



# 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, February 9, 2016 - 2:00 PM

#### Regular Meeting

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

Angela Calvillo, Clerk of the Board

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

#### BOARD COMMITTEES

##### Committee Membership

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

**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  
10:00 AM

2nd and 4th Thursday  
10:00 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) 554-7854; or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

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

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

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

## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

## **COMMUNICATIONS**

## **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.*

*There were no questions submitted from Supervisors representing the even districts.  
The Mayor may address the Board for up to five minutes.*

## 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 1 through 12

#### Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Yee, Peskin, Wiener

1. [151212](#) **[Settlement of Lawsuit - Filip Kesler 2011 Revocable Trust and Brandon Hughes - \$82,500]**

Ordinance authorizing settlement of the lawsuit filed by Filip Kesler 2011 Revocable Trust and Brandon Hughes against the City and County of San Francisco for \$82,500; the lawsuit was filed on September 29, 2014, in San Francisco Superior Court, Case No. CGC-14-541914; entitled Filip Kesler 2011 Revocable Trust and Brandon Hughes v. City and County of San Francisco. (City Attorney)

02/02/2016; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**
  
2. [151250](#) **[Settlement of Lawsuits - 765 Market Street Residential Owners Association - City to Consider Pedestrian and Traffic Improvements]**

Ordinance authorizing settlement of the lawsuits filed by 765 Market Street Residential Owners Association, et al., against the City and County of San Francisco; the first lawsuit was filed on August 16, 2013, in Sacramento Superior Court, Case No. 34-2013-80001609 and then transferred to San Francisco Superior Court, Case No. CPF-14-513433, and appealed to the First Appellate District for the Court of Appeal of the State of California, Case No. A143980, entitled 765 Market Street Residential Owners Association, et al. v. City and County of San Francisco, et al.; the second lawsuit was filed on June 19, 2014, in San Francisco Superior Court, Case No. CPF-14-540094, and appealed to the First Appellate District for the Court of Appeal of the State of California, Case No. A143983, entitled 765 Market Street Residential Owners Association, et al. v. City and County of San Francisco, et al.; material terms of said settlement include the City's commitment to initiate consideration of installing of a crosswalk at Third Street and Stevenson Street, revising signal timing and offsets on Third Street, and relocating the pedestrian signal at Third Street; and the commitment of Real Party in Interest, 706 Mission Street Co., LLC, to donate \$100,000 to the City to offset costs to fund the improvements if they are approved by the City. (City Attorney)

02/02/2016; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

3. [160001](#) **[Settlement of Lawsuit - David Lloyd - \$42,500]**  
Ordinance authorizing settlement of the lawsuit filed by David Lloyd against the City and County of San Francisco for \$42,500; the lawsuit was filed on June 10, 2014, in San Francisco Superior Court, Case No. CGC-14-539774; entitled David Lloyd v. City and County of San Francisco, et al, removed to federal court on August 6, 2014, and re-captioned as David Lloyd v. City and County of San Francisco, et al., United States District Court, Case No. 3:14-cv-03542 JCS. (City Attorney)  
  
02/02/2016; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
4. [160002](#) **[Settlement of Lawsuit - Travis Jones - \$60,000]**  
Ordinance authorizing settlement of the lawsuit filed by Travis Jones against the City and County of San Francisco for \$60,000; the lawsuit was filed on February 18, 2014, in the United States District Court, Case No. CV 14-00733 NC; entitled Travis Jones v. City and County of San Francisco, et al. (City Attorney)  
  
02/02/2016; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
5. [160003](#) **[Settlement of Lawsuit - Leonard Lee Collins, Jr. - \$75,000]**  
Ordinance authorizing settlement of the lawsuit filed by Leonard Lee Collins, Jr., against the City and County of San Francisco for \$75,000; the lawsuit was filed on December 18, 2012, in United States District Court for the Northern District of California, Case No. 13-3456 MEJ; entitled Leonard Lee Collins, Jr. v. City and County of San Francisco, Laguna Honda Hospital, Edward Shiels, Steven Koneffklatt, et. al. (City Attorney)  
  
