

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, July 26, 2016 - 2:00 PM**

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

**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*

### BOARD COMMITTEES

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

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**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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, July 26, 2016, with President London Breed presiding.*

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*President London Breed called the meeting to order at 2:02 p.m. On the call of the roll, Supervisors Campos, Cohen, and Mar were noted not present. There was a quorum.*

*Supervisor Cohen was noted present at 2:03 p.m.*

## COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Mayor communicating the Mayor's Veto of legislation contained in File No. 160660, which would urge the San Francisco Legislative Delegation to amend or oppose the "By Right Housing Approval" proposed Trailer Bill in recognition of San Francisco's local planning tools and significant contributions to regional housing development. Clerk Calvillo further stated that she previously communicated this veto to the Board members by memorandum, dated July 21, 2016, which provides details on scheduling the veto override.*

*Supervisors Campos and Mar were noted present at 2:05 p.m.*

## APPROVAL OF MEETING MINUTES

*President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of June 21, 2016, or the June 20, 2016, Special Meeting Minutes, June 22, 2016, Rescheduled Meeting Minutes, or June 24, 2016, Recessed Meeting Minutes at the Budget and Finance Committee. There were no corrections.*

**Supervisor Peskin, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of June 21, 2016, and the June 20, 2016, Special Meeting Minutes, June 22, 2016, Rescheduled Meeting Minutes, and June 24, 2016, Recessed Meeting Minutes at the Budget and Finance Committee. 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.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Sub-Committee

#### **160593 [Prevailing Wage Requirements - Parking Meter Coin Collections and Counting]**

**Sponsor: Wiener**

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

**Ordinance No. 161-16**

**FINALLY PASSED**

### Recommendation of the Public Safety and Neighborhood Services Committee

#### **160592 [Administrative Code - Lactation in the Workplace Policy]**

**Sponsors: Tang; Cohen, Kim, Wiener, Yee, Mar, Farrell, Peskin, Breed, Campos and Avalos**

Ordinance amending the Administrative Code to require the Department of Human Resources to develop a Lactation in the Workplace Policy for all City departments.

**Ordinance No. 160-16**

**FINALLY PASSED**

**The foregoing items were acted upon by the following vote:**

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Budget and Finance Committee

*President Breed requested File Nos. 160628 and 160629 be called together.*

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

**Sponsor: Mayor**

Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments, including those selected departments recommended for approval by the Budget and Finance Committee on May 25, 2016, of the City and County of San Francisco as of May 31, 2016, for the FYs ending June 30, 2017, and June 30, 2018.  
(Fiscal Impact)

**Ordinance No. 145-16**

**FINALLY PASSED by the following vote:**

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

#### **160629 [Annual Salary Ordinance - FYs 2016-2017 and 2017-2018]**

**Sponsor: Mayor**

Annual Salary Ordinance enumerating positions, including those selected departments recommended for approval by the Budget and Finance Committee on May 25, 2016, in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2017, and June 30, 2018, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.  
(Fiscal Impact)

**Ordinance No. 146-16**

**FINALLY PASSED by the following vote:**

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

President Breed requested File Nos. 160630, 160631, 160632, 160633, 160634, 160635, 160636, 160637, and 160640 be called together.

**160630 [Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling - Tax Year 2016]**

**Sponsor: Mayor**

Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2016. (Controller)

**Ordinance No.** 147-16

**FINALLY PASSED** by the following vote:

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

**160631 [Administrative Code - City Membership in Certain Organizations]**

**Sponsor: Mayor**

Ordinance amending the Administrative Code to modify the requirements for City departments to acquire and maintain membership in professional, trade, and other organizations. (Controller)

**Ordinance No.** 148-16

**FINALLY PASSED** by the following vote:

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

**160632 [Planning, Administrative Codes - Planning Department Fees - Future Fee Adjustments]**

**Sponsor: Mayor**

Ordinance amending the Planning and Administrative Codes to adopt fee amounts for Planning Department fees, and set the process for annually adjusting the fee amounts; and affirming the Planning Department's determination under the California Environmental Quality Act, making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Planning Commission)

**Ordinance No.** 149-16

**FINALLY PASSED** by the following vote:

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

**160633 [Administrative Code - Establishing District Attorney Neighborhood Justice Fund]**

**Sponsor: Mayor**

Ordinance amending the Administrative Code to establish the District Attorney Neighborhood Justice Fund (Justice Fund) and abolish the Mayor's Community Support Fund (Support Fund), authorize the District Attorney to establish guidelines for disbursement of monies in the Justice Fund and permit the District Attorney to disburse monies from the Justice Fund consistent with those guidelines, rename the Community Courts Program the Neighborhood Courts Program and direct that all penalties and fines collected from participants in that program previously deposited in the Support Fund be deposited in the Justice Fund, and designate the District Attorney as administrator of the San Francisco Dispute Resolution Program Fund. (District Attorney)

**Ordinance No.** 150-16

**FINALLY PASSED** by the following vote:

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

**160634 [Administrative Code - Department of Public Health Managed Care Contracts]****Sponsor: Mayor**

Ordinance amending the Administrative Code to extend the authorization of the Director of Health to enter into managed care contracts for the provision of services to individuals covered under federal and state programs including subsidized health coverage for low income populations. (Public Health Department)

