

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, March 8, 2016 - 2:00 PM

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

Regular Meeting

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

BOARD COMMITTEES

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

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, March 8, 2016, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President London Breed called the meeting to order at 2:03 p.m. On the call of the roll, Supervisors Kim and Mar were not present. There was a quorum.

Supervisor Mar was noted present at 2:04 p.m.

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

COMMUNICATIONS

There were no communications.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of February 2 2016. There were no corrections.

Supervisor Campos, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of February 2, 2016. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

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

There were no questions submitted from Supervisors representing the odd districts. Mayor Edwin Lee addressed the Board of Supervisors regarding the City's response to homelessness in San Francisco and what he has done to curb homelessness. Following public comment this matter was filed. No further action was taken.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

160060 [Settlement of Lawsuit - Yuri Simonenko - \$65,000]

Ordinance authorizing settlement of the lawsuit filed by Yuri Simonenko against the City and County of San Francisco for \$65,000; the lawsuit was filed on January 27, 2015, in San Francisco Superior Court, Case No. CGC-15-543836; entitled Yuri Simonenko v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

160061 [Settlement of Lawsuit - Charles Mikich and Alexis Mikich - \$125,000]

Ordinance authorizing settlement of the lawsuit filed by Charles Mikich and Alexis Mikich against the City and County of San Francisco for \$125,000; the lawsuit was filed on September 19, 2011, in the United States District Court for the Northern District of California, Case No. 11-CV-04629; entitled Charles Mikich and Alexis Mikich v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

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)

PASSED, ON FIRST READING

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)

Resolution No. 084-16

ADOPTED

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)

Resolution No. 085-16

ADOPTED

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)

Resolution No. 086-16

ADOPTED

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)

Resolution No. 087-16

ADOPTED

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)

Resolution No. 088-16

ADOPTED

Recommendations of the Land Use and Transportation Committee**151004 [Planning Code - Projecting Signs in the Fillmore Street Neighborhood Commercial Transit District]**

Sponsor: Breed

Ordinance amending the Planning Code to allow projecting business signs in the Fillmore Street Neighborhood Commercial Transit District of up to 125 square feet in size, and up to 60 feet in height, with maximum height dependent on the features of the building to which the sign is attached, provided that only one sign per building is permitted; the sign is for the primary occupant of the building; the sign employs a remote transformer and is as narrow as is structurally feasible; any illumination is indirect and is used only during business hours; the sign does not obscure architectural features of the building; the sign does not damage the building to which it is attached; and the sign's lettering is arranged vertically; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings under Planning Code, Section 302, that this amendment will serve the public necessity, convenience, and welfare.

Ordinance No. 030-16

FINALLY PASSED

160026 [Planning Code, Zoning Map - Rezoning Noe Valley Town Square]**Sponsor: Wiener**

Ordinance amending the Planning Code, Zoning Map, to rezone Noe Valley Town Square, 3861-24th Street, Assessor's Block No. 6509, Lot No. 040, from its current designation as 24th Street - Noe Valley Neighborhood Commercial District and 40-X to Public (P) and Open Space (OS); 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.

Ordinance No. 032-16

FINALLY PASSED

Recommendations of the Rules Committee**160139 [Appointment, Bicycle Advisory Committee - Melyssa Mendoza]**

Motion appointing Melyssa Mendoza to the Bicycle Advisory Committee, term ending November 19, 2016, or for the tenure of the nominating Supervisor, whichever is shorter in duration. (Rules Committee)

Motion No. M16-026

APPROVED

160140 [Appointments, Park, Recreation and Open Space Advisory Committee - Kenneth Maley and Jane Weil]

Motion appointing Kenneth Maley, term ending February 1, 2018, and Jane Weil, term ending February 1, 2017, to the Park, Recreation, and Open Space Advisory Committee. (Rules Committee)

Motion No. M16-027

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the Consent Agenda

Supervisor Wiener requested that File No. 151179 be severed so that it may be considered separately.

Recommendation of the Land Use and Transportation Committee**151179 [Health Code - Banning the Sale of Tobacco Products to Persons Aged 18, 19, or 20]**

Sponsors: Wiener; Mar, Cohen and Farrell

Ordinance amending the Health Code to prohibit tobacco retailers from selling tobacco products, including smokeless tobacco and electronic cigarettes, to persons aged 18, 19, or 20.

