

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, July 19, 2016 - 2:00 PM

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

Regular Meeting

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

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Tang, Yee, Kim, Wiener	Wednesday 10:00 AM
Budget and Finance Sub-Committee Supervisors Farrell, Tang, Yee	Wednesday 10:00 AM
Government Audit and Oversight Committee Supervisors Peskin, Yee, Breed	1st and 3rd Thursday 9:30 AM
Land Use and Transportation Committee Supervisors Cohen, Wiener, Peskin	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Kim, Avalos, Campos	2nd Thursday 2:30 PM
Rules Committee Supervisors Tang, Mar, Cohen	2nd and 4th Thursday 11:00 AM

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, July 19, 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, Supervisors Kim and Mar were noted not present. There was a quorum.

COMMUNICATIONS

There were no communications.

Supervisor Kim was noted present at 2:05 p.m.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of June 14, 2016, or the June 17, 2016, Special Meeting Minutes at the Budget and Finance Committee. There were no corrections.

Supervisor Campos, seconded by Supervisor Tang, moved to approve the Board Meeting Minutes of June 14, 2016, and the June 17, 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.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

There were no questions submitted from Supervisors representing the odd districts. Mayor Edwin Lee addressed the Board of Supervisors regarding the recent senseless violence and homicides that have occurred worldwide and within San Francisco. Mayor Lee called for a moment of silence for all those who have lost their lives. Following public comment this matter was filed. No further action was taken.

CONSENT AGENDA

Supervisor Mar was noted present at 2:08 p.m.

Recommendation of the Budget and Finance Committee

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.

Ordinance No. 142-16

FINALLY PASSED

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)

Ordinance No. 138-16

FINALLY PASSED

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)

Ordinance No. 144-16

FINALLY PASSED

Recommendations 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.

Ordinance No. 139-16**FINALLY PASSED****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)

Ordinance No. 141-16**FINALLY PASSED****The foregoing items were acted upon by the following vote:**

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

President Breed requested File Nos. 160628, 160629, 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.

After the Budget items were called, Supervisor Avalos, seconded by Supervisor Peskin, moved that the Budget (File Nos. 160628, 160629, 160642, 160644, 160630, 160631, 160632, 160633, 160634, 160635, 160636, 160637, 160640, 160474, 160648, 160646, 160647, 160649, 160650, 160651, 160652, 160653, 160654, and 160606) be continued and considered later in the meeting. The motion carried by the following vote:

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

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

Sponsor: Mayor

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)

Privilege of the floor was granted unanimously to Acting Chief Toney Chaplin (Police Department), Harvey Rose, Budget and Legislative Analyst (Office of the Budget and Legislative Analyst), Ben Rosenfield, Controller (Office of the City Controller), and Melissa Whitehouse, Acting Budget Director (Mayor's Office), who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by placing \$30 million of the San Francisco's Police Department's budget on Board of Supervisors reserve pending quarterly presentation at the full Board on the Department's progress towards implementing reforms. The motion FAILED by the following vote:

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 1 - Peskin

160629 [Annual Salary Ordinance - FYs 2016-2017 and 2017-2018]**Sponsor: Mayor**

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)

PASSED ON FIRST READING by the following vote:

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

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)

Resolution No. 313-16**ADOPTED 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)

Resolution No. 314-16**ADOPTED 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)

PASSED ON FIRST READING 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)

PASSED ON FIRST READING 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)

PASSED ON FIRST READING 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)

PASSED ON FIRST READING 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)

PASSED ON FIRST READING 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)

PASSED ON FIRST READING 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)

PASSED ON FIRST READING 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)

PASSED ON FIRST READING 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)

PASSED ON FIRST READING 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).

Resolution No. 307-16**ADOPTED 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)

Resolution No. 317-16**ADOPTED 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)

Resolution No. 315-16**ADOPTED 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)

Resolution No. 316-16**ADOPTED 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)

Resolution No. 318-16**ADOPTED 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)

Resolution No. 319-16

ADOPTED 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)

Resolution No. 320-16

ADOPTED 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)

Resolution No. 321-16

ADOPTED 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)

Resolution No. 322-16

ADOPTED 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)

Resolution No. 323-16**ADOPTED 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)

Motion No. M16-096**APPROVED by the following vote:**

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

Recommendation of the Government Audit and Oversight Committee**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.

Ordinance No. 140-16**FINALLY PASSED 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**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.

Ordinance No. 143-16**FINALLY PASSED by the following vote:**

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

Referred Without Recommendation from the Rules Committee**Appointment of President Pro Tempore**

At the request of President Breed, Supervisor Wiener assumed the chair at 3:32 p.m. so the President could participate in the debate on File No. 151273 from the floor. The President resumed the chair at 3:41 p.m.

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 supervisory 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.

ORDERED SUBMITTED by the following vote:

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

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

President Breed requested File Nos. 160381, 160582, and 150582 be called together.

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 Tang, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 26, 2016. The motion carried by the following vote:

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

Recommendation of the Rules Committee

President Breed requested File Nos. 160581 and 160639 be called together.

After the items were called, Supervisor Peskin, seconded by Supervisor Campos, moved that File Nos. 160581 and 160639 be continued and considered later in the meeting. The motion carried by the following vote:

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

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Cohen assumed the chair at 5:54 p.m. The President resumed the chair at 5:56 p.m.

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

Sponsors: Mayor; Wiener and Farrell

Charter Amendment (Third 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.

NOT ORDERED SUBMITTED by the following vote:

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

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

Supervisor Wiener, seconded by Supervisor Tang, moved to rescind the previous vote. The motion carried by the following vote:

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

ORDERED SUBMITTED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Cohen, Farrell, Mar, Tang, Wiener

Noes: 3 - Kim, Peskin, Yee

Referred Without Recommendation from the Rules Committee

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 26, 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.)