**Ordinance No.** 151-16

**FINALLY PASSED** by the following vote:

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

**160635 [Health Code - Patient Rates - FYs 2016-2017 and 2017-2018]****Sponsor: Mayor**

Ordinance amending the Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2016, through June 30, 2018. (Public Health Department)

**Ordinance No.** 152-16

**FINALLY PASSED** by the following vote:

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

**160636 [Administrative Code - County Adult Assistance Programs]****Sponsor: Mayor**

Ordinance amending the Administrative Code to: 1) streamline the statutory authority for the City's indigent aid programs by eliminating redundancies and moving the authority for all programs under one renumbered Article; 2) create the Family General Relief program, to provide aid under limited circumstances to indigent households with minors who are ineligible for state aid; 3) authorize the Department of Human Services to create an intensive employment services program; 4) remove the authority to impose recoupments to collect overpayments resulting from agency error; 5) expand the types of identification that are acceptable as proof of identity; 6) repeal the requirement that applicants transfer to the City any interests in real property; 7) conform to changes in state law governing time limits applied to receipt of benefits under the CalWORKs program; 8) delete outdated provisions that no longer reflect current operation of the General Assistance program; and 9) reduce the time during which records must be retained from five to three years. (Human Services Agency)

(Fiscal Impact; No Budget and Legislative Analyst Report)

**Ordinance No.** 153-16

**FINALLY PASSED** by the following vote:

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

**160637 [Fire Code - Increasing Fire Department Overtime Fee]****Sponsor: Mayor**

Ordinance amending the Fire Code to increase the Fire Department Overtime Fee from \$133 to \$134 per hour. (Fire Department)

**Ordinance No.** 154-16

**FINALLY PASSED** by the following vote:

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

**160640 [Administrative Code - Fee for Credit and Debit Card Transactions]****Sponsor: Mayor**

Ordinance amending the Administrative Code to impose a fee for credit and debit card transactions processed by the City and County of San Francisco. (Treasurer-Tax Collector)

**Ordinance No. 156-16****FINALLY PASSED by the following vote:**

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

**Recommendation of the Budget and Finance Sub-Committee****160552 [General Obligation Bond Election - Amending Earthquake Loan Bond Program to Finance Permanent Affordable Housing]****Sponsors: Peskin; Breed**

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

**Ordinance No. 136-16****FINALLY PASSED by the following vote:**

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

**160639 [Initiative Ordinance - Business and Tax Regulations Code - Three-Quarter Cent Sales Tax Increase]****Sponsors: Mayor; Farrell and Wiener**

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

**Ordinance No. 155-16****FINALLY PASSED by the following vote:**

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

Noes: 3 - Kim, Peskin, Yee

## **Recommendation of the Government Audit and Oversight Committee**

### **160362 [Administrative Code - Collection of Sexual Orientation and Gender Identity Data]**

**Sponsors: Wiener, Yee, Campos, Farrell and Cohen**

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

**Ordinance No. 159-16**

**FINALLY PASSED** by the following vote:

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

## **Referred Without Recommendation from the Land Use and Transportation Committee**

### **160382 [Administrative Code - Establishing Downtown Neighborhoods Preservation Fund; Street Vacation and Sale of Property at Jessie Street and Elim Alley - Oceanwide Center, LLC - Oceanwide Center Project - Approximately \$36,000,000]**

**Sponsors: Mayor; Kim**

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

**Ordinance No. 137-16**

**FINALLY PASSED** by the following vote:

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

Noes: 1 - Peskin



**160657 [Planning, Administrative Code - Construction of Accessory Dwelling Units]****Sponsors: Farrell; Wiener, Peskin and Mar**

Ordinance amending the Planning Code to allow the construction of Accessory Dwelling Units (ADUs, also known as Secondary or In-Law Units) on all lots in the City in areas that allow residential use; amending the Administrative Code to revise the definition of "rental unit" as it applies to ADUs; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302; and directing the Clerk to send a copy of this ordinance to the California Department of Housing and Community Development after adoption.

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

*FINALLY PASSED by the following vote:*

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

*Noes: 1 - Yee*

*Absent: 1 - Cohen*

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

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

**Ordinance No. 162-16**

**FINALLY PASSED by the following vote:**

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

*Noes: 1 - Yee*

**Recommendations of the Rules Committee**

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

**160669 [Campaign and Governmental Conduct Code - Prohibiting Candidate-Controlled General Purpose Committees]****Sponsors: Peskin; Mar**

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

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

**Ordinance No. 157-16**

**FINALLY PASSED by the following vote:**

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

**160699 [Initiative Ordinance - Campaign and Governmental Conduct Code - Prohibiting Candidate-Controlled General Purpose Committees]****Sponsors: Peskin; Mar**

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

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

**Supervisor Peskin, seconded by Supervisor Tang, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**Referred Without Recommendation from the Rules Committee**

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

**160381 [Charter Amendment - City Responsibility for Maintaining Street Trees]****Sponsor: Wiener**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to transfer responsibility for the maintenance of street trees to the City and establish a special fund primarily to pay for such maintenance and the maintenance of trees on San Francisco Unified School District property; to amend the Business and Tax Regulations Code to add a special parcel tax primarily to fund the City's maintenance of street trees and the maintenance of trees on San Francisco Unified School District property; to increase the City's appropriations limit by the amount of the parcel tax for four years from November 8, 2016; and to affirm the Planning Department's determination under the California Environmental Quality Act.

