOPTED by the following vote:**

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

**160597 [Intent to Prioritize Funding Free City College of San Francisco]****Sponsors: Kim; Breed, Peskin, Yee, Mar, Campos and Avalos**

Resolution reclaiming the promise of free higher education in the City and County of San Francisco by securing funding to eliminate enrollment fees for students who are San Francisco residents or working at least half-time in San Francisco, and by supporting educational costs for enrolled students who are in receipt of federal or state financial aid.  
(Supervisor Farrell dissented in committee.)

**Resolution No. 280-16****ADOPTED by the following vote:**

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

Noes: 1 - Farrell

**160604 [Initiative Ordinance - Business and Tax Regulations Code - Increase Real Property Transfer Tax on Properties of At Least \$5,000,000]****Sponsors: Kim; Campos, Peskin, Mar, Avalos and Yee**

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

(Economic Impact)

(Supervisor Farrell dissented in committee.)

**Supervisor Kim, seconded by Supervisor Yee, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 9-10, and Lines 22-23, by adding 'and to clarify the application of the Real Property Transfer Tax to transfers of ownership interests in legal entities'; on Page 3, Lines 10-11, by striking 'TITLE CHANGES NOT AFFECTING OWNERSHIP'; Page 4, Lines 5-6, by adding '(d) Notwithstanding any other language in this Section 1108, nothing in this Section shall exempt from the tax imposed under this Article 12-C any "realty sold" as described in Section 1114(b).' , Line 9, by striking '(d)', Line 24, by adding '(b)', adding 'subsection (a)', and striking 'the preceding sentence'; and Page 5, Line 1, by striking 'the entity's', striking '&', adding 'and', striking '\$', and adding 'Section', and Lines 2-4, by adding 'In such cases, there shall be deemed to have been an instrument executed whereby there was conveyed, for fair market value, all real property that experienced a change of ownership under California Revenue and Taxation Code Section 64.' The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee  
Motion ordering submitted to the voters, at an election to be on held November 8, 2016, an ordinance amending the Business and Tax Regulations Code to increase the Real Property Transfer Tax rate from 2% to 2.25% on properties with a consideration or value of at least \$5,000,000 and less than \$10,000,000; from 2.5% to 2.75% on properties with a consideration or value of at least \$10,000,000 and less than \$25,000,000; and from 2.5% to 3% on properties with a consideration or value of at least \$25,000,000, and to clarify the application of the Real Property Transfer Tax to transfers of ownership interests in legal entities; and increasing the City's appropriations limit by the amount of the tax increase for four years from November 8, 2016.

**Supervisor Kim, seconded by Supervisor Peskin, moved that this Motion be CONTINUED AS AMENDED to the Board of Supervisors meeting of July 19, 2016, and for the Board to convene as a Committee of the Whole to consider this Motion. The motion carried by the following vote:**

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

**Recommendations of the Budget and Finance Sub-Committee****150729 [Administrative Code - Neighborhood Noticing Ordinance]****Sponsors: Farrell; Breed**

Ordinance amending the Administrative Code to direct the Chief Data Officer to develop a pilot program for expanding public notice of significant projects and permitting decisions in the City, in the areas of construction and infrastructure repair work, public health and safety services and facilities, and transportation.

(Fiscal Impact)

*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

**160718 [Park Code - Accept and Expend - Francisco Park Conservancy - \$25,000,000 Plus \$150,000 per Year, Plus Future Gifts - New Park at Francisco Reservoir Site]****Sponsors: Farrell; Peskin**

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

(Fiscal Impact)

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

**PASSED, ON FIRST READING by the following vote:**

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

**160428 [Real Property Lease - Opera Plaza, L.P. - 601 Van Ness Avenue - \$363,132 Rent in Initial Year]****Sponsor: Breed**

Resolution authorizing a Lease between the City and County of San Francisco, as Tenant, and Opera Plaza L.P. as Landlord, of office space located at 601 Van Ness Avenue in San Francisco, consisting of approximately 8,646 rentable square feet, for an initial term of five years for use by the Human Services Agency of San Francisco at \$30,261 monthly rent, totaling \$363,132 in the initial year, with annual \$1.00 per sq. ft. increases and one, five-year option to extend the term; and finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