ORDERED SUBMITTED by the following vote:

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

Noes: 2 - Peskin, Tang

After File No. 160586 was called, Supervisor Avalos, seconded by Supervisor Campos, moved that this Charter Amendment be continued and considered later in this meeting. The motion carried by the following vote:

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

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

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.

NOT ORDERED SUBMITTED by the following vote:

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

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

Supervisor Breed, seconded by Supervisor Tang, moved to rescind the previous vote. The motion carried by the following vote:

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

Supervisor Breed, seconded by Supervisor Tang, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 26, 2016. The motion carried by the following vote:

Ayes: 8 - Breed, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee

Noes: 3 - Avalos, Campos, Mar

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.)

ORDERED SUBMITTED by the following vote:

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

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

NEW BUSINESS**Recommendations of the Budget and Finance Sub-Committee****160639 [Initiative Ordinance - Business and Tax Regulations Code - Three-Quarter Cent Sales Tax Increase]****Sponsors: Mayor; Farrell and Wiener**

Ordinance amending the Business and Tax Regulations Code to impose a transactions (sales) and use tax at the rate of three-quarters of one percent (0.75%) for a period of 25 years, to be administered by the State Board of Equalization in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code; and increasing the City's appropriations limit by the amount of the tax increase for four years from November 8, 2016; and directing submission of the tax for voter approval at the November 8, 2016, general municipal election.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Cohen, Farrell, Mar, Tang, Wiener

Noes: 3 - Kim, Peskin, Yee

160593 [Prevailing Wage Requirements - Parking Meter Coin Collections and Counting]**Sponsor: Wiener**

Ordinance authorizing the Municipal Transportation Agency to include, in any contract for parking meter coin collections, counting, and support services it executes after issuing a competitive solicitation, provisions that require the contractor and subcontractors to pay prevailing wages to meter collector, coin room operator, crew lead, and foreperson positions, and to provide transitional employment and retention to the prior contractor's employees performing such services, subject to compliance with all applicable state laws and regulations; and making findings as to the applicable prevailing wage rates for the positions covered by this ordinance. (Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

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

160408 [Intergovernmental Agreement - San Mateo County - Reimburse Dispatched Calls - Not to Exceed \$1,000,000 - Share Transient Occupancy Tax]

Resolution approving an Intergovernmental Agreement between San Mateo County and the City and County of San Francisco, by and through its Airport Commission, to reimburse San Mateo County for the cost of dispatched calls to the Airport in an amount not to exceed \$1,000,000 for the period retroactive to July 1, 2015, through June 30, 2020; and to share the Transient Occupancy Tax relating to the Airport's Hotel. (Airport Commission)
(Fiscal Impact)

Resolution No. 292-16

ADOPTED by the following vote:

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

160410 [Agreement Amendment - San Francisco AIDS Foundation - Housing and Urban Health Program Services - Not to Exceed \$39,809,206]

Resolution approving a first amendment to the agreement between the Department of Public Health and the San Francisco AIDS Foundation to provide Housing and Urban Health Program Services, to extend the contract by five years, from July 1, 2011, through June 30, 2016, to July 1, 2011, through June 30, 2021, with a corresponding increase of \$20,123,296 from \$19,685,910; for a total amount not to exceed \$39,809,206. (Public Health Department)
(Fiscal Impact)

Resolution No. 293-16

ADOPTED by the following vote:

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

President Breed requested File Nos. 160445, 160446, 160447, 160448, 160449, 160450, 160451, 160452, 160453, 160454, 160455, 160456, and 160457 be called together.

160445 [Lease Agreement - Andale Management Group, Inc. - Pre- and Post-Security Concessions - \$560,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0012 between Andale Management Group, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years and three one-year options to extend, and a post-security concession with a term of ten years and two one-year options to extend, each term to commence upon Board approval, and an initial minimum annual guarantee of \$560,000. (Airport Commission)

Resolution No. 294-16

ADOPTED by the following vote:

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

160446 [Lease Agreement - High Flying Foods SFO, LLC - Post-Security Concession - \$294,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0013 between High Flying Foods SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession for a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of \$294,000. (Airport Commission)

Resolution No. 295-16

ADOPTED by the following vote:

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

160447 [Lease Agreement - Tastes On The Fly, San Francisco, LLC - Pre- and Post-Security Concessions - \$910,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0014 between Tastes On The Fly, San Francisco, LLC and the City and County of San Francisco, acting by and through its Airport Commission, for one pre-security concession for a term of seven years with three one-year options to extend, and two post-security concessions for a term of ten years with two one-year options to extend, each term to commence following Board approval, and an initial Minimum Annual Guarantee of \$910,000. (Airport Commission)

Resolution No. 296-16

ADOPTED by the following vote:

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

160448 [Lease Agreement - Mum Fresh SF, Inc. - Post-Security Concession - \$165,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0015 between Mum Fresh SF, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of \$165,000. (Airport Commission)

Resolution No. 297-16

ADOPTED by the following vote:

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

160449 [Lease Agreement - Tomokazu Japanese Cuisine (SFO), Inc. - Post-Security Concession - \$165,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0016 between Tomokazu Japanese Cuisine (SFO), Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of \$165,000. (Airport Commission)

Resolution No. 298-16

ADOPTED by the following vote:

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

160450 [Lease Agreement - SSP America, Inc. - Post-Security Concession - \$225,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0017 between SSP America, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of \$225,000. (Airport Commission)

Resolution No. 299-16

ADOPTED by the following vote:

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

160451 [Lease Agreement - Joe & The Juice SFO, LLC - Post-Security Concession - \$150,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0018 between Joe & The Juice SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of ten years to commence following Board approval, with two one-year options to extend, and an initial minimum annual guarantee of \$150,000. (Airport Commission)

Resolution No. 300-16

ADOPTED by the following vote:

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

160452 [Lease Agreement - Stix Holdings, LLC - Pre-Security Concession - \$155,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0019 between Stix Holdings, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years to commence following Board approval, with three one-year options to extend, and an initial minimum annual guarantee of \$155,000. (Airport Commission)