**Supervisor Wiener, seconded by Supervisor Avalos, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by striking the special parcel tax on property owners to pay for the maintenance of street trees, establishing the Street Tree Maintenance Fund to pay for the maintenance and require an annual contribution of \$19,000,000 to the Fund by the City, and provide the Mayor the authority to cancel the measure by January 1, 2017, based on the health of the City's budget. The motion carried by the following vote:**

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

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco to transfer responsibility for the maintenance of street trees to the City, establish the Street Tree Maintenance Fund primarily to pay for such maintenance and the maintenance of trees on San Francisco Unified School District property, and require an annual contribution by the City to the Fund of \$19 million, adjusted annually for changes in aggregate discretionary City revenues; and to affirm the Planning Department's determination under the California Environmental Quality Act, at an election to be held on November 8, 2016.

**Supervisor Wiener, seconded by Supervisor Avalos, moved that this Charter Amendment be CONTINUED AS AMENDED to the Board of Supervisors Special Meeting of July 28, 2016, at 8:30 a.m., and for the Board to convene as a Committee of the Whole to consider this Charter Amendment. The motion carried by the following vote:**

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

**160582 [Charter Amendment - City Responsibility for Maintaining Street Trees]****Sponsors: Avalos; Mar**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to transfer responsibility for the maintenance of street trees from abutting property owners to the City; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held on November 8, 2016.

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

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

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

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

**Supervisor Avalos, seconded by Supervisor Mar, moved that this Motion be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:**

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

**160587 [Charter Amendment - Non-Citizen Voting in School Board Elections]****Sponsors: Mar; Campos, Cohen, Wiener and Kim**

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

**ORDERED SUBMITTED by the following vote:**

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

Noes: 1 - Farrell

## **Recommendations of the Rules Committee**

*President Breed requested File Nos. 160813 and 160588 be called together.*

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

**Sponsors: Peskin; Kim and Mar**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco, to require the Office of Economic and Workforce Development (OEWD) and the Mayor's Office of Housing and Community Development (MOHCD) to propose five-year strategic plans for consideration and approval by the Board of Supervisors; to require OEWD and MOHCD to report to the Board of Supervisors regarding their annual work plans at least two times each fiscal year; and to provide that ordinances adopted under the processes set forth in the Charter regarding inclusionary housing requirements and regarding competitive selection for the expenditure of affordable housing funds and for the development of affordable housing on City-owned property under the jurisdiction of MOHCD shall supersede ordinances and rules adopted by the Board of Supervisors or the voters prior to March 1, 2017, at an election to be held on November 8, 2016.

**NOT ORDERED SUBMITTED by the following vote:**

Ayes: 3 - Farrell, Tang, Wiener

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

## **From the Board**

### **160588 [Charter Amendment - Housing and Development Commission]**

**Sponsors: Peskin; Kim and Mar**

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

**ORDERED SUBMITTED by the following vote:**

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

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

## NEW BUSINESS

*Supervisor Mar was noted absent at 8:18 p.m. and for the remainder of the meeting.*

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

#### **160747 [Administrative Code - Health Service System Plans and Contribution Rates for Calendar Year 2017]**

**Sponsor: Farrell**

Ordinance approving Health Service System plans and contribution rates for calendar year 2017, and amending the Administrative Code to remove those rates from the Code. (Health Service System)

(Fiscal Impact)

**PASSED ON FIRST READING by the following vote:**

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

Absent: 1 - Mar

*President Breed requested File Nos. 160671 and 160672 be called together.*

#### **160671 [Apply for and Accept and Expend Grant - Delegation of San Francisco Municipal Transportation Agency as Co-Applicant for Grant - Assumption of Liability - Affordable Housing and Sustainable Communities Program - 480 Eddy Street Project]**

**Sponsor: Mayor**

Resolution authorizing the San Francisco Municipal Transportation Agency (SFMTA), on behalf of the City and County of San Francisco, to execute a grant application, grant agreement, and related documents under the State of California's Affordable Housing and Sustainable Communities Program (AHSC Program) as a joint applicant with the Tenderloin Neighborhood Development Corporation for the project at 480 Eddy Street; authorizing the City to assume any joint and several liability for completion of the project required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

**Resolution No. 287-16**

**ADOPTED by the following vote:**

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

Absent: 1 - Mar

**160672 [Apply for and Accept and Expend - Delegation of San Francisco Municipal Transportation Agency as Co-Applicant for Grant - Assumption of Liability - Affordable Housing and Sustainable Communities Program - 455 Fell Street Project]**