**Resolution No. 272-16**

**ADOPTED by the following vote:**

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

**160480 [Real Property Lease - 200 Paul, LLC - 200 Paul Ave - \$809,010 Rent in Initial Year]****Sponsor: Cohen**

Resolution authorizing a Lease between the City and County of San Francisco, as Tenant, and 200 Paul, LLC, a Delaware limited liability company as Landlord, of office production and warehouse space located at 200 Paul Avenue, consisting of approximately 53,934 square feet of building and approximately 24,000 square feet of yard for a ten-year term of January 1, 2017, through December 31, 2026, for use by the Department of Technology's Public Safety Division at \$67,417.50 monthly, for \$809,010 rent in the initial year with annual 3% increases and one five-year option to extend; and finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

**Resolution No. 273-16**

**ADOPTED by the following vote:**

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



**160538 [Memorandum of Agreement - United States Department of the Interior, National Park Service - Not to Exceed \$12,326,507]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Memorandum of Agreement with the United States Department of the Interior, National Park Service, Yosemite National Park, for comprehensive management of watersheds within Yosemite National Park supplying the San Francisco Regional Water System for an amount not to exceed \$12,326,507 and a total duration of two years from July 1, 2016, through June 30, 2018, pursuant to Charter, Section 9.118. (Public Utilities Commission)  
(Fiscal Impact)

**Resolution No. 276-16**

**ADOPTED by the following vote:**

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

**160542 [Cost Reimbursement Agreement - ExxonMobil Corporation - Management of Residual Petroleum Hydrocarbons - Wharf J10 - \$5,000,000]**

Resolution approving the Cost Reimbursement Agreement between the Port and ExxonMobil Corporation for the management of residual petroleum hydrocarbons on City property in the area known as Wharf J10 in Fisherman's Wharf, for a term of 20 years or reimbursement of \$5,000,000 increased by 3% annually, whichever comes first. (Port)

*Privilege of the floor was granted unanimously to Carol Bach (San Francisco Port) who responded to questions raised throughout the discussion.*

**Resolution No. 278-16**

**ADOPTED by the following vote:**

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

**160596 [Contract Amendment - New Flyer of America, Inc. - Purchase of Low Floor Electric Trolley Buses - Not to Exceed \$150,448,729]**

**Sponsors: Breed; Mar**

Resolution approving Amendment No. 1 to Contract No. CPT 632 (Procurement of Electric Trolley Buses) with New Flyer of America, Inc., to purchase an additional 33 articulated low-floor electric trolley buses, for an additional amount of \$55,498,285 and a total contract amount not to exceed \$150,448,729 with no change to the term of the contract; and authorizing the Director of Transportation of the San Francisco Municipal Transportation Agency to enter into amendments or modifications to the Agreement, as defined herein. (Municipal Transportation Agency)  
(Fiscal Impact)

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

**Resolution No. 279-16**

**ADOPTED by the following vote:**

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

*Supervisor Mar was noted absent at 3:05 p.m.*

**160598 [Authorizing Expenditures - SoMa Community Stabilization Fund - \$635,000]****Sponsor: Kim**

Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund dollars in the amount of \$635,000 to address various impacts of destabilization on residents and businesses in SoMa, and reaffirming an administrative support plan for the Fund. (Mayor's Office of Housing and Community Development)  
(Fiscal Impact)

**Resolution No. 281-16****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 3:07 p.m.*

*President Breed requested File Nos. 160622 and 160623 be called together.*

**160622 [Second Extension Agreement - Long Term Power Sales - Turlock Irrigation District]**

Resolution approving a Second Extension Agreement between the City and County of San Francisco, acting by and through its Public Utilities Commission, and the Turlock Irrigation District, to extend the term of the existing Long Term Power Sales Agreement to the earlier of the approval of a replacement agreement by both parties, or June 30, 2017. (Public Utilities Commission)  
(Fiscal Impact)

**Resolution No. 282-16****ADOPTED by the following vote:**

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

**160623 [Second Extension Agreement - Long Term Energy Sales - Modesto Irrigation District]**

Resolution approving a Second Extension Agreement between the City and County of San Francisco, acting by and through its Public Utilities Commission, and the Modesto Irrigation District, to extend the term of the existing Long Term Energy Sales Agreement to the earlier of the approval of a replacement agreement by both parties, or June 30, 2017. (Public Utilities Commission)  
(Fiscal Impact)

**Resolution No. 283-16****ADOPTED by the following vote:**

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

---

**Recommendations of the Land Use and Transportation Committee****160499 [Summary Street Vacation - Greenwich Street - Pioneer Park Improvements]**