Resolution No. 301-16

ADOPTED by the following vote:

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

160453 [Lease Agreement - Midfield Concession Enterprises, Inc. - Pre-Security Concession - \$125,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0020 between Midfield Concession Enterprises, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years to commence following Board approval, with three one-year options to extend, and an initial minimum annual guarantee of \$125,000. (Airport Commission)

Resolution No. 302-16

ADOPTED by the following vote:

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

160454 [Lease Agreement - Bayport Concessions, LLC - Pre-Security Concession - \$155,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0021 between Bayport Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years to commence following Board approval, with three one-year options to extend, and an initial minimum annual guarantee of \$155,000. (Airport Commission)

Resolution No. 303-16

ADOPTED by the following vote:

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

160455 [Lease Agreement - Adam Light - Pre-Security Concessions - \$190,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0022 between Adam Light and the City and County of San Francisco, acting by and through its Airport Commission, for two pre-security concessions with a term of seven years to commence upon Board approval, with three one-year options to extend, and an initial minimum annual guarantee of \$190,000. (Airport Commission)

Resolution No. 304-16

ADOPTED by the following vote:

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

160456 [Lease Agreement - Host International, Inc. - Pre-Security Concessions - \$120,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0023 between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for two pre-security concessions with a term of seven years to commence with Board approval, with three one-year options to extend, and an initial minimum annual guarantee of \$120,000. (Airport Commission)

Resolution No. 305-16

ADOPTED by the following vote:

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

160457 [Lease Agreement - SSP America, Inc. - Pre-Security Concession - \$196,000 Minimum Annual Guarantee]

Resolution approving International Terminal Food and Beverage Concession Lease No. 16-0024 between SSP America, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a pre-security concession with a term of seven years to commence with Board approval, with three one-year options to extend, and an initial minimum annual guarantee of \$196,000. (Airport Commission)

Resolution No. 306-16

ADOPTED by the following vote:

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

160503 [Contract Amendment - Helios Healthcare, LLC - Not to Exceed \$14,635,152]

Resolution approving a third amendment to the Department of Public Health contract with Helios Healthcare, LLC, for long-term mental health services in a 24-hour locked facility, to extend the contract by two years from July 1, 2011, through June 30, 2016, to July 1, 2011, through June 30, 2018, with a corresponding increase of \$4,688,841 for a total amount not to exceed \$14,635,152. (Public Health Department)
(Fiscal Impact)

Resolution No. 308-16

ADOPTED by the following vote:

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

160539 [Master License Agreement - New Cingular Wireless PCS, LLC, dba AT&T - Outdoor Distributed Antenna System Pole Installation]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Master License Agreement for Outdoor Distributed Antenna System Pole Installation between the City and County of San Francisco and New Cingular Wireless PCS, LLC, dba AT&T, for a term of 12 years to commence following Board approval. (Public Utilities Commission)

Resolution No. 309-16

ADOPTED by the following vote:

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

Noes: 1 - Peskin

160540 [Real Property Acquisition - Easement from 2525 Marin LP - Kansas and Marin Streets Sewer System Improvement Project - \$13,500]

Resolution approving and authorizing the acquisition of one permanent access easement from 2525 Marin LP, a Delaware limited partnership, for \$13,500 to be used by the City and County of San Francisco for the right to improve, inspect, maintain, repair, operate, and have access over, in, and upon a portion of the property located at 2525 Marin Street for the Kansas and Marin Streets Sewer System Improvement Project, Project No. CWWSIPCSSR03; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and approving the Agreement and authorizing the Director of Property and/or the San Francisco Public Utilities Commission General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Public Utilities Commission)

Resolution No. 310-16

ADOPTED by the following vote:

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

Referred Without Recommendation from the Budget and Finance Sub-Committee**150582 [Initiative Ordinance - Business and Tax Regulations Code - Additional Utility Users Tax on Gas and Non-Renewable Electricity]****Sponsor: Avalos**

Motion ordering submitted to the voters an ordinance amending the Business and Tax Regulations Code to impose an additional utility users tax on persons using electrical energy in the City equal to 2.5% of the charges incurred, subject to certain exemptions including an exemption for persons using electrical energy from certain renewable energy resources, and an additional utility users tax on persons using gas in the City equal to 2.5% of the charges incurred, subject to certain exemptions; and increasing the City's appropriations limit by the amount of the additional tax for four years from November 8, 2016, at an election to be held on November 8, 2016.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to the Board of Supervisors meeting of July 26, 2016. The motion carried by the following vote:

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

Recommendation of the Government Audit and Oversight Committee**160362 [Administrative Code - Collection of Sexual Orientation and Gender Identity Data]****Sponsors: Wiener; Yee, Campos, Farrell and Cohen**

Ordinance amending the Administrative Code to require City departments and contractors that provide health care and social services to seek to collect and analyze data concerning the sexual orientation and gender identity of the clients they serve.

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

Supervisor Wiener, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 2, by adding 'food security'; on Page 3, Line 8, by adding 'the Department of Homelessness and Supportive Housing', and Lines 12-13, by adding 'temporary shelter, transitional housing, supportive housing, permanent'. 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

Referred Without Recommendation from the Land Use and Transportation Committee

President Breed requested File Nos. 160252 and 160657 be called together.

160252 [Planning, Administrative Codes - Construction of Accessory Dwelling Units]

Sponsors: Peskin; Farrell

Ordinance amending the Planning Code to allow 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; amending the Administrative Code to revise the definition of "rental unit" as it applies to ADUs; 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; adopting findings under Planning Code, Section 302; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development after adoption.