02/02/2016; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

### **Recommendations of the Land Use and Transportation Committee**

*Present: Supervisors Cohen, Wiener, Peskin*

6. [151079](#) **[Building Code - Definition of Vacant or Abandoned Buildings]**  
**Sponsor: Tang**  
Ordinance amending the Building Code to provide that a building in probate shall not be considered vacant or abandoned for purposes of the annual registration requirement for a period not to exceed two years if it complies with all codes and does not contribute to blight; and affirming the Planning Department's determination under the California Environmental Quality Act.  
  
02/02/2016; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

- 7. [151229](#) **[Administrative Code - Notice to Tenants in Event of Eviction]**  
**Sponsor: Tang**  
Ordinance amending the Administrative Code to provide notice to tenants facing eviction regarding eligibility for City affordable housing programs, and to modify vacancy control requirements applicable to certain agreements with governmental agencies.  
  
02/02/2016; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Mar, Campos, Peskin*

- 8. [150973](#) **[Police Code - Storage of Firearms in Motor Vehicles]**  
**Sponsors: Campos; Mar, Yee, Breed, Farrell, Cohen, Kim and Avalos**  
Ordinance amending the Police Code to prohibit any person from placing, storing, or leaving a firearm in an unattended motor vehicle unless it is in a lock box or in the locked trunk of the motor vehicle.  
  
02/02/2016; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
- 9. [151227](#) **[Administrative Code - Equal Pay Advisory Board Reporting Deadlines and Sunset Date]**  
**Sponsor: Campos**  
Ordinance amending the Administrative Code to revise reporting deadlines regarding equal pay reports, and extending the sunset date of the Equal Pay Advisory Board by nine months to July 2, 2018.  
  
02/02/2016; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Tang, Mar, Cohen*

- 10. [160055](#) **[Reappointment, Citizen's Advisory Committee for the Central Market Street and Tenderloin Area - John Bogacki]**  
Motion reappointing John Bogacki, term ending August 2, 2019, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Rules Committee)  
  
**Question: Shall this Motion be APPROVED?**
  
- 11. [160056](#) **[Appointment, Food Security Task Force - Ryan Thayer]**  
Motion appointing Ryan Thayer, for an indefinite term, to the Food Security Task Force. (Rules Committee)  
  
**Question: Shall this Motion be APPROVED?**

12. [160057](#) **[Appointment, San Francisco Health Authority - Joseph David Woods]**  
Motion appointing Joseph David Woods, term ending January 15, 2018, to the San Francisco Health Authority. (Rules Committee)

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Board

13. [160036](#) **[Calling from Committee - Committee of the Whole - Charter Amendment (File No. 151274) - February 23, 2016]**

**Sponsor: Kim**

Motion calling from the Rules Committee, pursuant to Board's Rules of Order 3.37, the proposed Charter Amendment (File No. 151274) authorizing the Board of Supervisors to update the inclusionary or affordable housing obligations for housing development projects and setting forth increased interim requirements, to be proposed to the voters at the June 7, 2016, election; and scheduling the Board of Supervisors to sit as a Committee of the Whole on February 23, 2016, at 3:00 p.m., to hold a public hearing to consider the proposed Charter Amendment.

01/26/2016; CONTINUED.

02/02/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

02/02/2016; NOT TABLED.

02/02/2016; CONTINUED AS AMENDED.