**Sponsors: Mayor; Breed**

Resolution authorizing the San Francisco Municipal Transportation Agency (SFMTA), on behalf of the City and County of San Francisco, to execute a grant application, grant agreement, and related documents under the State of California's Affordable Housing and Sustainable Communities Program (AHSC Program) as a joint applicant with Mercy Housing, Inc., for the project at 455 Fell Street; authorizing the City to assume any joint and several liability for completion of the project required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

**Resolution No. 289-16**

**ADOPTED by the following vote:**

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

**160711 [Real Property Lease Amendment - Orchard Supply Company, LLC - San Francisco Utilities Commission Parcel No. 29 in Millbrae, CA - \$460,673]**

Resolution authorizing the amendment of Orchard Supply Company, LLC's lease of property from the City and County of San Francisco, to reduce the size of the leased premises to accommodate the San Francisco Public Utilities Commission (SFPUC) Regional Groundwater Storage and Recovery Project, Project No. CUW30103, in consideration of City's payment of \$460,673; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31; adopting findings of consistency with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property and/or the SFPUC General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Public Utilities Commission)  
(Fiscal Impact)

**Resolution No. 329-16**

**ADOPTED by the following vote:**

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

**160712 [Contract Agreement - Newcomb Anderson McCormick - Professional Services Related to Energy and Climate Programs - Not to Exceed \$44,000,000]**

Resolution approving an agreement with Newcomb Anderson McCormick for professional services related to energy and climate programs, for a five year term to commence following Board approval through June 1, 2021, at a total cost not to exceed \$44,000,000. (Environment)  
(Fiscal Impact)

**Resolution No. 330-16**

**ADOPTED by the following vote:**

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

President Breed requested File Nos. 160720 and 160721 be called together.

**160720 [California Environmental Quality Act Findings - San Francisco Westside Recycled Water Project]**

**Sponsor: Wiener**

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the San Francisco Westside Recycled Water Project; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

**Resolution No. 331-16**

**ADOPTED by the following vote:**

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

**160721 [Approval of Recycled Water Pump Station and Two Groundwater Well Stations in Golden Gate Park]**

**Sponsor: Wiener**

Resolution approving construction of a recycled water pump station building, and two groundwater well station buildings in Golden Gate Park under Charter, Section 4.113, as part of the San Francisco Westside Recycled Water and San Francisco Groundwater Supply Projects.

**Resolution No. 332-16**

**ADOPTED by the following vote:**

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

President Breed requested File Nos. 160741 and 160742 be called together.

**160741 [Contract Agreement - FSP PPM Management, LLC - Curbside Management Program - Not to Exceed \$19,522,294]**

Resolution retroactively approving the award of Professional Services Agreement, Airport Contract No. 50085, to FSP PPM Management, LLC, to manage and staff the Curbside Management Program in an amount not-to-exceed \$19,522,294 for a period of four years beginning July 1, 2016, through June 30, 2020, with one one-year renewal option, pursuant to Charter, Section 9.118(b). (Airport Commission)  
(Fiscal Impact)

**Resolution No. 333-16**

**ADOPTED by the following vote:**

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

**160742 [Airport Professional Services Agreement Modification - Polaris Research and Development, Inc. - Information Booth Program - \$10,795,274]**

Resolution retroactively approving Modification No. 6, executed on July 1, 2016, to Professional Services Agreement, Airport Contract No. 9075 to operate the Airport's Information Booth Program between Polaris Research and Development, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$10,795,274 for the term of June 30, 2011, through December 31, 2016, pursuant to Charter, Section 9.118(b).  
(Airport Commission)  
(Fiscal Impact)

**Resolution No. 334-16**

**ADOPTED by the following vote:**

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

**160743 [Real Property Lease Amendment - Mission Valley Rock, Co. - Sunol, California - \$29,700]**

Resolution authorizing the amendment of Mission Valley Rock, Co.'s lease of property from the City and County of San Francisco, to reduce the size of the leased premises to accommodate the San Francisco Public Utilities Commission (SFPUC) Sunol Long Term Improvements Project, Project No. CUW27701, in consideration of City's payment of \$29,700 and reimbursement of certain expenses; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31; and authorizing the Director of Property and/or the SFPUC General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Public Utilities Commission)

**Resolution No. 335-16**

**ADOPTED by the following vote:**

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

**160752 [Agreement - SPX Genfare - Procurement, Installation, and Maintenance of a Transit Vehicle Farebox System - Not to Exceed \$29,264,755]**

**Sponsor: Breed**

Resolution approving the agreement with SPX Genfare, for services related to the procurement, installation, and maintenance of a Transit Vehicle Farebox System, which includes fareboxes, a Revenue Transfer and Collection System, a Data Collection and Reporting System, Computer Aided Dispatch/Automatic Vehicle Location System Integration, and five years of warranty and preventative maintenance services, in an amount not to exceed \$29,264,755 and for an initial term that includes an installation period plus five years commencing August 1, 2016, or later, with the option to extend for up to two five-year terms for a total term not to exceed 16 years. (Municipal Transportation Agency)  
(Fiscal Impact)

**Resolution No. 336-16**

**ADOPTED by the following vote:**

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



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

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

### **151122 [Administrative Code - Preferences in Affordable Housing Programs]**

**Sponsors: Mayor; Cohen, Breed, Wiener, Farrell and Campos**

Ordinance amending the Administrative Code to create a fourth preference for people who live or work in San Francisco, in addition to existing preferences in allocating City affordable housing units, and to create an additional category of eligible displaced tenants that includes tenants displaced by fire; 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.