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

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

Supervisor Peskin, seconded by Supervisor Mar, requested this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Supervisor Peskin, seconded by Supervisor Farrell, moved to rescind the previous vote: The motion carried by the following vote:

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

Supervisor Peskin, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 5, Line 24, through Page 6, Line 11, by revising language regarding the definition of a 'built envelope'; on Page 6, Lines 21-22, by striking 'the minimum unit size of an Accessory Dwelling Unit'; on Page 6, Line 22, by replacing '350' with '550' and '300' with '500'; on Page 7, Line 13-21, by revising the applicability of the prohibition on subdivisions; on Page 9, Line 14, by adding a new 'Section 207(c)(4)(F)'; on Page 11, Line 3, by adding 'including imposing a rental increase pursuant to section 1954.53(d)'; on Page 12, Line 13, by adding a new 'Section 204(c)(5). Accessory Dwelling Units in RH-1(D) Zoning Districts.'; on Page 20, Line 2, by adding 'Nothing in this Section shall be interpreted as allowing for an existing non-conforming use to be deemed conforming'; and adding a new uncodified 'Section 9' of the Ordinance. The motion carried by the following vote:

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

Supervisor Peskin, seconded by Supervisor Farrell, 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

Recommendations of the Land Use and Transportation Committee

160599 [Interim Zoning Controls - Hotel Conversion Ordinance]

Sponsors: Peskin; Kim and Cohen

Resolution imposing interim zoning controls for an 18-month period for all Residential Hotels, requiring Conditional Use authorization for any application for a permit to convert Residential Hotel Units under Administrative Code, Chapter 41; and making environmental findings and findings of consistency with the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

Resolution No. 312-16

ADOPTED by the following vote:

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

160655 [Apply for Grants - California Department of Resources Recycling and Recovery Funds]

Sponsor: Mayor

Resolution authorizing the Department of the Environment to submit applications for all grants offered by the California Department of Resources Recycling and Recovery. (Environment)

Resolution No. 324-16

ADOPTED 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

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

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

Supervisor Avalos introduced and presented an In Memoriam for Joseles de la Cruz Ornelas in recognition of his many accomplishments and continued support as a community activist within San Francisco. Supervisors Kim and Campos shared in this In Memoriam.

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Theresa Sparks, Executive Director (Human Rights Commission), as she moves on to her new role as the Mayor's Chief Advisor for Transgender Issues, in recognition of her many accomplishments and continued support to the LGBT and Transgender communities.

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Gwen Woods, mother of Mario Woods, Danika Champman, mother of Kenneth Harding, and Mother Maria Christina, hunger striker, in recognition of their many accomplishments working to end the senseless violence and homicides and the need for police reform.

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 160701 and 160382 be called together.

Board of Supervisors Sitting as a Committee of the Whole

160701 [Hearing - Administrative Code - Establishing Downtown Neighborhoods Preservation Fund; Street Vacation and Sale of Property at Jessie Street and Elim Alley - Oceanwide Center, LLC - Oceanwide Center Project - Approximately \$36,000,000]

Hearing of persons interested in or objecting to the proposed Ordinance (File No. 160382) amending the Administrative Code to establish the Downtown Neighborhoods Preservation Fund; vacating a portion of Jessie Street and a portion of Elim Alley northwest of Mission and First Streets in connection with the Oceanwide Center Project at 50 First Street; approving and authorizing the sale and quitclaim of City's interest in the approximately 5,000 square foot vacation area for \$22,619,000 plus an additional payment to the aforementioned Fund of approximately \$13,000,000 for a total of approximately \$36,000,000; authorizing the City's Director of Property to execute an agreement for the sale of real estate for the vacated area by and between the City and Oceanwide Center, LLC; waiving approximately \$27,000,000 of affordable housing fees under Planning Code, Sections 413 et seq. and 415 et seq., and requiring Oceanwide Center, LLC, as part of the agreement for the sale of real estate, to pay the equivalent fee amount to the aforementioned Fund; approving a vehicular and pedestrian easement and an overland water flow easement over a portion of Assessor's Parcel Block No. 3708, Lot No. 012, where Jessie Street will be rerouted; approving an emergency vehicle access easement and commercial vehicle access easement; accepting the Public Works Order concerning the street vacations; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the street vacation and all other actions contemplated in this ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; making findings of public necessity, convenience, and general welfare under Planning Code, Section 302; and authorizing actions in furtherance of this Ordinance, as defined herein; scheduled pursuant to Resolution No. 226-16, enacted June 13, 2016. (Clerk of the Board)

President Breed opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 160382. Jeff Buckley (Mayor's Office) provided an overview of the vacation and responded to questions raised throughout the discussion. Linda Harrison; Malcolm Young; Male Speaker; Anni Chung; Ace Washington; Female Speaker; Male Speaker; spoke in support of the street vacation. Male Speaker; Danielle Gensch; spoke on concerns relating to the street vacation. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Referred Without Recommendation from the Land Use and Transportation**160382 [Administrative Code - Establishing Downtown Neighborhoods Preservation Fund; Street Vacation and Sale of Property at Jessie Street and Elim Alley - Oceanwide Center, LLC - Oceanwide Center Project - Approximately \$36,000,000]****Sponsors: Mayor; Kim**

Ordinance amending the Administrative Code to establish the Downtown Neighborhoods Preservation Fund; vacating a portion of Jessie Street and a portion of Elim Alley northwest of Mission and First Streets in connection with the Oceanwide Center Project at 50 First Street; approving and authorizing the sale and quitclaim of City's interest in the approximately 5,000 square foot vacation area for \$22,619,000 plus an additional payment to the aforementioned Fund of approximately \$13,000,000 for a total of approximately \$36,000,000; authorizing the City's Director of Property to execute an agreement for the sale of real estate for the vacated area by and between the City and Oceanwide Center, LLC; waiving approximately \$27,000,000 of affordable housing fees under Planning Code, Sections 413 et seq. and 415 et seq., and requiring Oceanwide Center, LLC, as part of the agreement for the sale of real estate, to pay the equivalent fee amount to the aforementioned Fund; approving a vehicular and pedestrian easement and an overland water flow easement over a portion of Assessor's Parcel Block No. 3708, Lot No. 012, where Jessie Street will be rerouted; approving an emergency vehicle access easement and commercial vehicle access easement; accepting the Public Works Order concerning the street vacations; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the street vacation and all other actions contemplated in this ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; making findings of public necessity, convenience, and general welfare under Planning Code, Section 302; and authorizing actions in furtherance of this Ordinance, as defined herein.

