



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

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

Tuesday, May 10, 2016 - 2:00 PM

Regular Meeting

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

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

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

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

Government Audit and Oversight Committee
Supervisors Peskin, Yee, Breed

Land Use and Transportation Committee
Supervisors Cohen, Wiener, Peskin

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

Rules Committee
Supervisors Tang, Mar, Cohen

Meeting Days

Wednesday
1:00 PM

Wednesday
10:00 AM

1st and 3rd Thursday
9:30 AM

Monday
1:30 PM

2nd Thursday
2:30 PM

2nd and 4th Thursday
11:00 AM

Agenda Item Information

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

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

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

Meeting Procedures

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

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

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

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

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

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

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

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

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

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

Disability Access

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

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485.

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of the [April 5, 2016](#), Board Meeting Minutes, and the [April 6, 2016](#), Special Meeting Minutes at the Budget and Finance Committee Meeting, which constituted a quorum of the Board of Supervisors.

AGENDA CHANGES

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

Pursuant to Charter Section 3.100(7), the Mayor shall appear, in person, at one regularly scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board. This item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.

By supermajority vote of the Board of Supervisors (8 votes), the Board may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.

1. [160493](#) **[Formal Policy Discussions - May 10, 2016]**
Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from the Supervisor representing District 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor: On May 1st, after many years of struggle and delay, we finally launched CleanPowerSF. But, in order to achieve our long-term goal of creating green jobs by building out renewable energy facilities, we need to quickly expand our customer base. Have you signed up for CleanPowerSF's SuperGreen option? If not, will you pledge to sign up? Will you work with me to expand our publicity campaign for CleanPowerSF? Can you use your extensive connections to San Francisco's business community to help promote CleanPowerSF?

Discussion: The Mayor shall DISCUSS eligible question(s) with the Board of Supervisors.

CONSENT AGENDA

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

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

Items 2 through 7

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Farrell, Tang, Yee

2. [160101](#) **[Business and Tax Regulations Code - Parking Tax Exemption for Certain Parking Events on School District Property]**
Sponsors: Mar; Farrell
Ordinance amending the Business and Tax Regulations Code to exempt, from the parking tax and certain other requirements, a limited number of special parking events operated by volunteer-led non-profit organizations on School District property for the benefit of San Francisco public schools and earning less than \$10,000 per event from rent; establishing Special School Parking Event Permits issued by the Tax Collector; and establishing a sunset date.

05/03/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [160207](#) **[Administrative Code - Local Business Enterprise Bid Discounts]**
Ordinance amending the Administrative Code to allow the San Francisco Public Utilities Commission (SFPUC) Local Business Enterprises to receive Bid Discounts on eligible SFPUC Regional Project contracts, with certain restrictions. (Public Utilities Commission)

05/03/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Cohen, Wiener, Peskin

4. [151211](#) **[Planning Code - Landmark Designation - 90-92 Second Street (aka the Bourdette Building)]**
Sponsors: Kim; Peskin
Ordinance designating 90-92 Second Street (aka the Bourdette Building), Assessor's Block No. 3707, Lot No. 012, as a Landmark under Planning Code, Article 10; and making environmental findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

05/03/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
5. [160320](#) **[Landmark Tree Designation - Norfolk Island/Cook Pine Hybrid Located at 46A Cook Street]**
Sponsor: Farrell
Ordinance designating the Norfolk Island/Cook Pine hybrid (*Araucaria heterophylla* x *A. columnaris*) tree at 46A Cook Street (Assessor's Parcel Block No. 1067, Lot No. 032) as a landmark tree pursuant to Public Works Code, Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

05/03/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Tang, Mar, Cohen

6. [160404](#) **[Appointment, Commission on Aging Advisory Council - Jose Miguel Rodas]**
Motion appointing Jose Miguel Rodas, term ending March 31, 2017, to the Commission on Aging Advisory Council. (Rules Committee)

Question: Shall this Motion be APPROVED?
7. [160405](#) **[Appointment, Bicycle Advisory Committee - Devon Warner]**
Motion appointing Devon Warner, term ending November 19, 2016, to the Bicycle Advisory Committee. (Rules Committee)

Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

8. [150267](#) **[Charter Amendment - Sixteen and Seventeen-Year-Old Voting for Municipal Elections]**
Sponsors: Avalos; Campos, Kim, Mar, Wiener and Yee
Charter Amendment (Second Draft) to amend the Charter to authorize 16- and 17-year-olds to vote in municipal elections, at an election to be held on November 8, 2016.
- 04/19/2016; CALLED FROM COMMITTEE.
05/03/2016; CONTINUED.
- Question: Shall this Charter Amendment be SUBMITTED?**

Recommendation of the Budget and Finance Committee

Present: Supervisors Farrell, Tang, Yee, Kim, Wiener

9. [160357](#) **[Appropriation - Proceeds from Short-Term Certificates of Participation - Transbay Transit Center Project - \$260,000,000 - FY2015-2016]**
Sponsors: Mayor; Kim, Wiener and Campos
Ordinance appropriating \$260,000,000 of proceeds from short-term certificates of participation to general City responsibility for interim financing related to the Transbay Transit Center Project in FY2015-2016.
- (Fiscal Impact.)
- 05/03/2016; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Yee, Breed

- 10. [160242](#) **[Settlement of Lawsuit - Lisa Owen - \$2,250,000]**
Ordinance authorizing settlement of the lawsuit filed by Lisa Owen against the City and County of San Francisco for \$2,250,000; the lawsuit was filed on July 8, 2014, in San Francisco Superior Court, Case No. CGC-14-540434; entitled Lisa Owen v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing personal injury. (City Attorney)

05/03/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 11. [160243](#) **[Settlement of Lawsuit - Ying Zhang and Chen Li - \$175,000]**
Ordinance authorizing settlement of the lawsuit filed by Ying Zhang and Chen Li against the City and County of San Francisco for \$175,000; the lawsuit was filed on January 21, 2014, in San Francisco Superior Court, Case No. CGC-14-536903 (consolidated with CGC-13-536533); entitled Ying Zhang, et al. v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing personal injury; other materials terms of said settlement are that the Municipal Transportation Agency is to also pay \$175,000, subject to approval by the Municipal Transportation Agency Board. (City Attorney)

05/03/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 12. [160244](#) **[Settlement of Lawsuit - Kai Yuan and Jian Ping Yuan - \$175,000]**
Ordinance authorizing settlement of the lawsuit filed by Kai Yuan and Jian Ping Yuan against the City and County of San Francisco for \$175,000; the lawsuit was filed on December 31, 2013, in San Francisco Superior Court, Case No. CGC-13-536533 (consolidated with CGC-14-536903); entitled Kai Yuan, et al. v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing death; other material terms of said settlement are that the Municipal Transportation Agency is to also pay \$175,000, subject to approval by the Municipal Transportation Agency Board, and co-defendant Gina Eunice to pay \$50,000 (insurance coverage limits). (City Attorney)

05/03/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. [160306](#) [Settlement of Unlitigated Claim - Asiana Airlines - City to Receive \$3,450,000]

Ordinance authorizing settlement of an unlitigated claim by the City and County of San Francisco against Asiana Airlines for a payment of \$3,450,000 by Asiana Airlines to the City, appropriating funds from the settlement to the City Attorney's Office to pay the City's attorneys' fees and legal expenses, and allocating funds from the settlement to the Airport to pay the Airport's costs; other material terms of the settlement include payment by Asiana Airlines to the City's aviation insurer, the City's acceptance of the site cleanup performed by contractors to Asiana Airlines and approved by the San Francisco Bay Regional Water Quality Control Board, the City's agreement not to originate a lawsuit against the aircraft manufacturer, and mutual release of claims arising out of the July 6, 2013 crash of Asiana Airlines Flight 214; the City made its claim on July 16, 2013. (City Attorney)

05/03/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. [160307](#) [Settlement of Lawsuit - Fernando Guanill - \$150,000]

Ordinance authorizing settlement of the lawsuit filed by Fernando Guanill against the City and County of San Francisco for \$150,000; the lawsuit was filed on October 14, 2015, in the United States District Court for the Northern District of California, Case No. 15-cv-04745 LB; entitled Fernando Guanill v. Michael Robert Lewelling, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