Ordinance No. 031-16

FINALLY PASSED by the following vote:

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

REGULAR AGENDA**UNFINISHED BUSINESS****Recommendation of the Land Use and Transportation Committee****160115 [Planning, Building Codes - Conditional Use Required to Remove Any Residential Unit; Mandatory Legalization of Unauthorized Units]**

Sponsor: Avalos

Ordinance amending the Planning Code to require Conditional Use authorization for the removal of any residential unit (whether authorized or unauthorized) and to exempt from the Conditional Use application requirement unauthorized units where there is no legal path for legalization, residential units that have received prior Planning approval, and single-family homes that are demonstrably unaffordable or unsound; amending the Building Code to require that notices of violation order the filing of an application to legalize an unauthorized unit unless infeasible under the Building Code, the Planning Commission approves its removal, or a serious and imminent hazard exists on the property; 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)

Ordinance No. 033-16

FINALLY PASSED by the following vote:

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

Noes: 1 - Yee

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

160046 [Contract Agreement - Golden Gate Petroleum - Providing Citywide Renewable Diesel - Not to Exceed \$60,000,000]

Resolution authorizing the Office of Contract Administration to enter into a multi-year contract, pursuant to Charter, Section 9.118(b), with Golden Gate Petroleum, to supply City departments with renewable diesel for the term of April 1, 2016, through March 31, 2019, in an amount not to exceed \$60,000,000. (Office of Contract Administration)
(Fiscal Impact.)

Resolution No. 082-16

ADOPTED by the following vote:

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

160107 [Accept and Expend Grant - Mott Foundation - Kindergarten to College - Outreach and Family Engagement - \$315,000]

Sponsors: Tang; Mar

Resolution retroactively authorizing the Department of the Treasurer and Tax Collector to accept and expend a grant in the amount of \$315,000 from the Mott Foundation for expanding outreach and family engagement for Kindergarten to College, for the period of September 1, 2015, through August 31, 2017.

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

Resolution No. 089-16

ADOPTED by the following vote:

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

160134 [Agreement - TEGSCO, LLC, dba San Francisco AutoReturn - Towing and Storage of Abandoned and Illegally-Parked Vehicles - Not to Exceed \$65,400,000]

Resolution approving the Agreement with TEGSCO, LLC, dba San Francisco AutoReturn, for services related to the towing, storage, and disposal of abandoned and illegally-parked vehicles in an amount not to exceed \$65,400,000 and for a five year term of April 1, 2016, through March 31, 2021, with the option to extend for up to five additional years; and approving a License between the San Francisco Municipal Transportation Agency and AutoReturn for a portion of the premises at 2650 Bayshore Boulevard in Daly City for use as the long-term vehicle storage and auction facility for a term of five years, with the option to extend for five additional years. (Municipal Transportation Agency)
(Fiscal Impact)

Privilege of the floor was granted unanimously to Steve Lee (Municipal Transportation Agency) who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Kim, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of March 15, 2016. The motion carried by the following vote:

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

160158 [Accept and Expend Grant - San Francisco Safe Routes to School Program 2017-2019 Non-Infrastructure Project - \$2,797,000]**Sponsors: Wiener; Mar**

Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$2,797,000 in Active Transportation Program Funds through Metropolitan Transportation Commission's Safe Routes to School Grant Program for the period of September 1, 2017, through August 31, 2019, waiving indirect costs, stating assurance to complete the project, and to delegate authorization to execute these agreements and any amendments thereto to the Director of Health.

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

Resolution No. 090-16**ADOPTED by the following vote:**

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

Recommendations of the Government Audit and Oversight Committee**151241 [Administrative Code - Cash Revolving Fund for Office of the Clerk of the Board]**

Ordinance amending the Administrative Code to create a cash revolving fund allowing the Office of the Clerk of the Board to keep up to \$100 in petty cash in the office; and making nonsubstantive changes to other sections of the Administrative Code that establish cash revolving funds for City departments. (Clerk of the Board)

PASSED, ON FIRST READING by the following vote:

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

160074 [Top of Broadway Community Benefit District - Annual Report to the City - FY2014-2015]**Sponsor: Peskin**