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

**PASSED, ON FIRST READING by the following vote:**

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

**160541 [Term Sheet Endorsement - TZK Broadway, LLC - Teatro ZinZanni Theatre/Hotel Project]**

Resolution endorsing the term sheet between TZK Broadway, LLC, whose members include Teatro ZinZanni and its financial and development partner, Kenwood Investments No. 6, LLC, and the Port Commission for the lease and development of a 180-200 room hotel, a dinner-theater featuring Teatro ZinZanni, an approximately 7,500 square-foot public park and open space, and ancillary uses on Seawall Lots 323 and 324 and portions of unimproved Vallejo and Davis Street rights-of-way on the west side of The Embarcadero at Vallejo Street. (Port)

**Resolution No. 277-16**

**ADOPTED by the following vote:**

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

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

*President Breed requested File Nos. 160660 and 160675 be called together.*

**160660 [Urging the San Francisco Legislative Delegation to Amend or Oppose the Proposed "By Right Housing Approvals" Budget Trailer Bill]**

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

Resolution urging the San Francisco Legislative Delegation to amend or oppose the "By Right Housing Approvals" proposed Trailer Bill in recognition of San Francisco's local planning tools and significant contributions to regional housing development.

**ADOPTED by the following vote:**

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

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

**160675 [Urging the San Francisco Legislative Delegation to Work to Amend the Proposed "By Right Housing Approvals" Budget Trailer Bill]****Sponsor: Wiener**

Resolution urging the San Francisco Legislative Delegation to work to amend the "By Right Housing Approvals" proposed Trailer Bill, in recognition of San Francisco's severe housing crisis and existing obstacles to sufficient regional and statewide housing creation.

**NOT ADOPTED by the following vote:**

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

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

**Recommendations of the Public Safety and Neighborhood Services Committee**

*President Breed requested File Nos. 160248, 160250, and 160680 be called together.*

**160248 [Liquor License - 141 Gough Street]**

Resolution determining that the issuance of a Type 21 off-sale general license to Phitak Raxakoul for San Francisco Wine and Cheese, Inc. dba San Francisco Wine and Cheese located at 141 Gough Street (District 5), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**Resolution No. 270-16****ADOPTED by the following vote:**

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

**160250 [Liquor License - 927 Post Street]**

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Raton 927 LLC, dba Raton 927 located at 927 Post Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**Resolution No. 271-16****ADOPTED by the following vote:**

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

**160680 [Liquor License - 29-3rd Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises license to Destination Bars, Inc. for The Lark located at 29-3rd Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**Resolution No. 284-16****ADOPTED by the following vote:**

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

**Referred Without Recommendation from the Rules Committee****151273 [Charter Amendment - Filling Vacancies in Local Elective Office]****Sponsors: Avalos; Mar**

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

**Supervisor Avalos, seconded by Supervisor Farrell, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160381 [Charter Amendment - City Responsibility for Maintaining Street Trees]****Sponsor: Wiener**

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

**Supervisor Wiener, seconded by Supervisor Campos, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160582 [Charter Amendment - City Responsibility for Maintaining Street Trees]****Sponsors: Avalos; Mar**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to transfer responsibility for the maintenance of street trees from abutting property owners to the City; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held on November 8, 2016.

**Supervisor Avalos, seconded by Supervisor Mar, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

## **Recommendations of the Rules Committee**

### **160585 [Charter Amendment - Dignity Fund]**

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

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

(Supervisor Tang dissented in committee.)

**Supervisor Yee, seconded by Supervisor Campos, moved that this Charter Amendment be AMENDED, on Page 17, Line 5, by adding 'The Mayor shall invite the Board of Supervisors to recommend candidates for the three at-large members and the Mayor shall consider any such recommendations in making the appointments.' after 'Notice of Appointment.'; and Page 18, Lines 12-15, by adding 'Prior to making the appointments, the Mayor shall invite the Board of Supervisors to recommend candidates for the Commission and the Mayor shall consider any such recommendations in making the appointments.' after 'four-year terms.' The motion FAILED by the following vote:**

Ayes: 5 - Avalos, Campos, Kim, Peskin, Yee

Noes: 6 - Breed, Cohen, Farrell, Mar, Tang, Wiener

**Supervisor Avalos, seconded by Supervisor Yee, moved that this Charter Amendment be AMENDED by splitting the Mayor and Board of Supervisors appointments to the Oversight and Advisory Committee and Aging and Adult Services Commission. The motion FAILED by the following vote:**

Ayes: 5 - Avalos, Campos, Kim, Peskin, Yee

Noes: 6 - Breed, Cohen, Farrell, Mar, Tang, Wiener

**Supervisor Yee, seconded by Supervisor Mar, moved that this Charter Amendment be AMENDED on Page 17, Line 5, by adding 'The Board of Supervisors may recommend candidates for the three at-large members and the Mayor shall consider any such recommendations in making the appointments.' after 'Notice of Appointment.'; and on Page 19, Lines 12-15, by adding 'The Board of Supervisors may recommend candidates for the Commission and the Mayor shall consider any such recommendations in making the appointments.' after 'four-year terms.' The motion FAILED by the following vote:**