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

**PASSED ON FIRST READING by the following vote:**

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

Absent: 1 - Mar

### **160477 [Planning Code - Wireless Telecommunications Services Facilities]**

**Sponsors: Avalos; Mar**

Ordinance amending the Planning Code to 1) define Wireless Telecommunications Services (WTS) Facilities; 2) create distinct WTS Facility land use controls and, among other things, require a conditional use authorization (CU) for Macro WTS Facilities in most Article 2, 7, and 8 Districts; 3) regulate Micro WTS Facilities in all Districts; 4) require that a WTS Facility's CU shall expire after ten years; 5) regulate WTS Facilities in certain Mission Bay Districts and P Districts; 6) exempt certain telecommunications equipment accessory uses from height limitations; 7) allow screening elements for WTS Facilities to exceed height limits, consistent with existing height limit exemptions for antennas; 8) define and regulate Temporary WTS Facilities; 9) allow the Historic Preservation Commission to delegate determinations on applications for Administrative Certificates of Appropriateness and Minor Permits to Alter to Planning Department staff; and 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.

**PASSED ON FIRST READING by the following vote:**

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

Absent: 1 - Mar

### **160590 [Public Works Code - Street Space Occupancy Permits]**

**Sponsor: Farrell**

Ordinance amending the Public Works Code to place additional limits on the duration of street space occupancy permits, and to limit the number of such permits including permit extensions that can be issued at the same address during a three-year period in Residential, Urban Mixed-Use, and Neighborhood Commercial Districts, and precluding the issuance of such permits at the same address for two years after that three-year period; and affirming the Planning Department's determination under the California Environmental Quality Act.

**PASSED ON FIRST READING by the following vote:**

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

Absent: 1 - Mar

**160621 [Street Encroachment - Operator Convenience Facilities - Terminus of Muni Transit Lines]**

Resolution granting revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain three new operator convenience facilities at the terminus of various Muni bus routes; affirming the Planning Department's determination under the California Environmental Quality Act; and making a finding of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Resolution No. 328-16**

**ADOPTED by the following vote:**

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

Absent: 1 - Mar

**Recommendations of the Public Safety and Neighborhood Services Committee****150792 [Fire Code - Disclosure of Fire Safety Information]**

**Sponsors: Tang; Mar and Campos**

Ordinance amending the San Francisco Fire Code to require building owners and homeowners' associations to provide fire safety information to residents in buildings with three or more dwelling units, and annual fire safety information and training to residents in buildings with 16 or more units; making findings as to local conditions pursuant to the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to transmit the Ordinance to appropriate State officials.

*Supervisors Mar and Campos requested to be added as co-sponsors.*

**Supervisor Tang, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Lines 10-12, by adding '(e) It is recommended that residents test the smoke alarms and carbon monoxide detectors in their dwelling units on a monthly basis, and immediately report any problems or needed repairs to the building owner.' The motion carried by the following vote:**

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

Absent: 1 - Mar

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

Absent: 1 - Mar

President Breed requested File Nos. 160249 and 160251 be called together.

**160249 [Liquor License Transfer - 65 Post Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 86-2nd Street to 65 Post Street (District 3) to M&M Group Assets, Inc. dba Dada Bar and Lounge, 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)

**Resolution No. 325-16**

**ADOPTED by the following vote:**

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

Absent: 1 - Mar

**160251 [Liquor License - 2836 Franklin Street]**

Resolution determining that the issuance of a Type 21 off-sale general license to Najib Saliba and Hanan Saliba dba Franklin Market located at 2836 Franklin Street (District 2), 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)

**Resolution No. 326-16**

**ADOPTED by the following vote:**

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

Absent: 1 - Mar

**Recommendations of the Rules Committee**

**160736 [Confirming Reappointment, Board of Appeals - Darryl Honda]**

**Sponsor: Mayor**

Motion confirming the mayoral reappointment of Darryl Honda to the Board of Appeals, for a term ending July 1, 2020.

(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 23, 2016.)

**Motion No. M16-098**

**APPROVED by the following vote:**

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

Absent: 1 - Mar

**160737 [Confirming Appointment, Board of Appeals - Frank Fung]****Sponsor: Mayor**

Motion confirming the mayoral appointment of Frank Fung to the Board of Appeals, for a term ending July 1, 2020.

(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: June 23, 2016.)

**Motion No.** M16-099

**APPROVED by the following vote:**

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

Absent: 1 - Mar

**160782 [Confirming Reappointment, Planning Commission - Richard Hillis]****Sponsor: Mayor**

Motion confirming the mayoral reappointment of Richard Hillis to the Planning Commission, term ending June 30, 2020.

(Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: July 7, 2016.)