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



## **Recommendations of the Budget and Finance Committee**

*Present: Supervisors Farrell, Tang, Yee*

**14. [151226](#) [Waiver of Certain Contract Requirements for Project Delivery Agreement for New Central Shops Facilities - Oryx Development I, LLC - \$55,000,000 Project Cost; Interdepartmental Property Transfers]**

**Sponsor: Mayor**

Ordinance approving and authorizing the Director of Property of the General Services Agency's Real Estate Division ("RED") to execute a Project Delivery Agreement with Oryx Development I, LLC, a Nevada limited liability company ("Developer" or "Oryx"), for the design and construction of proposed improvements to future City owned real estate at 555 Selby Street and 1975 Galvez Avenue (Assessor's Block No. 5250, Lot No. 15, Assessor's Block No. 5250, Lot No. 16), and tenant improvements to future City leased property at 450 Toland Street (Assessor's Block No. 5230, Lot No. 18), to create new facilities for the relocation of the City's Central Fleet Maintenance Shop ("Central Shops") from 1800 Jerrold Street (portions of Assessor's Block Nos. 5262 and 5270), with total anticipated project delivery cost of \$55,000,000 from San Francisco Public Utilities Commission ("SFPUC") Wastewater Enterprise funds; exempting the project from certain contracting requirements in Administrative Code, Chapter 6, by waiving the requirements of Administrative Code, Sections 6.61(b) and 6.61(c)(1) - (4), and approving the selection of Oryx Development I, LLC as Developer, and Developer's selection of FM&E Architecture & Design as a Subcontractor to serve as the Project Architect, and Charles Pankow Builders, Ltd. as a Subcontractor to serve as General Contractor, without competitive bidding; authorizing the jurisdictional transfer of 1800 Jerrold Street, from General Services Agency's Office of Contract Administration ("OCA") to the SFPUC Wastewater Enterprise, and the jurisdictional transfer of 555 Selby Street and 1975 Galvez Avenue, and the leasehold of 450 Toland Street, from the SFPUC to OCA, subject to the terms and conditions of the Memorandum of Understanding entered into between the RED, OCA and SFPUC; and finding the proposed transactions are in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

02/02/2016; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**15. [160021](#) [Appropriation - Transfer from Wastewater Enterprise Funds to City Administrator to Implement the Central Shops Relocation Project - \$62,200,000 - FYs 2015-2016 and 2016-2017]**

**Sponsor: Mayor**

Ordinance appropriating a \$62,200,000 transfer from Public Utilities Commission Wastewater Enterprise Funds to the City Administrator the Central Shops Relocation Project in FYs 2015-2016 and 2016-2017, and placing \$45,000,000 on Budget and Finance Committee reserve.

(Fiscal Impact)

02/02/2016; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendation of the Land Use and Transportation Committee**

*Present: Supervisors Cohen, Wiener, Peskin*

- 16. [150914](#) **[Planning Code - Affordable Housing as Principal Use]**  
**Sponsor: Wiener**  
 Ordinance amending the Planning Code to provide administrative review of affordable housing, permitting it as a principal use, and not requiring a Planning Commission hearing, with certain exceptions; affirming the Planning Department’s determination under the California Environmental Quality Act; making public necessity, convenience, and general welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

02/02/2016; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**NEW BUSINESS**

**Recommendations of the Budget and Finance Committee**

*Present: Supervisors Farrell, Tang, Yee*

- 17. [151259](#) **[Administrative Code - City-Owned Fiber-Optic Facilities]**  
**Sponsors: Farrell; Mar**  
 Ordinance amending the Administrative Code to require the Department of Technology to gather information from City departments concerning City-owned fiber-optic facilities; and to require the Public Utilities Commission to consider and approve any future expansion of City-owned fiber-optic facilities.

(Fiscal Impact)

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

- 18. [151278](#) **[Agreement Amendment - AT&T Corporation - Telecommunications Services - Not to Exceed \$122,429,557]**  
**Sponsor: Farrell**  
 Ordinance retroactively authorizing the Department of Technology and the Department of Contract Administration to enter into the Third Amendment of an Agreement between the City and the AT&T Corporation, for the City’s telecommunications services, by extending the term of the agreement for an additional five years through December 31, 2020, and increasing the total not-to-exceed amount of the agreement from \$97,953,700 to \$122,429,557.