05/03/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Yee

15. [160308](#) [Settlement of Lawsuit - J.C.R., a Minor, By and Through His Guardian Ad Litem, Guillerma Bojorquez - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by J.C.R., a minor, by and through his guardian ad litem, Guillerma Bojorquez, against the City and County of San Francisco for \$50,000; the lawsuit was filed on August 28, 2014, in the United States District Court for the Northern District of California, Case No. 3: 14-cv-3918 NC; entitled J.C.R., a minor, by and through his guardian ad litem, Guillerma Bojorquez v. The City and County of San Francisco, et al. (City Attorney)

05/03/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Yee, Breed

16. [160309](#) **[Settlement of Lawsuit - Fireman’s Fund Insurance Company - \$125,000]**
Ordinance authorizing settlement of the lawsuit filed by Fireman’s Fund Insurance Company against the City and County of San Francisco for \$125,000; the lawsuit was filed on July 17, 2014, in San Francisco Superior Court, Case No. CGC-14-540616; entitled Fireman’s Fund Insurance Company vs. Alliance of Event Planners and Vendors, Inc., et al.; the lawsuit involves an insurance dispute. (City Attorney)

05/03/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety and Neighborhood Services Committee

Present: Supervisors Avalos, Campos

17. [160022](#) **[Administrative Code - Due Process for All and Sanctuary]**
Sponsors: Avalos; Campos, Kim, Mar and Peskin
Ordinance amending the Administrative Code to prohibit the use of City funds or resources to assist in the enforcement of Federal immigration law, except for individuals who have been convicted of a violent felony and held to answer for a violent felony.

04/19/2016; CONTINUED.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Farrell, Tang, Yee

18. [160025](#) **[Administrative Code - Nutritional Standards for Food and Beverages Sold in Vending Machines on City Property or Served at City Meetings and Events]**
Sponsor: Farrell

Ordinance amending the Administrative Code to require that prepackaged food and beverages sold in vending machines on City property meet specified nutritional standards and calorie labeling requirements; to require City departments to make best efforts to meet nutritional guidelines for food and beverages purchased with City funds and served at City events and meetings; to encourage restaurants, cafeterias, and concessions located on City property to offer healthy food options; and to require the Department of Public Health (DPH) to submit a report to the Board of Supervisors if DPH concludes that nutritional standards and guidelines should be updated.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. [160318](#) **[Appropriation - Proceeds from Certificates of Participation for Animal Care and Control Renovation - \$60,500,000 - FY2015-2016]**
Sponsors: Mayor; Tang
Ordinance appropriating \$60,500,000 of Certificates of Participation to the Department of Administrative Services in FY2015-2016 for the Animal Care and Control Renovation Project.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
20. [160297](#) **[Lease Agreement - Swissport Cargo Services, L.P. - West Field Cargo Building 632 and Related Areas on Plot 9 - \$2,345,996.92]**
Resolution retroactively approving Lease Agreement No. 14-0263 between Swissport Cargo Services, L.P., and the City and County of San Francisco, acting by and through its Airport Commission, for approximately 19,048 square feet of exclusive use space in West Field Cargo Building 632 and related areas on Plot 9, with an estimated minimum rent of \$2,345,996.92 for a three-year initial term to commence on April 1, 2015, and two one-year options to extend. (Airport Commission)

Question: Shall this Resolution be ADOPTED?
21. [160298](#) **[Emergency Work - Designing, Repairing, and Upgrading Security Systems for County Jail Nos. 1 and 2 - Not to Exceed \$2,967,000]**
Resolution approving emergency public work by San Francisco Public Works under Administrative Code, Section 6.60, to design, repair, and upgrade the central control intercom and attendant security systems at the Sheriff's Department's County Jail Nos. 1 and 2, both located at 425-7 Street, with an amount not to exceed \$2,967,000. (Public Works)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?
22. [160324](#) **[Cooperative Agreement - California Department of Transportation - Lombard Street Vision Zero Project]**
Sponsor: Farrell
Resolution approving a cooperative agreement between the City and County of San Francisco and the State of California Department of Transportation concerning the development, review, and approval of the project initiation document for the Lombard Street Vision Zero Project, including pedestrian safety, transit improvements, and utility upgrades along Lombard Street between Francisco Street and Van Ness Avenue, and making environmental findings. (Public Works)

Question: Shall this Resolution be ADOPTED?