**Motion No.** M16-100

**APPROVED by the following vote:**

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

Absent: 1 - Mar

**160783 [Reappointment, Board of Appeals - Richard Swig]**

Motion approving the President of the Board of Supervisors London Breed's nomination of Richard Swig for appointment to the Board of Appeals, for a term ending July 1, 2020. (Clerk of the Board)

**Motion No.** M16-101

**APPROVED by the following vote:**

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

Absent: 1 - Mar

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

**Supervisor Breed, seconded by Supervisor Campos, 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

*President Breed introduced, welcomed, and presented a Certificate of Honor to Carla Crane and Gordon Atkinson of the Friends of Kezar Triangle, along with the Recreation and Park Department Gardener Apprenticeship Program and Laborers Local 261, in recognition of their hard work and accomplishments maintaining the grounds at Kezar Triangle and continued community support.*

## SPECIAL ORDER 3:00 P.M.

### **160683 [Public Hearing - Appeal of Final Environmental Impact Report Certification - 901-16th Street and 1200-17th Street Project]**

Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for the proposed mixed-use project located at 901-16th Street and 1200-17th Street, Assessor's Parcel Block No. 3949, Lot Nos. 001 and 002, identified in Planning Case No. 2011.1300E, issued by the Planning Commission through Motion No. 19643 dated May 12, 2016, consisting of approximately 395 units and 24,968 gross square feet of retail space distributed in two new buildings, as well as vehicular parking and bicycle parking, private- and publicly-accessible open space, and streetscape and public-realm improvements. (District 10) (Appellant: Rachel Mansfield-Howlett, on behalf of Grow Potrero Responsibly and Save the Hill) (Filed June 10, 2016). (Clerk of the Board)

*The President opened the public hearing and inquired as to whether any member of the public wished to address the Board. Allison Heath and Rodney Minott, on behalf of Grow Potrero Responsibly and Save the Hill (Appellant), provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Tom Gilbert; Male Speaker; Female Speaker; Rick Hall; Magic; Kasha Maznio; Mari Eliza; Carolyn Kahn; Rachel Leibman; Paul Garber; David Boy; Richard Hutson; Peter Linenthal; Jonathan Yu; Scott Piper; Sean Angles; Jacket Marchant; F. Joseph Butler; spoke in support of the appeal. Sarah Jones, Chris Thomas, Wade Wietgreffe, Gretchen Hilyard, Steve Wertheim and Jacob Bintliff (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Marlena Byrne (Office of the City Attorney) provided additional information and responded to questions raised throughout the discussion. Julie Kirschbaum (Municipal Transportation Agency) provided additional information and responded to questions raised throughout the discussion. Steve Vettel and Josh Smith, on behalf of Potrero Partners (Project Sponsor), provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Susan Eslick; Sherry Scott; Female Speaker; Keith Goldstein; Stephanie Muller; Ron Miguel; Jim Gaskett; Vanessa Aquino; Lester Zagan; Dave Globber; Kay Grubert; Corrine Woods; Joe Boss; Janet Carpanelli; Peter Garza; spoke in support of the project and in opposition to the appeal. Jon Givner (Office of the City Attorney) provided additional information and responded to questions raised throughout the discussion. Allison Heath, on behalf of Grow Potrero Responsibly and Save the Hill (Appellant), provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.*

**HEARD AND FILED**

### **Supervisor Cohen Excused from Voting**

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

*On the advice of the City Attorney, Supervisor Cohen requested to be excused from voting on File Nos. 160684, 160685, and 160686.*

**Supervisor Farrell, seconded by Supervisor Campos, moved that Supervisor Cohen be excused from voting on File Nos. 160684, 160685, and 160686. The motion carried by the following vote:**

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

Noes: 2 - Peskin, Yee

Excused: 1 - Cohen

**160684 [Affirming Final Environmental Impact Report Certification - 901-16th Street and 1200-17th Street Project]**

Motion affirming the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project located at 901-16th Street and 1200-17th Street. (Clerk of the Board)

**Motion No.** M16-097

**Supervisor Farrell, seconded by Supervisor Tang, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

Noes: 1 - Peskin

Excused: 1 - Cohen

**160685 [Reversing Final Environmental Impact Report Certification - 901-16th Street and 1200-17th Street Project]**

Motion reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project located at 901-16th Street and 1200-17th Street. (Clerk of the Board)

**Supervisor Farrell, seconded by Supervisor Tang, moved that this Motion be TABLED. The motion carried by the following vote:**

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

Noes: 1 - Peskin

Excused: 1 - Cohen

**160686 [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - 901-16th Street and 1200-17th Street Project]**

Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission's certification of the Final Environmental Impact Report for the proposed project located at 901-16th Street and 1200-17th Street. (Clerk of the Board)

**Supervisor Farrell, seconded by Supervisor Tang, moved that this Motion be TABLED. The motion carried by the following vote:**

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

Noes: 1 - Peskin

Excused: 1 - Cohen

## SPECIAL ORDER 3:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### Appointment of President Pro Tempore

*At the request of President Breed, Supervisor Peskin assumed the chair at 3:04 p.m. The President resumed the chair at 3:08 p.m.*