Resolution receiving and approving an annual report for the Top of Broadway Community Benefit District for FY2014-2015, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

Resolution No. 083-16**ADOPTED by the following vote:**

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

Recommendation of the Land Use and Transportation Committee

151084 [Planning Code - Upper Market Street Neighborhood Commercial Transit District; Second Floor Bars]

Sponsor: Wiener

Ordinance amending the Planning Code to allow an existing bar on the ground floor in the Upper Market Street Neighborhood Commercial Transit District to expand to the second floor under specified circumstances with a Conditional Use authorization; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

PASSED, ON FIRST READING by the following vote:

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

Recommendations of the Public Safety and Neighborhood Services Committee

150902 [Administrative Code - Considering Criminal History in Appointments to Boards and Commissions]

Sponsor: Kim

Ordinance amending the Administrative Code to delete the requirement that applicants for membership on boards and commissions disclose all felony convictions; to limit the City from using criminal history information in making decisions about appointment and removal of members of certain boards, commissions, and other bodies; and to require the City to follow certain restrictions when inquiring about or using conviction history information to make decisions about appointment or removal.

PASSED, ON FIRST READING by the following vote:

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

151166 [Mental Health Services Act Annual Report - FY2015-2016]

Resolution authorizing adoption of the Mental Health Services Act Annual Report FY2015-2016. (Public Health Department)

Resolution No. 081-16

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

151277 [Administrative Code - Definition of Final Compensation for Retirement Benefits]

Sponsor: Cohen

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.

PASSED ON FIRST READING by the following vote:

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

Noes: 1 - Peskin

160112 [Appointments, Veterans Affairs Commission - William Barnickel, Kimberly Flaherty, and Michael Maffei]

Motion appointing William Barnickel, Kimberly Flaherty, and Michael Maffei, terms ending January 31, 2020, to the Veterans Affairs Commission. (Rules Committee)

Motion No. M16-028

APPROVED by the following vote:

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

160141 [Appointment, Reentry Council - Angela Coleman]

Motion appointing Angela Coleman, term ending June 1, 2016, to the Reentry Council. (Rules Committee)

Motion No. M16-029

APPROVED by the following vote:

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

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

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

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

Supervisor Tang introduced, welcomed, and presented a Certificate of Honor to Richard Lee in recognition of his retirement from the City and County of San Francisco and his many accomplishments during his tenure with the Department of Public Health.

Supervisor Mar introduced, welcomed, and presented Certificates of Honor to the winners of the Great Race for Clean Air Awards: Cathy DeLuca (on behalf of Walk SF), Erin Davidson (on behalf of Peanut Labs & Research Now), Michael Orr (on behalf of HDR, Inc.), Suzanne Soffer (on behalf of Jewish Community Center of San Francisco), Ted Troung (on behalf of Taulia), and Brenda Chu (on behalf of Nektar Therapeutics), in recognition of their accomplishments reducing the amount of air pollution and carbon dioxide in the region by changing their employees' commuting habits.

COMMITTEE REPORTS

Recommendation of the Land Use and Transportation Committee

160105 [Resolution of Intent - Street Vacation - Part of Chinese Hospital Improvements - James Alley]

Sponsors: Peskin; Mar

Resolution declaring the intention of the Board of Supervisors to order the vacation of James Alley, generally bounded by Assessor's Block No. 0192 and Jackson Street, as part of improvements to the Chinese Hospital, subject to certain conditions; and setting the hearing date for all persons interested in the proposed vacation of said public right-of-way.

Resolution No. 071-16

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Andrew Yip; shared various concerns with the Board.

Walter Paulson; acknowledged the passing of Nancy Reagan and shared in song certain concerns with the Board.

Magick; recognized International Women's Day and encouraged maintaining a sustainable city.

Nancy Cross; shared her concerns regarding homelessness in San Francisco.

Francisco Da Costa; shared his concerns regarding the federal investigation into the Police Department's use of excessive force.

Sonja Trauss; shared her concerns regarding grandfathering of projects that won't have to adhere to the inclusionary affordable housing requirements.

Mike Ege; shared his concerns regarding implementation of the inclusionary affordable housing requirements.

Jon Schwark; shared his concerns regarding cross laminated timber being used in construction.

Tom Gilberty; acknowledged the passing of Nancy Reagan and International Women's Day, and shared concerns regarding the lack of affordable housing.

