

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Thursday, July 28, 2016 - 8:40 AM

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

Special 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, Jane Kim, Eric Mar, Aaron Peskin, Katy Tang, and Scott Wiener
Absent: Norman Yee

The Board of Supervisors of the City and County of San Francisco met in special session on Tuesday, July 28, 2016, with President London Breed presiding.

ROLL CALL

President Breed called the meeting to order at 8:43 a.m. On the call of the roll, Supervisors Farrell, Kim, and Yee were noted not present. There was a quorum.

COMMUNICATIONS

There were no communications.

Supervisor Farrell Excused from Attendance

Supervisor Mar, seconded by Supervisor Avalos, moved that Supervisor Farrell be excused from attending today's meeting. The motion carried by the following vote:

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

Excused: 1 - Farrell

Absent: 2 - Kim, Yee

Board of Supervisors Sitting as a Committee of the Whole

160846 [Hearing - Charter Amendment - Department of Police Accountability]

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

The President 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 Charter Amendment as referenced in File No. 160586. There were no speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

Committee of the Whole Adjourn and Report

Recommendation of the Rules Committee

160586 [Charter Amendment - Department of Police Accountability]

Sponsors: Cohen; Breed

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

Supervisor Mar, seconded by Supervisor Tang, moved that this Charter Amendment be CONTINUED to the Board of Supervisors special meeting of July 29, 2016, at 10:35 a.m. The motion carried by the following vote:

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

Excused: 1 - Farrell

Absent: 2 - Kim, Yee

Board of Supervisors Sitting as a Committee of the Whole

160847 [Hearing - Charter Amendment - Public Advocate]

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

The President 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 Charter Amendment as referenced in File No. 160583. Tom Gilberty; shared concerns relating to the amendments of the proposed Charter Amendment. 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.

Committee of the Whole Adjourn and Report

Recommendation of the Rules Committee

160583 [Charter Amendment - Public Advocate]

Sponsors: Campos; Avalos, Kim and Mar

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

Supervisor Campos, seconded by Supervisor Mar, moved that this Charter Amendment be CONTINUED to the Board of Supervisors special meeting of July 29, 2016, at 10:00 a.m.. The motion carried by the following vote:

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

Excused: 1 - Farrell

Absent: 2 - Kim, Yee

COMMITTEE REPORTS

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.

PASSED ON FIRST READING, and to be considered for final passage by the Board of Supervisors at the regular meeting of August 2, 2016, by the following vote:

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

Excused: 1 - Farrell

Absent: 2 - Kim, Yee

PUBLIC COMMENT

Tom Gilberty; shared concerns related to Falun Dafa.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Supervisor Kim was noted present at 8:51 a.m.

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

Sponsor: Cohen

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

Motion No. M16-103

APPROVED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Wiener

Excused: 1 - Farrell

Absent: 1 - Yee

ADJOURNMENT

There being no further business, the Board adjourned at the hour 8:54 a.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