23. [160327](#) **[Accept and Expend Grant - Association of Bay Area Governments - Bay Area Regional Energy Network Program - \$609,258]**
Sponsor: Wiener
Resolution retroactively authorizing the Department of the Environment to accept and expend grant funds from the Association of Bay Area Governments in the amount of \$609,258 to perform various activities as part of a Bay Area Regional Energy Network program, an energy efficiency program for the term of July 31, 2015, through December 31, 2016. (Environment)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Cohen, Wiener, Peskin

24. [151280](#) **[Planning Code - Permitting Accessory Massage Uses, with a Conditional Use Permit, in the North of Market Residential Special Use District]**
Sponsor: Kim
Ordinance amending the Planning Code to permit accessory massage uses, with a Conditional Use permit, in the North of Market Residential Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
25. [160273](#) **[Street Artist Spaces - Market Street, Drumm to Spear Streets]**
Resolution approving designation of four selling spaces on the north side of Market Street, Drumm to Spear Streets, for use by street artists certified by the Arts Commission of the City and County of San Francisco; and exempting said spaces from the regulations of Police Code, Section 2405, relating to street artist display size, distance from entrances, distance from crosswalks, and distance between artists' displays. (Arts Commission)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Public Safety and Neighborhood Services Committee

Present: Supervisors Kim, Avalos, Campos

26. [151112](#) **[Liquor License - 36 West Portal Avenue]**
Resolution determining that the issuance of a Type 21 off-sale general license to Issa Haddad for West Portal Daily Xpress located at 36 West Portal Street (District 7), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)
- Question: Shall this Resolution be ADOPTED?**

27. [160209](#) **[Liquor License - 401 Van Ness Avenue]**
Resolution determining that the issuance of a Type 64 general theatre license to the San Francisco Opera Association located at 401 Van Ness (District 5), will serve the public convenience or necessity of City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)
- Question: Shall this Resolution be ADOPTED?**
28. [160326](#) **[Lease of City Property - Poets Café LLC - Main Library at 100 Larkin Street - \$3,600 per Year]**
Sponsor: Kim
Resolution authorizing the Director of Property to execute a three-year café lease to commence following Board approval between the City and County of San Francisco and Poets Café LLC, for the lease of City-owned property within the Main Library located at 100 Larkin Street, for \$3,600 per year. (Public Library)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Rules Committee

Present: Supervisors Tang, Mar, Cohen

29. [150944](#) **[Administrative Code - Establishing the Safer Schools Sexual Assault Task Force]**
Sponsors: Kim; Cohen and Tang
Ordinance amending the Administrative Code to establish the Safer Schools Sexual Assault Task Force to advise the Board of Supervisors regarding proposed policies to reduce sexual assault at educational institutions; and setting forth the membership and duties of the Task Force.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
30. [160359](#) **[Administrative Code - Establishing Municipal Fines and Fees Task Force]**
Sponsors: Avalos; Kim and Cohen
Ordinance amending the Administrative Code to establish the Municipal Fines and Fees Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding policies that reduce fines and fees for low-income City residents; and setting forth the membership and duties of the Task Force.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
31. [160406](#) **[Appointment, Market and Octavia Community Advisory Committee - Mohammed Soriano-Bilal]**
Motion appointing Mohammed Soriano-Bilal, term ending December 16, 2016, to the Market and Octavia Community Advisory Committee. (Rules Committee)
- Question: Shall this Motion be APPROVED?**

32. [160407](#) **[Appointments, Sunshine Ordinance Task Force - Josh Wolf, Leuwam Tesfai, David Pilpel, Dave Maass, Frank Cannata, Chris Hyland, and Louise Fischer]**
Motion appointing Josh Wolf, Leuwam Tesfai, David Pilpel, Dave Maass, Frank Cannata, Chris Hyland, and Louise Fischer, terms ending April 27, 2018, to the Sunshine Ordinance Task Force. (Rules Committee)

(Supervisor Mar dissented on the appointment of David Pilpel in Committee.)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Asian Pacific American Heritage Month