President Breed recognized former Chief Probation Officer William Sifferman who was in attendance at today's meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

160193 [Final Map 7780 - 1010-16 Street and 1400-7 Street]

Motion approving Final Map 7780, a merger and subdivision of Assessor's Block No. 3833 into a ten-lot airspace subdivision: Lot No. 1 being 388 residential condominium units, and Lot Nos. 2 through 10 being 32 commercial condominium units, and Assessor's Block No. 3834 into a two lot airspace subdivision: Lot No. 11 being 65 residential condominium units, and Lot No. 12 being six commercial condominium units, a mixed-use Condominium Project, located at 1010-16 Street and 1400-7 Street, and also approving the Public Improvement Agreement related to this map; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-030

APPROVED by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Avalos requested that File No. 160204 be severed so that it may be considered separately.

160204 [National Social Work Month - March 2016]

Sponsors: Avalos; Campos

Resolution declaring March 2016 as National Social Work Month in the City and County of San Francisco and calling upon all citizens to join with the National Association of Social Work to celebrate and support the social work profession.

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

Resolution No. 091-16

ADOPTED by the following vote:

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

Supervisor Tang requested that File No. 160205 be severed so that it may be considered separately.

160205 [Opposing Golden Gate National Recreation Area's Proposed Rule Regulating Dog Walking]

Sponsors: Tang; Wiener, Yee, Breed, Farrell, Campos, Avalos and Cohen

Resolution opposing Golden Gate National Recreation Area's proposed rule regulating on- and off-leash dog walking in urban parklands throughout San Francisco, Marin, and San Mateo Counties.

Supervisor Tang, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of March 15, 2016. The motion carried by the following vote:

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

IMPERATIVE AGENDA

[Purely Commendatory Finding]

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

Supervisor Peskin, seconded by Supervisor Tang, moved ADOPTION of the commendatory finding for File No. 160219. The motion carried by the following vote:

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

[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.

Supervisor Peskin, seconded by Supervisor Tang, moved ADOPTION of the Brown Act finding for File No. 160219. The motion carried by the following vote:

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

160219 [Russell J. Gumina Day - March 12, 2016]

Sponsor: Peskin

Resolution declaring March 12, 2016, as Russell J. Gumina Day in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to Russell J. Gumina Day as referenced in File No. 160219. There were no speakers. The President declared public comment closed.

Resolution No. 092-16

ADOPTED by the following vote:

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

[Purely Commendatory Finding]

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

Supervisor Mar, seconded by Supervisor Avalos, moved ADOPTION of the commendatory finding for File No. 160220. The motion carried by the following vote:

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

[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.

Supervisor Mar, seconded by Supervisor Avalos, moved ADOPTION of the Brown Act finding for File No. 160220. The motion carried by the following vote:

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

160220 [Tyrus Wong Day - March 9, 2016]

Sponsor: Mar

Resolution declaring March 9, 2016, as Tyrus Wong Day in the City and County of San Francisco, and recognizing the ongoing legacy of a Disney legend and pioneering Asian American artist.

The President inquired as to whether any member of the public wished to address the Board relating to Tyrus Wong Day as referenced in File No. 160220. There were no speakers. The President declared public comment closed.

Resolution No. 093-16

ADOPTED by the following vote:

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

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

Ordinances

160221 [Appropriation - Community Impact Improvement Fees - Eastern Neighborhoods Infrastructure Improvement Projects - \$739,671 - FY2015-2016]

Sponsor: Mayor

Ordinance appropriating \$739,671 of Community Improvement Impact Fees revenue to the Recreation and Park Department to support the Eastern Neighborhoods Infrastructure Improvement Projects in FY2015-2016.

(Fiscal Impact)

03/08/16; ASSIGNED to Budget and Finance Committee.

160222 [Administrative Code - Prohibition on Leasing for the Extraction of Fossil Fuels]**Sponsors: Avalos; Breed, Campos, Cohen, Kim, Mar, Peskin, Wiener and Yee**

Ordinance amending the Administrative Code to prohibit the City from entering into or extending leases for the extraction of fossil fuel from City-owned land.

(Fiscal Impact; No Budget and Legislative Analyst Report.)

03/08/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/7/2016.