PASSED ON FIRST READING by the following vote:

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

Noes: 1 - Peskin

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 160676, 160677, 160678, and 160679 be called together.

Supervisor Campos Excused from Voting

Supervisor Farrell, seconded by Supervisor Yee, moved that Supervisor Campos be excused from voting on File Nos. 160676, 160677, 160678, and 160679 related to the 3516-3526 Folsom Street appeal. The motion carried by the following vote:

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

Excused: 1 - Campos

160676 [Public Hearing - Appeal of Categorical Exemption from Environmental Review - 3516-3526 Folsom Street]

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on March 26, 2014, for a proposed project to allow the construction of two 3,000-square-foot single-family residences on two vacant lots at 3516-3526 Folsom Street. (District 9) (Appellant: Ryan J. Patterson, on behalf of the Bernal Heights South Slope Organization, Bernal Safe & Liveable, Neighbors Against the Upper Folsom Street Extension, Marcus Ryu, and Ann Lockett) (Filed June 3, 2016). (Clerk of the Board)

President Breed opened the public hearing and informed the Board and members of the public that the motions related to this appeal will be tabled because the Planning Department has rescinded the categorical exemption determination. The President then inquired as to whether any member of the public wished to address the Board on the tabling of these matters. Ryan Patterson; Female Speaker; Sara Thomas; Stephanie Caldwell; Herb Feltonfell; Robert Cochran; Female Speaker; Charles Olson; spoke on various concerns related to the project and appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

160677 [Affirming the Categorical Exemption Determination - 3516-3526 Folsom Street]

Motion affirming the determination by the Planning Department that a proposed project at 3516-3526 Folsom Street is categorically exempt from environmental review. (Clerk of the Board)

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

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

Excused: 1 - Campos

160678 [Reversing the Categorical Exemption Determination - 3516-3526 Folsom Street]

Motion reversing the determination by the Planning Department that a proposed project at 3516-3526 Folsom Street is categorically exempt from environmental review. (Clerk of the Board)

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

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

Excused: 1 - Campos

160679 [Preparation of Findings to Reverse the Categorical Exemption Determination - 3516-3526 Folsom Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 3516-3526 Folsom Street is categorically exempt from environmental review. (Clerk of the Board)

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

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

Excused: 1 - Campos

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 160803 and 160604 be called together.

Board of Supervisors Sitting as a Committee of the Whole**160803 [Hearing - Initiative Ordinance (File No. 160604) - Business and Tax Regulations Code - Increase Real Property Transfer Tax on Properties of At Least \$5,000,000]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on July 19, 2016, at 3:00 p.m., to consider the Motion (File No. 160604) 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. (Clerk of the Board)

President Breed opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to the amendments of the proposed Initiative Ordinance as referenced in File No. 160604. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

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 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.

Motion No. M16-092**APPROVED by the following vote:**

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

Noes: 1 - Farrell

COMMITTEE REPORTS**Recommendations of the Budget and Finance Sub-Committee****160557 [General Obligation Bond Election - Amending Earthquake Loan Bond Program to Finance Permanent Affordable Housing - \$350,000,000]****Sponsors: Peskin; Breed**

Resolution determining and declaring that the public interest and necessity demand the acquisition, improvement and rehabilitation and conversion of "at-risk" multi-unit residential buildings to permanent affordable housing and performing needed seismic, fire, health, and safety upgrades, and other major rehabilitation for habitability, to be financed through bonded indebtedness in an amount not to exceed \$350,000,000; providing for the levy and collection of taxes to pay both principal and interest on such bonds; setting certain procedures and requirements for the election; adopting findings under the California Environmental Quality Act; and finding that the proposed bond is in conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

*Supervisor Breed requested to be added as a co-sponsor.***Resolution No. 311-16****ADOPTED by the following vote:**

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

160552 [General Obligation Bond Election - Amending Earthquake Loan Bond Program to Finance Permanent Affordable Housing]**Sponsors: Peskin; Breed**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on November 8, 2016, for the purpose of submitting to San Francisco voters a proposition to amend Proposition A (approved November 1992) to authorize the City to incur general obligation bonded indebtedness (Bonds) for the purpose of making amendments to the Affordable Housing Loan Program (as defined herein) and the Market Rate Loan Program (as defined) for the additional purposes of providing loans to finance the costs to acquire, improve, and rehabilitate and to convert at-risk multi-unit residential buildings to permanent affordable housing, performing needed seismic, fire, health, and safety upgrades and other major rehabilitation for habitability, and related costs necessary or convenient for the foregoing purposes; providing for the levy and collection of taxes to pay both principal and interest on such Bonds; incorporating the provisions of the Administrative Code relating to the Citizens' General Obligation Bond Oversight Committee's review of the Bonds; setting certain procedures and requirements for the election; adopting findings under the California Environmental Quality Act; and finding that the proposed Bonds are in conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b).

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

Referred Without Recommendation from the Budget and Finance Sub-Committee**160670 [Initiative Ordinance - Business and Tax Regulations Code - Half-Cent Sales Tax Increase for Transportation]****Sponsors: Wiener; Avalos**

Ordinance amending the Business and Tax Regulations Code to impose a transactions (sales) and use tax at the rate of one-half of one percent (0.5%) for 25 years, to be imposed by the San Francisco County Transportation Authority and administered by the State Board of Equalization; adopt the San Francisco Transportation Expenditure Plan; designate the Transportation Authority as the independent agency to oversee implementation of the San Francisco Transportation Expenditure Plan; authorize the issuance of bonds or other obligations to finance the projects identified in the Expenditure Plan; and establish an appropriations limit; and directing submission of the tax for voter approval at the November 8, 2016 general municipal election.