Ayes: 4 - Avalos, Campos, Peskin, Yee

Noes: 7 - Breed, Cohen, Farrell, Kim, Mar, Tang, Wiener

**Supervisor Cohen, seconded by Supervisor Avalos, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160586 [Charter Amendment - Department of Police Accountability]****Sponsors: Cohen; Breed**

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

**Supervisor Cohen, seconded by Supervisor Avalos, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**160589 [Charter Amendment - Municipal Transportation Agency - Appointments to Board of Directors and Budget Process]****Sponsors: Yee; Kim, Peskin and Campos**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to split the power to make appointments to the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors between the Mayor and the Board of Supervisors, to lower the vote by which the Board of Supervisors may reject the SFMTA Budget from seven to six, and to make related changes implementing these amendments, at an election to be held on November 8, 2016. (Supervisor Tang dissented in committee.)

**Supervisor Yee, seconded by Supervisor Campos, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**SPECIAL ORDER 2:30 P.M. - Recognition of Commendations****COMMITTEE REPORTS****Recommendation of the Land Use and Transportation Committee****160319 [Administrative Code - San Francisco Fire Victims Assistance Fund]****Sponsors: Breed; Campos, Farrell, Cohen and Mar**

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

*Supervisors Farrell, Cohen, and Mar requested to be added as co-sponsors.*

**PASSED, ON FIRST READING by the following vote:**

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

## **Recommendation of the Rules Committee**

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

**Sponsors: Mayor; Wiener and Farrell**

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

**Supervisor Wiener, seconded by Supervisor Mar, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## **PUBLIC COMMENT**

*Abdalla Megahed; expressed concerns regarding the recent shootings of police officers.*

*Ronald Lee; shared various experiences and upcoming travel plans.*

*Peter Warfield; expressed concerns regarding the San Francisco Public Library and their lending practices.*

*Male Speaker; shared various religious concerns.*

*Christopher Dahl; shared concerns regarding public transportation and financial savings.*

*Chris Kitzky; expressed concern regarding the Falun D*

*Mark Gruber; expressed support of File No. 160759 to adopt new regulations requiring fingerprint background checks for Transportation Network Companies.*

*Barry Bugile; expressed support of File No. 160759 to adopt new regulations requiring fingerprint background checks for Transportation Network Companies.*

*Andrew Yip; shared various experiences and thoughts with the Board.*

*Eva DeLair; expressed opposition to File No. 160759 to adopt new regulations requiring fingerprint background checks for Transportation Network Companies.*

*Dorsey Nunn; expressed opposition to File No. 160759 to adopt new regulations requiring fingerprint background checks for Transportation Network Companies.*

*Dolores Canales; expressed opposition to File No. 160759 to adopt new regulations requiring fingerprint background checks for Transportation Network Companies.*

*Female Speaker; expressed concerns regarding the need for assistance in the Bayview District.*

*Sala Chandler; shared concerns regarding women support groups for those who lost children to violence.*

*Jed Holtzman; shared concerns regarding transportation and pollution.*

*Tom Gilberty; shared various experiences with a reckless driver and other activism issues.*



## CLOSED SESSION

### CONFERENCE WITH CITY ATTORNEY - Existing Litigation

*Approval to convene in closed session was acted upon by Motion No. M16-090 (File No. 160745) under the "For Adoption Without Committee Reference" calendar, and public comment on the approval to convene was taken during General Public Comment.*

#### **160746 [Closed Session - Existing Litigation - David Zeller - July 12, 2016]**

Closed Session for the Board of Supervisors to convene on July 12, 2016, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d) (1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding existing litigation relating to the lawsuit filed on March 14, 2013, in San Francisco Superior Court, Case No. CGC-13-529554; entitled David Zeller v. City of San Francisco, et al.; in which the City is a defendant. (Clerk of the Board)

*Although a motion was not required, since the Motion to Convene was already approved by Motion No. M16-090 (File No. 160745), Supervisor Campos, seconded by Supervisor Farrell, moved that the Board of Supervisors convene in closed session with the City Attorney. The motion carried by the following vote:*

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

*Although the public comment requirement was satisfied during General Public Comment, President Breed suggested public comment be reopened and the Board had no objections. President Breed then inquired as to whether any member of the public wished to address the Board regarding convening in closed session. Tom Gilberty; shared concerns relating to closed sessions. The President declared public comment closed.*