160223 [Declaring Existence of a Shelter Crisis]**Sponsors: Campos; Kim, Avalos, Mar, Yee, Breed, Peskin and Cohen**

Ordinance making findings and declaring the existence of a shelter crisis in San Francisco under California Government Code, Sections 8698, et seq.

03/08/16; ASSIGNED to Land Use and Transportation Committee.

160224 [Appropriation - General Fund Reserve for Supporting Portable Restroom Facilities - \$214,260 - FY2015-2016]**Sponsors: Kim; Breed**

Ordinance appropriating \$214,260 from the General Fund Reserve to Public Works Operating Budget in order to support and maintain portable restroom facilities in FY2015-2016.

(Fiscal Impact; No Budget and Legislative Analyst Report.)

03/08/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 4/7/2016.

160225 [Administrative Code - Best Value Public Works Procurement]**Sponsors: Wiener; Tang and Breed**

Ordinance amending the Administrative Code to allow departments authorized to perform public work to procure public work contracts through a best value process that selects contractors using a combination of price and qualifications, with bid discounts applicable to price; and to require completion of public works contractor performance evaluations, and to require the creation and maintenance of a database to collect the contractor performance evaluations.

03/08/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 4/7/2016.

Resolutions**160226 [Supporting California Assembly Bill 1825 (Gordon and Maienschein) - Removing the "Vicious" Label from Dogs Seized from Convicted Dog Fighters]****Sponsors: Breed; Campos**

Resolution supporting Assembly Bill 1825, introduced by Assembly Members Gordon and Maienschein, removing the outdated provision in California law that unfairly condemns puppies and dogs seized in connection with convicted animal fighting cases as "vicious."

03/08/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160227 [1916 Easter Rising Centenary Day - April 24, 2016]**Sponsor: Farrell**

Resolution declaring April 24, 2016, as 1916 Easter Rising Centenary Day in the City and County of San Francisco.

03/08/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160228 [Calling for a California State of Emergency Declaration on Homelessness]**Sponsors: Kim; Cohen, Campos, Yee, Peskin, Mar and Avalos**

Resolution urging Governor Jerry Brown to declare a State of Emergency on Homelessness to help coordinate region- and state-wide responses to this growing crisis, and provide supplementary state assistance to cities and counties to provide needed supportive services.

03/08/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160229 [Urging the California Department of Alcohol Beverage Control to Deny Formula Retail Food and Drink Establishments That Do Not Traditionally Sell Alcohol]**Sponsors: Mar; Kim**

Resolution urging the California Department of Alcoholic Beverage Control to deny alcohol license applications of non-traditional alcohol retail businesses in the City and County of San Francisco.

03/08/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160230 [Recognizing Problem Gambling Awareness Month - March]**Sponsors: Yee; Mar**

Resolution recognizing March as Problem Gambling Awareness Month in the City and County of San Francisco.

03/08/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**160231 [Hearing - Budget Updates - Committee on Information Technology and Capital Planning Committee - FYs 2016-2017 and 2017-2018]****Sponsor: Farrell**

Hearing to receive a budget update from the Committee on Information Technology and the Capital Planning Committee for FYs 2016-2017 and 2017-2018.

03/08/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160232 [Hearing - Budget Update - Port of San Francisco - FYs 2016-2017 and 2017-2018]**Sponsor: Farrell**

Hearing to receive a budget update from the Port of San Francisco for FYs 2016-2017 and 2017-2018.

03/08/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160233 [Hearing - Economic Impacts of Super Bowl 50]**Sponsor: Farrell**

Hearing on the economic impacts of Super Bowl 50; and requesting the Controller's Office to report.

03/08/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160234 [Hearing - Client-Centered Database for Department of Homeless Services]**Sponsor: Kim**

Hearing on the viability of a unified, citywide database to track expenditures and efficacy of City programs related to homelessness, the status of existing/current customer relationship managements system(s), and an estimate of possible costs; and requesting the Department of Technology, City Administrator, Housing Opportunity, Partnerships and Engagement, the Department of Public Health, the Human Services Agency and their respective IT representatives, and the Controller's Office to report.

03/08/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

160235 [Hearing - Office of Early Care and Education Citywide Plan]**Sponsor: Yee**

Hearing on the Office of Early Care and Education's Citywide plan, including financing recommendations; and requesting the Office of Early Care and Education to report.