Supervisor Wiener, seconded by Supervisor Peskin, 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

Referred Without Recommendation from the Land Use and Transportation Committee**160657 [Planning, Administrative Code - Construction of Accessory Dwelling Units]****Sponsors: Farrell; Wiener**

Ordinance amending the Planning Code to allow 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; amending the Administrative Code to revise the definition of "rental unit" as it applies to ADUs; 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; adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302; and directing the Clerk to send a copy of this ordinance to the California Department of Housing and Community Development after adoption.

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

Supervisor Farrell, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Lines 20-21, by striking '(vii) Accessory Dwelling Units shall have a minimum unit size of 350 square feet for studio units and 550 square feet for one-bedroom units.'; and by adding a new uncodified 'Section 9' to the Ordinance. 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: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener

Noes: 1 - Yee

Recommendation of the Public Safety and Neighborhood Services Committee

160592 [Administrative Code - Lactation in the Workplace Policy]

Sponsors: Tang; Cohen, Kim, Wiener, Yee, Mar, Farrell, Peskin, Breed, Campos and Avalos
Ordinance amending the Administrative Code to require the Department of Human Resources to develop a Lactation in the Workplace Policy for all City departments.

PASSED, ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee

160587 [Charter Amendment - Non-Citizen Voting in School Board Elections]

Sponsors: Mar; Campos, Cohen, Wiener and Kim

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize San Francisco residents who are not United States citizens but who are the parents, legal guardians, or caregivers of a child residing in San Francisco to vote in elections for the Board of Education, at an election to be held on November 8, 2016.

Supervisor Mar, seconded by Supervisor Campos, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 26, 2016. The motion carried by the following vote:

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

President Breed requested File Nos. 160583 and 160781 be called together.

160583 [Charter Amendment - Public Advocate]

Sponsors: Campos; Avalos, Kim and Mar

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

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

Supervisor Campos, seconded by Supervisor Yee, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by eliminating the prohibition on persons who have served in an elected position in the last four years to hold the office of Public Advocate; and by changing the appointment authority for a nominee of the Police Commission to serve as the Director of the Office of Citizen Complaints from the Mayor to the Public Advocate. The motion carried by the following vote:

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

Supervisor Wiener, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:

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

Supervisor Campos, seconded by Supervisor Yee, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by eliminating the prohibition on persons who have served in an elected position in the last four years to hold the office of Public Advocate; and by changing the appointment authority for a nominee of the Police Commission to serve as the Director of the Office of Citizen Complaints from the Mayor to the Public Advocate. The motion carried by the following vote:

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

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

Supervisor Kim requested revisions to the amendments provided by Supervisor Avalos on Page 23, Line 4, by adding language that, until such time an election is held to appoint the Public Advocate, the Director of Public Advocate shall be a nominee of the Mayor from the Police Commission and subject to Board of Supervisors approval, and on Line 8, by striking 'Mayor' after 'until the' and adding 'Public Advocate'. Supervisor Avalos accepted those suggested revisions into his proposed amendment.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding the creation of the Department of Police Accountability into this Charter Amendment and re-name the Office of Citizen Complaints as the Department of Police Accountability. The motion carried by the following vote:

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

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

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to: 1) create the Office of the Public Advocate; 2) set the Public Advocate's powers and duties; 3) authorize the Public Advocate to review the administration of City programs, including programs for transmitting information to the public, and to receive, investigate, and attempt to resolve complaints regarding City services and programs; 4) authorize the Public Advocate to receive and investigate specified whistleblower complaints; 5) provide for the Public Advocate's election, removal, and salary; 6) set City policy regarding sufficient funding and minimum staffing for the Office of the Public Advocate; 7) re-name the Office of Citizen Complaints (OCC) as the Department of the Police Accountability (DPA); 8) authorize the Public Advocate to appoint the director of DPA; 9) give DPA direct authority over its proposed budget; and 10) 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; and setting an operative date, at an election to be held on November 8, 2016.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Charter Amendment be CONTINUED AS AMENDED to the Board of Supervisors meeting of July 26, 2016, and for the Board to convene as a Committee of the Whole to consider this Charter Amendment. The motion carried by the following vote:

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

160781 [Charter Amendment - Public Advocate]

Sponsors: Campos; Avalos, Kim and Mar

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

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

Supervisor Campos, seconded by Supervisor Mar, moved that this Charter Amendment be TABLED. The motion carried by the following vote:

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

President Breed requested File Nos. 160669 and 160699 be called together.

160669 [Campaign and Governmental Conduct Code - Prohibiting Candidate-Controlled General Purpose Committees]

Sponsors: Peskin; Mar

Ordinance amending the Campaign and Governmental Conduct Code to prohibit City elected officials from establishing candidate-controlled general purpose committees.

PASSED ON FIRST READING by the following vote:

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

160699 [Initiative Ordinance - Campaign and Governmental Conduct Code - Prohibiting Candidate-Controlled General Purpose Committees]

Sponsors: Peskin; Mar

Motion ordering submitted to the voters an Ordinance amending the Campaign and Government Conduct Code to prohibit City elected officials from establishing candidate-controlled general purpose committees, at an election to be held on November 8, 2016.

Supervisor Peskin, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to the Board of Supervisors meeting of July 26, 2016. The motion carried by the following vote:

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

160588 [Charter Amendment - Housing and Development Commission]

Sponsors: Peskin; Kim

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco, to create the Housing and Development Commission to oversee the Department of Economic and Workforce Development and the Department of Housing and Community Development; to require the Commission to review and make recommendations regarding proposed development agreements and conveyance of certain surplus City property before the Board of Supervisors considers such proposals; to require the Commission to hold hearings and make recommendations regarding proposals to adopt or change inclusionary housing requirements for housing developments; to require the Commission to adopt rules creating competitive selection processes for the Department of Housing and Community Development's expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of the Department of Housing and Community Development; and to provide that ordinances regarding inclusionary housing requirements and rules regarding competitive selection for affordable housing adopted under the processes set forth in the Charter may supersede ordinances and rules adopted by the Board of Supervisors or the voters prior to March 1, 2017, at an election to be held on November 8, 2016.