#### CONVENED IN CLOSED SESSION

*The Board recessed at the hour of 6:02 p.m. to convene in closed session pursuant to the passage of Motion No. M16-090 (File No. 160745).*

*The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee*

*Persons in attendance: Jon Givner (Office of the City Attorney), Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).*

*Matter was heard in closed session, the Clerk of the Board stated that no action was taken, and the hearing was filed.*

#### RECONVENED IN OPEN SESSION

*The Board reconvened at the hour of 6:30 p.m.*

*The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee*

#### HEARD AND FILED

*[Elect Not to Disclose]*

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

**Supervisor Campos, seconded by Supervisor Farrell, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:**

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

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

### **160187 [Settlement of Lawsuit - David Zeller - \$900,000]**

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

**Supervisor Campos, seconded by Supervisor Wiener, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

Ayes: 6 - Avalos, Campos, Cohen, Farrell, Mar, Wiener

Noes: 5 - Breed, Kim, Peskin, Tang, Yee

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*Supervisor Avalos requested File No. 160757 be severed so that it may be considered separately.*

### **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.

**Resolution No. 285-16**

**ADOPTED by the following vote:**

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

*Supervisor Peskin requested File Nos. 160758, 160759, and 160762 be severed so that they may be considered separately.*

**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.

*Privilege of the floor was granted unanimously to Jeff Kositsky, Director (Department of Homelessness), who responded to questions raised throughout the discussion.*

**Supervisor Peskin, seconded by Supervisor Avalos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 5, by adding 'that at least for one year it shall' after 'Board of Supervisors pledges', and striking 'to' after 'not', and Line 9, by adding 'that at least for one year it shall' after 'Board of Supervisors pledges'. The motion carried by the following vote:**

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

**Supervisor Wiener requested this Resolution be REFERRED AS AMENDED to the Public Safety and Neighborhood Services Committee.**

**160759 [Urging the California Public Utilities Commission to Adopt Conviction History Regulations In Furtherance of a Level Regulatory Playing Field And In Compliance With San Francisco's 2014 Fair Chance Ordinance]**

**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.

**Supervisor Peskin, seconded by Supervisor Mar, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by deleting all references to 'Live Scan', and adding references to the 'Fair Chance Ordinance' that limit the use of criminal history information. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee  
Resolution urging the California Public Utilities Commission to adopt new regulations of Transportation Network Companies that would require the same criminal background checks required of traditional taxi cab companies, recognizing the importance of a level regulatory playing field between Transportation Network Companies and traditional taxi cab companies, and supporting the California Public Utilities Commission's solicitation for comment regarding the current method of criminal background checks for Transportation Network Companies.

**Supervisor Peskin, seconded by Supervisor Yee, moved that this Resolution be CONTINUED AS AMENDED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:**

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

**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)

**Resolution No.** 286-16

**ADOPTED by the following vote:**

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

*President Breed requested File No. 160745 be severed so that it may be considered separately.*

**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)

**Motion No.** M16-090

**APPROVED by the following vote:**

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

**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.

**Supervisor Peskin, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried 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

**160788 [Zoning - Extension of Interim Prohibition on Commercial Mergers in the Proposed Calle 24 Special Use District]**

**Sponsors: Mayor; Campos and Cohen**

Urgency Ordinance approving an extension of the interim prohibition on commercial storefront mergers of greater than 799 gross square feet in the proposed Calle 24 Special Use District, which generally includes all lots bounded by 22nd Street, Potrero Avenue, Cesar Chavez Street, Capp Street, and both sides of 24th Street from Capp Street to Bartlett Street, as well as certain additional adjacent lots, for an additional 12 months in accordance with California Government Code, Sections 65858 et seq.; 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.  
(Supervisor Wiener dissented in committee.)

07/12/16; ASSIGNED to Land Use and Transportation Committee.

**160789 [Administrative Code - Updating Job Classifications and Bargaining Units]**

**Sponsor: Mayor**

Ordinance amending the Administrative Code to reflect changes in job classifications in bargaining units.

07/12/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 8/11/2016.

**160790 [Administrative Code - Short-Term Residential Rentals]**

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

Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to require Hosting Platforms to verify that a Residential Unit is on the City Registry prior to accepting a fee for booking a short-term rental transaction, and to provide an affidavit of compliance to the City and retain certain records; authorize the Office of Short Term Rentals to issue an administrative subpoena to obtain records; provide for civil, administrative, and criminal penalties against Hosting Platforms for violations of their obligations under the Residential Unit Conversion Ordinance; and affirming the Planning Department's determination under the California Environmental Quality Act.