#### **160715 [Hearing - Report of Assessment Costs - Building Code Enforcement Violations]**

Hearing to consider objections to a report of delinquent charges for assessment costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to the provisions of San Francisco Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above; scheduled pursuant to Motion No. M16-088, approved on June 28, 2016. (Clerk of the Board)

*President Breed opened the public hearing and inquired as to whether any member of the public wished to address the Board relating to the assessments for Building Code enforcement violations referenced in File No. 160716. Alan Davison (Department of Building Inspection) provided an overview of the assessments. Joel Elliott; John Wong; Male Speaker; Kathy; spoke objecting to the proposed assessments. Alan Davison (Department of Building Inspection) responded to questions raised throughout the discussion. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

*HEARD AND FILED*

*President Breed reopened the hearing to allow additional property owners to address the Board.*

*Supervisor Breed, seconded by Supervisor Yee, moved to rescind the vote to file the hearing. The motion carried by the following vote:*

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

*Excused: 1 - Farrell*

*Absent: 2 - Avalos, Mar*

**Supervisor Yee, seconded by Supervisor Campos, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of August 2, 2016. The motion carried by the following vote:**

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

**Excused: 1 - Farrell**

**Absent: 2 - Avalos, Mar**

### Committee of the Whole Adjourn and Report

**160716 [Report of Assessment Costs - Building Code Enforcement Violations]**

Resolution approving Report of Delinquent Charges for Assessment Costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to Building Code, Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, the costs thereof having accrued pursuant to code enforcement violations. (Building Inspection Department)

*Alan Davison (Department of Building Inspection) indicated that the following addresses be removed from the accompanying report due to recent resolution or receipt of payment: 3732-3734 Judah Street; 19 Rutledge Street; 157 Saint Charles Avenue; 824 Waller Street; and 1342 York Street.*

*Supervisor Peskin, seconded by Supervisor Campos, moved to approve the amendments to the accompanying report, as provided by the Department of Building Inspection, included in File No. 160716. The motion carried by the following vote:*

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

*ADOPTED, after accepting the amendments to the accompanying report, by the following vote:*

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

*Supervisor Breed, seconded by Supervisor Yee, moved to rescind the vote to adopt the Resolution. The motion carried by the following vote:*

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

*Excused: 1 - Farrell*

*Absent: 2 - Avalos, Mar*

**Supervisor Yee, seconded by Supervisor Campos, moved that this Resolution, with the approved amendments to the accompanying report, be CONTINUED to the Board of Supervisors meeting of August 2, 2016. The motion carried by the following vote:**

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

**Excused: 1 - Farrell**

**Absent: 2 - Avalos, Mar**



## SPECIAL ORDER 3:00 P.M.

*President Breed requested File Nos. 160824, 160583, and 160586 be called together.*

## Board of Supervisors Sitting as a Committee of the Whole

### **160824 [Hearing - Charter Amendment - Public Advocate; Department of Police Accountability]**

Hearing to consider a Charter Amendment (Third Draft) (File No. 160583) to amend the Charter of the City and County of San Francisco to: 1) create the Office of the Public Advocate; 2) set the Public Advocate's powers and duties; 3) authorize the Public Advocate to review the administration of City programs, including programs for transmitting information to the public, and to receive, investigate, and attempt to resolve complaints regarding City services and programs; 4) authorize the Public Advocate to receive and investigate specified whistleblower complaints; 5) provide for the Public Advocate's election, removal, and salary; 6) set City policy regarding sufficient funding and minimum staffing for the Office of the Public Advocate; 7) re-name the Office of Citizen Complaints (OCC) as the Department of the Police Accountability (DPA); 8) authorize the Public Advocate to appoint the director of DPA; 9) give DPA direct authority over its proposed budget; and 10) require DPA to conduct a performance audit every two years of how the Police Department has handled claims of officer misconduct and use of force; and setting an operative date, at an election to be held on November 8, 2016, scheduled pursuant to the approval of a motion made during the the Board of Supervisors meeting of July 19, 2016. (Clerk of the Board)

*The President opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to the proposed Charter Amendment in File No. 160583. Mark Brown; Linda Richardson; Male Speaker; Jackie Flin; Male Speaker; Sierra Bourne; Kenmar Bernice; Virginia Marshall; Reverend Bourne; Reverend Arnold Townsend; Bernell Hawk; Maxwell Besney; Female Speaker; Ace Washington; Terrence Redmond; Tom Gilbert; Female Speaker; Shawn Richards; Joshua Arce; Riley Hernandez; Mia Robinson; Brian; Erica Victoria; Brayan Chunux; Kurt Grimes; Male Speaker; spoke in support of the proposed amendments to the Charter Amendment. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## Committee of the Whole Adjourn and Report

## **Recommendations of the Rules Committee**

### **160583 [Charter Amendment - Public Advocate]**

#### **Sponsors: Campos; Avalos, Kim and Mar**

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

**Supervisor Campos, seconded by Supervisor Mar, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by striking all language related to the Department of Police Accountability; and by changing the appointment authority for the Director of the Department of Police Accountability to the Public Advocate, subject to confirmation by the Board of Supervisors. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee  
Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco to: 1) create the Office of the Public Advocate; 2) set the Public Advocate's powers and duties; 3) authorize the Public Advocate to review the administration of City programs, including programs for transmitting information to the public, and to receive, investigate, and attempt to resolve complaints regarding City services and programs; 4) authorize the Public Advocate to receive and investigate specified whistleblower complaints; 5) authorize the Public Advocate to appoint the Director of the Office of Citizen Complaints; 6) provide for the Public Advocate's election, removal, and salary; and 7) set City policy regarding sufficient funding and minimum staffing for the Office of the Public Advocate; and setting operative dates, at an election to be held on November 8, 2016.