This item was called from committee before the Rules Committee acted upon this matter, pursuant to Motion No. M16-091 (File No. 160802) approved on July 15, 2016, so this matter was not before the Board for action.

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Wiener assumed the chair at 10:05 p.m. The President resumed the chair at 10:11 p.m.

160813 [Charter Amendment - Affordable Housing and Community Development Hearings and Reports]

Sponsors: Peskin; Kim

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco, to create the Housing and Development Commission to oversee the Department of Economic and Workforce Development and the Department of Housing and Community Development; to require the Commission to review and make recommendations regarding proposed development agreements and conveyance of certain surplus City property before the Board of Supervisors considers such proposals; to require the Commission to hold hearings and make recommendations regarding proposals to adopt or change inclusionary housing requirements for housing developments; to require the Commission to adopt rules creating competitive selection processes for the Department of Housing and Community Development's expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of the Department of Housing and Community Development; and to provide that ordinances regarding inclusionary housing requirements and rules regarding competitive selection for affordable housing adopted under the processes set forth in the Charter may supersede ordinances and rules adopted by the Board of Supervisors or the voters prior to March 1, 2017, at an election to be held on November 8, 2016. (7/14/16 - Duplicated by Supervisor Mar from File No. 160588.)

Privilege of the floor was granted unanimously to Todd Rufo, Director (Office of Economic and Workforce Development), and Olson Lee, Director (Mayor's Office of Housing and Community Development), who responded to questions raised throughout the discussion.

Supervisor Tang, seconded by Supervisor Wiener, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 26, 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

Male Speaker; spoke on various religious concerns.

Christopher Dahl; spoke on various concerns regarding the Board of Supervisors members.

Male Speaker; spoke on various concerns.

Anne Hess; expressed concerns regarding the high amount of gun violence in the Mission.

Ace Washington; spoke on various concerns regarding the out-migration of communities in San Francisco.

Tom Gilberty; shared experiences and concerns regarding Muni bus routes and transportation network companies.

Otto Duffy; expressed concerns regarding past practices.

President Breed reopened public comment at 8:56 p.m. to hear from additional members of the public.

Male Speaker; shared concerns regarding finger-printing transportation network company employees.

Brent Resch; shared concerns regarding finger-printing transportation network company employees.

Male Speaker; shared concerns regarding finger-printing transportation network company employees.

Marcela Farsaka; shared concerns regarding finger-printing transportation network company employees.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

Approval to convene in closed session was acted upon by Motion No. M16-095 (File No. 160804) under the "For Adoption Without Committee Reference" calendar, and the public comment requirement for the approval to convene in closed session was satisfied during General Public Comment.

160809 [Closed Session - Existing Litigation - David Zeller - July 19, 2016]

Closed Session for the Board of Supervisors to convene on July 19, 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. M16-095 (File No. 160804), Supervisor Cohen, seconded by Supervisor Yee, 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

Shortly after convening in closed session, President Breed reconvened in open session to take additional General Public Comment.

Although it was not required, Supervisor Tang, 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

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 8:56 p.m. to convene in closed session pursuant to the passage of Motion No. M16-095 (File No. 160804).

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

Persons in attendance: Jon Givner, Cheryl Adams, and Mark Lipton (Office of the City Attorney); and 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, no action was taken, and the hearing was filed.

RECONVENED IN OPEN SESSION

The Board reconvened at the hour of 9:14 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 Farrell, seconded by Supervisor Campos, 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)

NOT PASSED ON FIRST READING by the following vote:

Ayes: 4 - Campos, Farrell, Kim, Wiener

Noes: 7 - Avalos, Breed, Cohen, Mar, Peskin, Tang, Yee

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

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

NOT PASSED ON FIRST READING by the following vote:

Ayes: 3 - Campos, Farrell, Wiener

Noes: 8 - Avalos, Breed, Cohen, Kim, Mar, Peskin, Tang, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

160787 [Final Map 8113 - 18-28 Clyde Street]

Motion approving Final Map 8113, a six unit residential Condominium Project, located at 18-28 Clyde Street, being a subdivision of Assessor's Parcel Block No. 3787, Lot No. 017, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-093

APPROVED

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.

Motion No. M16-094

APPROVED

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)

Motion No. M16-095

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Peskin requested that File No. 160759 be severed so that it may be considered separately.

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 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 Mar, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. 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 regulations of Transportation Network Companies that comply with San Francisco's 2014 Fair Chance Ordinance, 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 Mar, moved that this Resolution be CONTINUED AS AMENDED to the Board of Supervisors meeting of July 26, 2016. 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

160719 [Police Code - Paid Parental Leave Ordinance]

Sponsors: Wiener; Yee

Ordinance amending the Police Code to make technical amendments to the Paid Parental Leave Ordinance consistent with its original intent.

06/21/16; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 7/21/2016.

06/27/16; REFERRED TO DEPARTMENT.

07/07/16; RESPONSE RECEIVED.

07/19/16; TRANSFERRED to Budget and Finance Committee.

07/19/16; TRANSFERRED to Budget and Finance Sub-Committee.

07/19/16; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

160827 [Agreements - Access to Fiber-Optic Facilities - Bay Bridge Consortium and Pacific Bell]

Sponsor: Mayor

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

07/19/16; ASSIGNED to Budget and Finance Sub-Committee.

Resolutions

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 or Medical Service use; and making environmental findings and findings of consistency with the General Plan and with 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.

07/19/16; REFERRED TO DEPARTMENT.