07/12/16; ASSIGNED to Land Use and Transportation Committee.

**160791 [Police Code - Process for Removal of Encampments and Transition to Housing]****Sponsor: Kim**

Ordinance amending the Police Code to provide a process for the removal of encampments when housing or shelter is available for encampment residents, and authorizing the Department of Homelessness and Supportive Housing to develop protocols governing the removal and storage of personal property when removing an encampment.

07/12/16; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 8/11/2016.

**160792 [Administrative Code - Citywide Affordable Housing Fund and Mayor's Housing Programs Fees Fund]****Sponsor: Peskin**

Ordinance amending the Administrative Code to change the Citywide Affordable Housing Fund and Mayor's Housing Programs Fees Fund from Category Eight funds, under which the Director of the Mayor's Office of Housing and Community Development may approve expenditures without Board of Supervisors approval, to Category Four funds, under which the Director may expend funds only if the Board of Supervisors approves the expenditures by appropriation ordinance.

07/12/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 8/11/2016.

**Resolutions****160793 [Resolution of Intention - Central Market Community Benefit District - Modify the Management Plan and Engineer's Report]****Sponsor: Mayor**

Resolution declaring the intention of the Board of Supervisors to modify the management district plan and engineer's report for the property-based business improvement district (community benefit district) known as the "Central Market Community Benefit District" to remove the district-wide cap on annual assessment revenues; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding and Assessment Ballot; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

07/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**160794 [Multifamily Housing Revenue Bonds - 1036 Mission Street - Not to Exceed \$32,100,000]****Sponsors: Mayor; Kim**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$32,100,000 for the purpose of providing financing for the acquisition and construction of an 83-unit multifamily residential rental housing project located at 1036 Mission Street within the City; approving the form of and authorizing the execution of a trust indenture providing terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**160795 [Agreements - Purchase and Sale for Real Estate and Ground Lease - 1036 Mission Associates, L.P - 1036 Mission Street - \$5,476,250 and \$15,000 Respectively]****Sponsors: Mayor; Kim**

Resolution approving and authorizing the execution and performance of an Agreement of Purchase and Sale of Real Estate in connection with the acquisition of the parcel located at 1036 Mission Street (Assessor's Parcel Block No. 3703, Lot No. 162) ("the Property"), for \$5,476,250 and a long term, 85-year Ground Lease of the property with a 14-year extension option, for \$15,000 annual base rent, with 1036 Mission Associates, L.P., to construct a 100% affordable, 83-unit multifamily rental housing development for low-income households and formally homeless families and a commercial shell for a 1,061 square foot commercial space; adopting findings that the conveyance and lease are consistent with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing and directing the Director of Property and Director of the Mayor's Office of Housing and Community Development to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein.

(Fiscal Impact)

07/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**160796 [Seven-Party Supplement to the 2012 Memorandum of Understanding - Peninsula Corridor Electrification Project]****Sponsor: Cohen**

Resolution approving the Seven-Party Supplement to 2012 Memorandum of Understanding, regarding Financial Commitments to Address the Funding Gap for the Peninsula Corridor Electrification Project.

(Fiscal Impact)

07/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**160797 [Apply for, Accept, and Expend Grant - California Affordable Housing and Sustainable Communities Program - \$12,055,858]****Sponsor: Kim**

Resolution authorizing the Treasure Island Director to submit a grant application and, if successful, accept and expend grant funds in the amount of \$12,055,858 under the State of California's Affordable Housing and Sustainable Communities Program, as a joint applicant with Treasure Island Community Development, LLC.

07/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**160798 [Real Property Lease - 750 Brannan Street Props, LLC - 750 Brannan Street - \$942,747 Rent in Initial Year]****Sponsor: Kim**

Resolution authorizing a Lease between the City and County of San Francisco, as Tenant, and 750 Brannan Street Props, LLC, a California limited liability company as Landlord, to be used as retail, production, warehouse, and related office space located at 750 Brannan Street, consisting of approximately 24,173 square feet of building and approximately 6,430 square feet of yard, for a ten year term expected to commence on or about January 1, 2017, and terminate on December 31, 2026, for use by the San Francisco Public Library, at \$78,562.25 monthly; for \$942,747 rent in the initial year with annual 3% percent increases and three five-year options to extend; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing a Sublease of a portion of that space consisting of approximately 2,833 square feet with the Friends & Foundation of the San Francisco Public Library, a 501(c)3 non profit agency, at the prorata City cost.  
(Fiscal Impact)

07/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**160799 [Planning Code - Interim Zoning Controls for Pharmacy and Medical Uses in Castro Street Neighborhood Commercial District]****Sponsor: Wiener**

Resolution imposing interim zoning controls for an 18-month period in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization by the Planning Commission under Planning Code, Section 303, for a proposed pharmacy use; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1

07/12/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/11/2016.