33. ROLL CALL FOR INTRODUCTIONS

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

34. PUBLIC COMMENT

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

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

Items 35 through 37

35. [160488](#) **[Urging Adequate State-wide Funding for Dependency Counsel]**
Sponsors: Cohen; Kim and Peskin
Resolution urging the California State Legislature, the Judicial Council, and Governor Jerry Brown to adequately fund dependency counsel in the State of California, a statutory obligation of the State, to address a state-wide crisis in funding deleteriously affecting our most vulnerable families in San Francisco and the State of California, particularly families that are poor and families of color.
- 05/03/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
36. [160489](#) **[Urging and Supporting All Efforts to Increase State Supplementary Program Payments to Meet or Exceed the Federal Poverty Level Appropriation]**
Sponsors: Mar; Avalos and Yee
Resolution urging and supporting all efforts by the State Legislature and Governor to increase State Supplementary Program payments to meet or exceed the federal poverty level for elderly, blind or disabled individuals.
- 05/03/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
37. [160458](#) **[Committee of the Whole - Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 21, 2016, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director, pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)
- 05/03/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

38. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor**

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

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

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTIONS**160444 [Financing - Portsmouth Plaza Parking Corporation - Not to Exceed \$12,500,000]**

Resolution authorizing a financing to be undertaken by the City of San Francisco Portsmouth Plaza Parking Corporation on behalf of the City in an amount not to exceed \$12,500,000 and approving the forms of and authorizing the execution and delivery of documents reasonably necessary for such financing; ratifying and approving any action heretofore taken in connection with the financing; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Recreation and Park Commission)

04/27/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160445 [Lease Agreement - Andale Management Group, Inc. - \$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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160446 [Lease Agreement - High Flying Foods SFO, LLC - \$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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160447 [Lease Agreement - Tastes On The Fly, San Francisco, LLC - \$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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160448 [Lease Agreement - Mum Fresh SF, Inc. - \$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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160449 [Lease Agreement - Tomokazu Japanese Cuisine (SFO) Inc. - \$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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160450 [Lease Agreement - SSP America, Inc. - \$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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160451 [Lease Agreement - Joe & The Juice SFO, LLC - \$150,000.00 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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160452 [Lease Agreement - Stix Holdings, LLC - \$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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160453 [Lease Agreement - Midfield Concession Enterprises, Inc. - \$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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160454 [Lease Agreement - Bayport Concessions, LLC - \$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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160455 **[Lease Agreement - Adam Light - \$190,000.00 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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160456 **[Lease Agreement - Host International, Inc. - \$120,000.00 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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160457 **[Lease Agreement - SSP America, Inc. - \$196,000.00 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)

04/29/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160460 **[Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program]**

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works)

05/02/2016; RECEIVED FROM DEPARTMENT.

05/10/2016; RECEIVED AND ASSIGNED to the Board of Supervisors.

160397 [Petitions and Communications]

Petitions and Communications received from April 25, 2016, through May 2, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 10, 2016.

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

From Controller's City Services Auditor Division, regarding the employee separation process of the Airport Commission. (1)

From Recreation and Parks Department, submitting a report for the 3rd quarter of FY15-16 on Lead Poisoning Prevention. Copy: Each Supervisor. (2)

From Association of Bay Area Governments, regarding date change of the special ABAG General Assembly. Copy: Each Supervisor. (3)

From concerned citizens, regarding proposed ordinance designating a tree on 46A Cook Street as a landmark. File No. 160320. 5 letters. Copy: Each Supervisor. (4)

From District Attorney's, regarding San Francisco District Attorney's Sentencing Planner Program. Copy: Each Supervisor. (5)

From concerned citizens, regarding appointments to the Citizen's Committee on Community Development. File No. 160342. 15 letters. Copy: Each Supervisor. (6)

From Wendy Aragon, regarding appointment and terms to the SFPUC Citizen's Advisory Committee. Copy: Each Supervisor. (7)

From concerned citizens, regarding appointment to the Sunshine Ordinance Task Force. File No. 160407. 8 letters. Copy: Each Supervisor. (8)

From Peter Warfield, regarding San Francisco Public Library fines and fees. Copy: Each Supervisor. (9)

From the Dow Chemical Company, regarding the correct use of the trademark brand STYROFOAM. File No. 160383. Copy: Each Supervisor. (10)

From Cliff Culpeper, regarding homeless conditions. Copy: Each Supervisor. (11)

From John Palmer, regarding funding an open source voting system project. Copy: Each Supervisor. (12)

From Clerk of the Board, submitting a memorandum regarding Professional/Organizational Memberships. Copy: Each Supervisor. (13)

ADJOURNMENT