07/19/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

160828 [Interim Zoning Controls - Conditional Use Requirement and Replacement of Production, Distribution, Repair, Institutional Community, and Arts Activities Uses]

Sponsor: Cohen

Resolution imposing interim controls to require replacement space and conditional use authorization for conversion of Production, Distribution, and Repair Use, Institutional Community Use, and Arts Activities Use; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

07/19/16; ASSIGNED to Land Use and Transportation Committee.

160829 [Contract Amendment - Alstom Transportation, Inc. - Vendor Managed Inventory Services - Not to Exceed \$55,198,000]

Sponsor: Tang

Resolution approving Amendment No. 3 to Contract No. SFMTA 2011/12-06 with Alstom Transportation, Inc., for Vendor Managed Inventory Services to extend the contract for an additional two years for a total contract term of August 1, 2013, through August 31, 2020, for an additional amount of \$41,540,000 and a total contract not to exceed \$80,698,000. (Municipal Transportation Agency)

(Fiscal Impact)

07/19/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160830 [Recreation and Parks Month - July 2016]

Sponsor: Breed

Resolution declaring July 2016 as Recreation and Parks Month in the City and County of San Francisco.

07/19/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160831 [World Hepatitis Day - July 28]

Sponsors: Tang; Kim, Wiener, Cohen, Peskin and Yee

Resolution recognizing July 28 as World Hepatitis Day in the City and County of San Francisco.

07/19/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160616 [Board Response - Civil Grand Jury - Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2015-2016 Civil Grand Jury Report, entitled "Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

07/06/16; REFERRED TO DEPARTMENT.

07/19/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160618 [Board Response - Civil Grand Jury - San Francisco Homeless Health and Housing: A Crisis Unfolding on Our Streets]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2015-2016 Civil Grand Jury Report, entitled "San Francisco Homeless Health and Housing: A Crisis Unfolding on Our Streets;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

07/12/16; REFERRED TO DEPARTMENT.

07/19/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160620 [Board Response - Civil Grand Jury - San Francisco County Jails: Our Largest Mental Health Facility Needs Attention]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2015-2016 Civil Grand Jury Report, entitled "San Francisco County Jails: Our Largest Mental Health Facility Needs Attention;" 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)

07/19/16; REFERRED TO DEPARTMENT.

07/19/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Requests for Hearing

**160832 [Hearing - Shelter Monitoring Committee Quarterly Reports]
Sponsor: Tang**

Hearing to consider the quarterly reports of the Shelter Monitoring Committee; and requesting the Shelter Monitoring Committee to report.

07/19/16; RECEIVED AND ASSIGNED to Rules Committee.

160615 [Board Response - Civil Grand Jury - Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings]

Hearing to receive updates from various City Departments who were required to provide a response on the implementation of Recommendation No. R.5.D. contained in the 2015-2016 Civil Grand Jury report, entitled "Into the Open: Opportunities for More Timely and Transparent Investigation of Fatal San Francisco Police Department Officer-Involved Shootings" and respond to the Civil Grand Jury on the status of these implementations. (Government Audit and Oversight Committee)

07/06/16; REFERRED TO DEPARTMENT.

07/19/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160617 [Hearing - Civil Grand Jury - San Francisco Homeless Health and Housing: A Crisis Unfolding on Our Streets]

Hearing on the recently published 2015-2016 Civil Grand Jury report, entitled "San Francisco Homeless Health and Housing: A Crisis Unfolding on Our Streets." (Clerk of the Board)

07/12/16; REFERRED TO DEPARTMENT.

07/19/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160619 [Hearing - Civil Grand Jury - San Francisco County Jails: Our Largest Mental Health Facility]

Hearing on the recently published 2015-2016 Civil Grand Jury report, entitled "San Francisco County Jails: Our Largest Mental Health Facility." (Clerk of the Board)

07/19/16; REFERRED TO DEPARTMENT.

07/19/16; RECEIVED AND ASSIGNED to Government Audit and Oversight 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

160784 [Settlement of Lawsuit and Supplemental Appropriation - Allied Insurance Company - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Allied Insurance Company against the City and County of San Francisco for \$60,000; the lawsuit was filed on January 22, 2015, in San Francisco Superior Court, Case No. CGC-15-543789; entitled Allied Insurance Company v. The City and County of San Francisco, et al.; the lawsuit involves alleged property damage arising from flooding. (City Attorney)

07/07/16; RECEIVED FROM DEPARTMENT.

07/19/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160785 [Settlement of Lawsuit and Supplemental Appropriation - Raymond Kruse and Ashley Kruse - \$325,000]

Ordinance authorizing settlement of the lawsuit filed by Raymond Kruse and Ashley Kruse against the City and County of San Francisco for \$325,000; the lawsuit was filed on September 17, 2014, in San Francisco Superior Court, Case No. CGC-14-541704; entitled Raymond Kruse, et al. v. Precision Engineering, Inc., et al.; the lawsuit involves alleged property damage arising from flooding. (City Attorney)

07/07/16; RECEIVED FROM DEPARTMENT.

07/19/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTION

160786 [Master License Agreement - New Cingular Wireless PCS, LLC, dba AT&T Mobility - Wireless Telecommunication Equipment on Transit Support Poles - Revenue to Exceed \$1,000,000]

Resolution retroactively approving an executed Master License Agreement between the City and County of San Francisco and New Cingular Wireless, LLC, for the installation of wireless telecommunication antennae and equipment on San Francisco Municipal Transportation Agency poles, each for an amount to exceed \$1,000,000 and a term of nine years estimated from December 30, 2015, through December 29, 2024; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

07/11/16; RECEIVED FROM DEPARTMENT.

07/19/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

In Memoriams

Marcus Blacksher - Entire Board

Josh Williams - Entire Board

Joseles Delacruz Ornelas - Supervisors Avalos, Kim, and Peskin

ADJOURNMENT

There being no further business, the Board adjourned at the hour 10:24 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