(Fiscal Impact)

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

19. [151145](#) **[Adopting a Fixed Two-Year Budget - Various City Departments - FYs 2016-2017 and 2017-2018]**  
**Sponsors: Mayor; Farrell and Tang**  
Resolution adopting a fixed two-year budgetary cycle for the following various City departments: Airport; Child Support Services; Employees' Retirement System; Port; Public Library; Public Utilities Commission; defining terms; and setting deadlines.  
**Question: Shall this Resolution be ADOPTED?**
20. [160027](#) **[Accept and Expend Grant - State of California, Department of Parks and Recreation - Boating Safety and Enforcement Equipment - FY2015-2016 - \$77,000]**  
**Sponsor: Farrell**  
Resolution retroactively authorizing the San Francisco Police Department (SFPD) to accept and expend a grant in the amount of \$77,000 from the State of California, Department of Parks and Recreation, Division of Boating and Waterways, to procure equipment and gear for the SFPD Marine Unit, for the 15-year period of October 1, 2015, through September 30, 2030.  
**Question: Shall this Resolution be ADOPTED?**

### **Recommendations of the Land Use and Transportation Committee**

*Present: Supervisors Cohen, Wiener, Peskin*

21. [151251](#) **[Administrative Code - Water Efficient Irrigation]**  
**Sponsor: Wiener**  
Ordinance amending the Administrative Code by revising the applicability threshold to 500 square feet for requirements for the development and maintenance of landscape irrigation controls for specified new construction landscapes and landscape rehabilitation projects.  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
22. [151281](#) **[Interim Zoning Controls - Additional Design Standards for Large Projects Within the Showplace Square, Potrero Hill, and Central Waterfront Area Plans]**  
**Sponsor: Cohen**  
Resolution imposing interim controls to require that the Planning Commission consider additional design standards for projects in the Showplace Square, Potrero Hill, and Central Waterfront Area Plans receiving a Large Project Authorization; and affirming the Planning Department's determination under the California Environmental Quality Act.  
  
(Pursuant to Planning Code, Section 306.7(b), failure of the Board of Supervisors to act on a proposed interim control within 120 days of its initiation shall be deemed to constitute disapproval. Introduction Date: December 15, 2015.)  
**Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Tang, Mar, Cohen*

*(Pursuant to the provisions of Board of Supervisors Rule 2.22.7, at least six days must intervene between the first appearance of a proposed Charter Amendment, before the Board as a referral from Committee, and any Board order of submission to the electorate. In accordance therewith, consideration of the following proposed Charter Amendment appropriately may be continued at least one week.)*

23. [150940](#) **[Charter Amendment - Park, Recreation and Open Space Fund]**  
**Sponsors: Farrell; Mar, Tang, Wiener, Yee, Breed, Cohen and Avalos**  
Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, extend the annual set-aside and the baseline appropriation for 15 years to FY2045-2046, and modify the Recreation and Park Department's planning obligations to include equity analysis and Board of Supervisors review, at an election to be held on June 7, 2016.
- Question: Shall this Charter Amendment be SUBMITTED?**
24. [160015](#) **[Appointment, Entertainment Commission - Joaquin Castillo Arana]**  
Motion appointing Joaquin Castillo Arana, term ending July 1, 2017, to the Entertainment Commission. (Rules Committee)
- Question: Shall this Motion be APPROVED?**
25. [160058](#) **[Appointment, Children and Families First Commission - Zea Malawa]**  
Motion appointing Zea Malawa, term ending April 29, 2018, to the Children and Families First Commission. (Rules Committee)
- Question: Shall this Motion be APPROVED?**
26. [160059](#) **[Appointment, Veterans Affairs Commission - Scott Joiner]**  
Motion appointing Scott Joiner, term ending January 31, 2019, to the Veterans Affairs Commission. (Rules Committee)
- Question: Shall this Motion be APPROVED?**