**160800 [Accept and Expend in-Kind Grant - Federal Highway Administration, Central Federal Lands Highway Division - South Ocean Beach Trail Project - Valued Up to \$1,690,579]****Sponsor: Tang**

Resolution authorizing the Recreation and Park Department to accept from the Federal Highway Administration, Central Federal Lands Highway Division, an in-kind grant of design and development services valued up to \$1,690,579 for the creation of the South Ocean Beach Trail.  
(Recreation and Park Department)

07/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**160614 [Board Response - Civil Grand Jury - Maintenance Budgeting and Accounting Challenges for General Fund Departments: Maintenance Economics Versus Maintenance Politics: Pay Now or Pay More Later]**

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 "Maintenance Budgeting and Accounting Challenges for General Fund Departments: Maintenance Economics Versus Maintenance Politics: Pay Now or Pay More Later;" 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)

06/28/16; REFERRED TO DEPARTMENT.

07/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.



**Motions****160801 [Zoning - Report on Interim Prohibition on Commercial Mergers in the Proposed Calle 24 Special Use District]****Sponsors: Mayor; Campos**

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

07/12/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**160802 [Calling from Committee - Calling Special Meetings - July 19, 2016 and July 29, 2016 - Committee of the Whole - Modifying Time for Submission of Charter Amendment under Rule 2.22.7]****Sponsor: Avalos**

Motion calling from the Rules Committee the proposed Charter Amendment (File No. 160583) creating the office of Public Advocate and the proposed Charter Amendment (File No. 160588) creating the Housing and Community Development Commission; calling from the Public Safety and Neighborhood Services Committee the proposed Resolution (File No. 160758) affirming support for the Department of Homelessness and Supportive Housing; calling special meetings of the Board of Supervisors on July 19, 2016, at 3:00 p.m. and on July 29, 2016, at 10:00 a.m.; scheduling the Board of Supervisors to sit as a Committee of the Whole at the special meeting on July 19, 2016, at 3:00 p.m., to hold public hearings to consider the two proposed Charter Amendments and the proposed Resolution; and modifying the amount of time required under Rule 2.22.7 between the first appearance of the proposed Charter Amendments on the Board's agenda and the Board's order submitting them to the electorate for the November 8, 2016, election.

07/12/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**160804 [Closed Session - Existing Litigation - David Zeller]**

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

07/12/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing****160805 [Hearing - Police and Fire Department Investigations and Oversight to Address On-Duty Drinking]****Sponsor: Avalos**

Hearing to consider the Police (SFPD) and Fire Departments' (SFFD) investigations and oversight systems to address on-duty drinking, protocols in joint SFPD/SFFD investigations to ensure accountability and to prevent mishandling of cases, and the prevention of mishandling of joint investigations of firefighter misconduct; and requesting the SFPD and SFFD to report.

07/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**160806 [Hearing - Blue Ribbon Panel on Transparency, Accountability, and Fairness in Law Enforcement - Final Report]****Sponsor: Cohen**

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.

07/12/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**160807 [Hearing - Transit Center District Plan Area - Interim Sign Controls - Six Month Report]****Sponsor: Kim**

Hearing on the Planning Department's six month report for the Interim Sign Controls in the Transit Center District Pan Area between Folsom, Harrison, Essex, and 2nd Streets.

07/12/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**160808 [Hearing - Preservation of LGBT Nightlife Spaces and Status of LGBT Cultural District]****Sponsor: Wiener**

Hearing on how best to protect and preserve LGBT nightlife spaces, and on the status of the creation of the LGBT Cultural District; and requesting the Entertainment Commission, the Planning Department, and the Office of Economic and Workforce Development to report.

07/12/16; RECEIVED AND ASSIGNED to Land Use and Transportation 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****160738 [Settlement of Lawsuit - Gary Frank and Debbie Frank - \$245,000]**

Ordinance authorizing settlement of the lawsuit filed by Gary Frank and Debbie Frank against the City and County of San Francisco for \$245,000; the lawsuit was filed on September 16, 2014, in San Francisco Superior Court, Case No. CGC-14-541671; entitled Gary Frank and Debbie Frank v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage arising from flooding. (City Attorney)

06/23/16; RECEIVED FROM DEPARTMENT.

07/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**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)

06/23/16; RECEIVED FROM DEPARTMENT.