03/08/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced at the Request of a Department

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

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

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

02/24/16; RECEIVED FROM DEPARTMENT.

03/08/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160188 [General Plan Amendment - Downtown Area Plan Map 5 - Portions of Transbay Redevelopment Plan Blocks 1 and 2]

Ordinance amending the General Plan by revising Map 5 of the Downtown Area Plan to include a note stating that the proposed Height and Bulk Districts on Block 1 (Assessor's Parcel Block No. 3740, Lot Nos. 027, 029, 030, 031, and 032), on Folsom Street between Main and Spear Streets, and a portion of Block 2 (Assessor's Parcel Block No. 3739, Lot No. 004), on Folsom and Main Streets, of the Transbay Redevelopment Project Area shall be consistent with those provided in the Transbay Redevelopment Plan Development Controls; and making findings, including findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

02/29/16; RECEIVED FROM DEPARTMENT.

03/08/16; ASSIGNED to Land Use and Transportation Committee.

PROPOSED RESOLUTIONS

160189 [Authorize the Director of Public Works to Execute Agreements - Third Street Bridge Rehabilitation Project - \$18,369,975]

Resolution authorizing the Director of Public Works to execute agreements with the California Department of Transportation pertaining to the Third Street Bridge Rehabilitation Project for the amount of \$18,369,975. (Public Works)

(Fiscal Impact)

02/23/16; RECEIVED FROM DEPARTMENT.

03/08/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160190 [Contracts - Various Vendors - Technology Marketplace Tier 1B - Not to Exceed \$48,000,000 Total]

Resolution authorizing the Office of Contract Administration to enter into four Technology Marketplace Tier 1B contracts between the City and County of San Francisco and Cornerstone Technology Partners II JV, Softnet Solutions, United Layer, and Learn IT!, with initial amounts not to exceed \$12,000,000 each for a total amount of \$48,000,000 for the terms to commence following Board approval through March 15, 2019, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City. (Office of Contract Administration)

(Fiscal Impact)

02/25/16; RECEIVED FROM DEPARTMENT.

03/08/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

160191 [Settlement of Unlitigated Claim - Robert Monte - \$145,000]

Resolution approving the settlement of the unlitigated claim filed by Robert Monte against the City and County of San Francisco for \$145,000; claim was filed on June 12, 2015; the claim involves an alleged injury on a City sidewalk. (City Attorney)

02/24/16; RECEIVED FROM DEPARTMENT.

03/08/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160192 [Settlement of Unlitigated Claim - Diane Alcala - \$225,000]

Resolution approving the settlement of the unlitigated claim filed by Diana Alcala against the City and County of San Francisco for \$225,000; claim was filed on February 4, 2010; the claim involves an employment dispute. (City Attorney)

02/24/16; RECEIVED FROM DEPARTMENT.

03/08/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Requests Granted

(From the March 1, 2016, Board of Supervisors meeting.)

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation amending the SF Planning Code to allow Accessory Dwelling Units to be added within existing residential buildings Citywide.

From: Supervisor Wiener

To: Director, Planning Department

Requesting/Inquiring: Supervisor Wiener inquires with the Planning Department, after years of community and neighborhood meetings and Commission and Board of Supervisor hearings, on July 12, 2013 the Duboce Park Landmark District became San Francisco's newest Landmark District. In advocating for the formation of the District, the Planning Department committed to the installation of demarcating plaques similar to those installed in most other Landmark Districts throughout San Francisco. Nearly three years after the formation of the District, these plaques have yet to be installed. Please advise when the Planning Department - either directly or in coordination with another City Department - intends to install these important and promised plaques.

In Memoriams

Chris Carpenter - Board President Breed

Ann Hunt - Supervisor Peskin

(From the February 23, 2016, Board of Supervisors meeting.)

Major Keith R. Altenhofen - Supervisor Farrell

James Noel - Board President Breed

Jose LaCrosby - Board President Breed

Mary Brown - Supervisor Tang

Aaron Wimmer - Supervisor Wiener

(From the March 1, 2016, Board of Supervisors meeting.)

Ching Yin Wu - Supervisor Peskin

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:20 p.m.

Angela Calvillo, Clerk of the Board