**SPECIAL ORDER 2:30 P.M. - Recognition of Commendations**

**SPECIAL ORDER 3:00 P.M.***APPEAL PROCEDURES*

*Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m.:*

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.*

*(Continued from January 26, 2016.)*

27. [151269](#) **[Public Hearing - Appeal of Categorical Exemption from Environmental Review - Proposed Commuter Shuttle Permit Program]**  
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 October 22, 2015, and approved by the San Francisco Municipal Transportation Agency on November 17, 2015, for the proposed Commuter Shuttle Permit Program. (Appellant: Rebecca L. Davis, on behalf of the Coalition for Fair, Legal and Environmental Transit, Sue Vaughan, and Robert Planthold) (Filed December 17, 2015). (Clerk of the Board)

01/26/2016; CONTINUED.

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

*Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.*

**(Only one of the following two Motions should be approved.)**

28. [151270](#) **[Affirming Categorical Exemption Determination - Proposed Commuter Shuttle Permit Program]**  
Motion affirming the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency Commuter Shuttle Permit Program is categorically exempt from environmental review. (Clerk of the Board)

01/26/2016; CONTINUED.

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

29. [151271](#) **[Reversing the Categorical Exemption Determination - Proposed Commuter Shuttle Permit Program]**

Motion reversing the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency Commuter Shuttle Permit Program is categorically exempt from environmental review. (Clerk of the Board)

01/26/2016; CONTINUED.

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

30. [151272](#) **[Preparation of Findings to Reverse the Categorical Exemption Determination - Proposed Commuter Shuttle Permit Program]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency Commuter Shuttle Permit Program is categorically exempt from environmental review. (Clerk of the Board)

01/26/2016; CONTINUED.

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

## COMMITTEE REPORTS

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

*The following items will be considered by the Budget and Finance Committee at a Special Meeting on Monday, February 8, 2016, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, February 9, 2016.*

31. [151275](#) **[General Obligation Bonds - Public Health and Safety - Estimated Cost of \$350,000,000]**

**Sponsors: Mayor; Breed**

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, seismic strengthening and betterment of critical community and mental health, emergency response and safety, and homeless shelter and service facilities and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$350,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act ("CEQA") and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code, Chapter 31, for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code, Section 101.1(b), and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; and waiving the time limits set forth in Administrative Code, Section 2.34.

(Economic Impact)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

**32. [151276](#) [General Obligation Bond Election - Public Health and Safety - \$350,000,000]****Sponsors: Mayor; Breed**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 7, 2016, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$350,000,000 to finance the construction, acquisition, improvement, seismic strengthening and betterment of critical community and mental health, emergency response and safety, and homeless shelter and service facilities and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code, Chapter 31; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and with the General Plan, consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; incorporating the provisions regarding the Citizens' Bond Oversight Committee in Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

(Fiscal Impact)

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

The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, February 8, 2016, at 1:30 p.m. The Chair intends to request the Committee to send the following item to the Board as a Committee Report on Tuesday, February 9, 2016.

**33. [150494](#) [Planning, Building Codes - Conditional Use Required to Remove Any Residential Unit; Mandatory Legalization of Illegal Units; Permeable Surfaces and Landscaping Requirements]**

**Sponsor: Avalos**

Ordinance amending the Planning Code to require Conditional Use authorization for the removal of any residential unit (whether legal or illegal) and compliance with landscaping and permeable surfaces requirements for building additions and residential mergers, and to exempt from the Conditional Use application requirement illegal units where there is no legal path for legalization and residential units that have received prior Planning approval; amending the Building Code to require that notices of violation mandate legalization of an illegal unit unless infeasible under the Building Code or the Planning Commission approves its removal, and requiring re-issuance of unabated notices of violation to include the new requirement; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1.