07/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**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)

06/27/16; RECEIVED FROM DEPARTMENT.

07/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**160770 [Settlement of Lawsuit - Sadeq Naji - \$30,000]**

Ordinance authorizing settlement of the lawsuit filed by Sadeq Naji against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 3, 2015, in San Francisco Superior Court, Case No. CGC 15-543936; entitled Sadeq Naji v. City and County of San Francisco; San Francisco Public Library; the lawsuit involves an employment dispute. (City Attorney)

06/27/16; RECEIVED FROM DEPARTMENT.

07/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

### **160740 [Settlement of Unlitigated Claims - Jacobs Engineering Group, Inc. - \$168,556]**

Resolution approving the settlement of the unlitigated claims between Jacobs Engineering Group, Inc. ("Jacobs") and the City and County of San Francisco for \$168,556; no formal claim has been filed; the potential claim involves Jacobs' demand for payment of the entire withheld contract balance of \$337,111 under its Construction Management Services Agreement with the City, Contract No. CS-914 (the "CM Contract") related to water pipeline installation contract as part of the City's Water System Improvement Program; additional material terms of the settlement are the parties' mutual release of claims. (City Attorney)

06/23/16; RECEIVED FROM DEPARTMENT.

07/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **160741 [Contract Agreement - FSP PPM Management, LLC - Curbside Management Program - Not to Exceed \$19,522,294]**

Resolution approving the award of Professional Services Agreement, Airport Contract No. 50085, to FSP PPM Management, LLC, to manage and staff the Curbside Management Program in an amount not-to-exceed \$19,522,294 for a period of four years effective July 1, 2016, ending June 30, 2020, with one one-year renewal option, pursuant to Charter, Section 9.118(b). (Airport Commission)

06/20/16; RECEIVED FROM DEPARTMENT.

07/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

### **160742 [Airport Professional Services Agreement Modification - Polaris Research and Development, Inc. - Information Booth Program - \$10,795,274]**

Resolution approving Modification No. 6 to Professional Services Agreement, Airport Contract No. 9075 to operate the Airport's Information Booth Program between Polaris Research and Development, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$10,795,274 for the term of June 30, 2011, through December 31, 2016, pursuant to Charter, Section 9.118(b). (Airport Commission)

06/23/16; RECEIVED FROM DEPARTMENT.

07/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

### **160743 [Real Property Lease Amendment - Mission Valley Rock, Co. - Sunol, California - \$29,700]**

Resolution authorizing the amendment of Mission Valley Rock, Co.'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) Sunol Long Term Improvements Project, Project No. CUW27701, in consideration of City's payment of \$29,700 and reimbursement of certain expenses; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31; 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)

06/24/16; RECEIVED FROM DEPARTMENT.

07/12/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**160771 [Settlement of Unlitigated Claim - United States Environmental Protection Agency - Yosemite Slough Sediment Site]**

Resolution approving settlement of United States Environmental Protection Agency's ("EPA") unlitigated claim against the City and County of San Francisco; no formal claim has been filed; the settlement resolves EPA's claims against the City to perform pre-design technical studies in support of cleanup of the Yosemite Slough Sediment Site; the settlement requires the City and three other government entities to perform four technical studies at an estimated cost of \$225,000 to be divided equally between four parties; additional material terms of the settlement are that the City will contract with a third party environmental consultant for performance of the studies, the City will assume responsibility for completion of the work pursuant to the settlement agreement, the City will assume responsibility and indemnify EPA for any stipulated penalties or claims arising in connection with performance of the work under the agreement, and the City will reimburse EPA for 25% of future response costs. (City Attorney)

06/27/16; RECEIVED FROM DEPARTMENT.

07/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**160772 [Settlement of Unlitigated Claim - Landmark American Insurance Company and RSUI Indemnity Company - City to Receive \$700,000]**

Resolution approving settlement of the unlitigated claim of the City and County of San Francisco against Landmark American Insurance Company and RSUI Indemnity Company for \$700,000; the claim involves attorney's fees and costs incurred by the City defending claims and actions related to the water main break in the area of the 2600 and 2700 blocks of 15th Avenue and the 300 and 400 blocks of Wawona Street on February 27, 2013. (City Attorney)

06/30/16; RECEIVED FROM DEPARTMENT.

07/12/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**In Memoriams**

*Craig M. Cook - President Breed  
Dorothy "Teri" Whitfield - President Breed  
Violet Feldman - President Breed  
Clifton P. Wong - Supervisor Peskin*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 6:34 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 September 6, 2016.*

---

Angela Calvillo, Clerk of the Board