(Economic Impact)

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

**34. 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.*

**35. 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.*

**36. [160108](#) [Calling Special Election for San Francisco Bay Restoration Authority Parcel Tax - Measure AA - \$12 per Year]**

**Sponsors: Breed; Wiener**

Resolution calling and providing for a special election on behalf of the San Francisco Bay Restoration Authority for Measure AA to impose a parcel tax of \$12 per year for 20 years, and directing the Director of Elections to conduct the special election.

02/02/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

## 37. 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](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 ORDINANCE

### 160090 [Settlement of Lawsuit - Lisette Adams, Granville McCollough and Patrick Touhy - \$1,300,000]

Ordinance authorizing settlement of the lawsuit filed by Lisette Adams, Granville McCollough and Patrick Touhy, acting for themselves and others similarly situated, against the City and County of San Francisco for \$1,300,000; the lawsuit was filed on October 9, 2013, in United States District Court for the Northern District of California, Case No. 13-04689 YGR; entitled Lisette Adams and Granville McCollough vs. The City and County of San Francisco and The City and County of San Francisco Sheriff's Department. (City Attorney)

01/28/2016; RECEIVED FROM DEPARTMENT.

02/09/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**160091 [Industrial Lease Agreement - Tanforan Industrial Park, LLC - Bus Operator Training Courses - \$2,480,304 Initial Annual Base Rent]**

Resolution authorizing the San Francisco Municipal Transportation Agency (SFMTA) to execute an Industrial Lease Agreement with Tanforan Industrial Park, LLC, for approximately 7.3 acres of space located at 30 Tanforan Avenue, South San Francisco, to be used for SFMTA bus operator training courses for a nine and one-half year term estimated to be from October 1, 2016, through February 28, 2026, with an initial annual base rent of \$2,480,304 and annual 2% rent increases; the Lease includes a purchase option, right of first refusal, and an extension option.

02/01/2016; RECEIVED FROM DEPARTMENT.

02/09/2016; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**160092 [Settlement of Unlitigated Claim - John Stack - \$55,000]**

Resolution approving the settlement of the unlitigated claim filed by John Stack against the City and County of San Francisco for \$55,000; claim was filed on October 20, 2015. (City Attorney)

01/28/2016; RECEIVED FROM DEPARTMENT.

02/09/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**160093 [Settlement of Unlitigated Claim - Adam Holm - \$89,005.53]**

Resolution approving the settlement of the unlitigated claim filed by Adam Holm against the City and County of San Francisco for \$89,005.53; claim was filed on July 31, 2015. (City Attorney)

01/28/2016; RECEIVED FROM DEPARTMENT.

02/09/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**160094 [Settlement of Unlitigated Claim - Square, Inc. - \$65,557]**

Resolution approving the settlement of the unlitigated claim filed by Square, Inc., against the City and County of San Francisco for \$65,557; claim was filed on March 2, 2015. (City Attorney)

01/28/2016; RECEIVED FROM DEPARTMENT.

02/09/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**160095 [Settlement of Unlitigated Claim - Christopher Hickey - \$115,746.43]**

Resolution approving the settlement of the unlitigated claim filed by Christopher Hickey against the City and County of San Francisco for \$115,746.43; claim was filed on May 27, 2015. (City Attorney)

01/28/2016; RECEIVED FROM DEPARTMENT.

02/09/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**160096**

**[Settlement of Unlitigated Claim - Officers for Justice - \$121,684.40]**

Resolution approving the settlement of the unlitigated claim filed by Officers for Justice against the City and County of San Francisco for \$121,684.40 in attorneys fees and costs; claim was filed on November 21, 2013. (City Attorney)

01/28/2016; RECEIVED FROM DEPARTMENT.

02/09/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**160097**

**[Software License and Support Agreement Amendment - Oracle America, Inc. - Emerge Project - Maximum Expenditure of \$14,287,737]**

Resolution authorizing the Controller to enter into the Tenth Amendment of a software license and support agreement with Oracle America, Inc., for perpetual software licenses and software support services for the Controller's Emerge Project, extending the contract term of November 16, 2007, through April 22, 2016, by five years through April 22, 2021, and increasing the maximum expenditure by \$4,300,892 to \$14,287,737. (Controller)

02/01/2016; RECEIVED FROM DEPARTMENT.

02/09/2016; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**160110 [Petitions and Communications]**

Petitions and Communications received from January 25, 2016, through February 1, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on February 9, 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 Capital Planning Committee, regarding two action items to be considered by the Board of Supervisors: (1) Ordinance calling and providing for a special election for the proposed Public Health and Safety General Obligation Bond; and (2) Resolution of Public Interest and Necessity authorizing the proposed Public Health and Safety General Obligation Bond in the amount of \$350,000,000. File Nos. 151275, 151276. Copy: Each Supervisor. (1)

From T-Mobile West, LLC, regarding notification of filings for various T-Mobile locations. Copy: Each Supervisor. (2)

From the Office of the Controller, regarding San Francisco Emergency Medical Response: System Performance Dashboards. Copy: Each Supervisor. (3)

From Recreation and Park Department, submitting report for 2nd quarter FY 2015-2016 Childhood Lead Poisoning Prevention Program. Copy: Each Supervisor. (4)

From Public Works, regarding declaration of emergency to issue contracts to rebuild the security systems at County Jails #1 and #2. Copy: Each Supervisor. (5)

From concerned citizens, regarding proposed Affordable Housing Bonus Program. 10 letters. Copy: Each Supervisor. (6)

From Mayor Lee, regarding the following appointment to the Human Services Commission. Copy: Each Supervisor. (7)  
James McCray - term ending January 15, 2017

From Mayor Lee, regarding the following appointment to the Port Commission. Copy: Each Supervisor. (8)  
Eleni Kounalakis - term ending May 1, 2016

From Mayor Lee, regarding the following appointment to the Human Rights Commission. Copy: Each Supervisor. (9)  
Susan Christian - term ending September 2, 2019

From Chair, Government Audit & Oversight Committee, regarding change of meeting schedule. Copy: Each Supervisor. (10)

From Clerk of the Board, reporting that the following individual has submitted a Form 700 Statement: (11)  
Barbara B. Lopez - Legislative Aide - Assuming

From Office of Labor Standards Enforcement, submitting annual Fair Chance Ordinance Report. Copy: Each Supervisor. (12)

From Film Commission, submitting Film SF Annual Report FY 2014-2015. Copy: Each Supervisor. (13)

From Employees' Retirement System, submitting Actuarial Cost and Effect Report of

proposed ordinance amending the Administrative Code to update the definition of final compensation for purposes of retirement benefits under the San Francisco Employees' Retirement System, and to include in that definition compensation earnable under the Judges' Retirement System and Judges' Retirement System II. File No. 151277. Copy: Each Supervisor. (14)

From California Highway Patrol, submitting hazardous materials incident report. Copy: Each Supervisor. (15)

From Peter Kirby, regarding Yellow Cab Company bankruptcy. Copy: Each Supervisors. (16)

From concerned citizens, submitting signatures for petition entitled, "San Francisco Needs a Better Plan." 376th signature. Copy: Each Supervisor. (17)

From concerned citizens, regarding proposed Commuter Shuttle Permit Program. File No. 151269. 20 letters. Copy: Each Supervisor. (18)

From Rebecca Davis, submitting supplemental comment from appellants regarding Commuter Shuttle Permit Program. File No. 151269. Copy: Each Supervisor. (19)

From concerned citizens, regarding Mario Woods Remembrance Day. File No. 160030. 34 letters. Copy: Each Supervisor. (20)

## **ADJOURNMENT**