**Supervisor Campos, seconded by Supervisor Mar, moved that this Charter Amendment be CONTINUED AS AMENDED to the Board of Supervisors Special Meeting of July 28, 2016, at 8:40 a.m., and for the Board to convene as a Committee of the Whole to consider this Charter Amendment.. The motion carried by the following vote:**

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

**160586 [Charter Amendment - Department of Police Accountability]****Sponsors: Cohen; Breed**

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

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

**Supervisor Cohen, seconded by Supervisor Campos, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by changing the appointment authority for the Director of the Department of Police Accountability to the Public Advocate, subject to confirmation by the Board of Supervisors. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee  
Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to: re-name the Office of Citizen Complaints (OCC) as the Department of Police Accountability (DPA); give DPA direct authority over its proposed budget; and require DPA to conduct a performance audit every two years of how the Police Department has handled claims of officer misconduct and use of force, at an election to be held on November 8, 2016.

**Supervisor Cohen, seconded by Supervisor Campos, moved that this Charter Amendment be CONTINUED AS AMENDED to the Board of Supervisors Special Meeting of July 28, 2016, at 8:40 a.m., and for the Board to convene as a Committee of the Whole to consider this Charter Amendment. The motion carried by the following vote:**

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

## COMMITTEE REPORTS

### Recommendations of the Government Audit and Oversight Committee

#### **160422 [Fire, Housing, Building Codes - Fire Safety Requirements for Existing Buildings]**

**Sponsors: Campos; Kim, Yee, Tang, Breed, Wiener, Peskin, Cohen and Mar**

Ordinance amending the Fire Code and the Housing Code to require building owners provide residential tenants with an annual written notice of smoke alarm requirements and require owners of buildings with three or more dwelling units file a statement of compliance with annual fire alarm testing and inspection requirements every two years; amending the Fire Code and Building Code to require building owners to upgrade existing fire alarm systems by July 1, 2021 or upon completion of \$50,000 or more of construction work, whichever occurs earlier; amending the Building Code to require owners of Apartment Houses damaged by fire to submit an Action Plan to the City within 30 days of the fire, require re-inspection(s) of the premises by the Department of Building Inspection after a fire that has resulted in the displacement of residential occupants, and requiring owners of buildings in Group R occupancies with six or more units to install fire blocks in open accessible attics when performing \$50,000 or more of construction work; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage as required by State law.

(Fiscal Impact)

*Supervisors Cohen and Mar requested to be added as co-sponsors.*

**Supervisor Campos, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 10, Lines 7-8, by adding 'Exception. This requirement shall not apply to mandatory seismic strengthening alterations being performed pursuant to Chapter 34B of this Code.' The motion carried by the following vote:**

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

Absent: 1 - Mar

Ordinance amending the Fire Code and the Housing Code to require building owners provide residential tenants with an annual written notice of smoke alarm requirements and require owners of buildings with three or more dwelling units file a statement of compliance with annual fire alarm testing and inspection requirements every two years; amending the Fire Code and Building Code to require building owners to upgrade existing fire alarm systems by July 1, 2021, or upon completion of \$50,000 or more of construction work, whichever occurs earlier; amending the Building Code to require owners of Apartment Houses damaged by fire to submit an Action Plan to the City within 30 days of the fire, require re-inspection(s) of the premises by the Department of Building Inspection after a fire that has resulted in the displacement of residential occupants, and requiring owners of buildings in Group R occupancies with six or more units to install fire blocks in open accessible attics when performing \$50,000 or more of construction work; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage as required by State law.

(Fiscal Impact)

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

Absent: 1 - Mar

**160661 [Settlement of Lawsuit - Wayne Kappelman - \$176,275]**

Ordinance authorizing settlement of the lawsuit filed by Wayne Kappelman against the City and County of San Francisco for \$176,275; the lawsuit was filed on September 2, 2014, in United States District Court, Northern District of California, Case No. 14-CV-04434 MEJ; entitled Wayne Kappelman v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

*This item was not sent as a Committee Report.*

*President Breed requested File Nos. 160703, 160705, 160706, 160707, 160708, 160709, 160738, and 160770 be called together.*

**160703 [Settlement of Lawsuit - Muaadh Alawadhi and Suad Mahyoub - \$156,250]**

Ordinance authorizing settlement of the lawsuit filed by Muaadh Alawadhi and Suad Mahyoub against the City and County of San Francisco for \$156,250; the lawsuit was filed on January 7, 2015, in San Francisco Superior Court, Case No. CGC-15-543559; entitled Muaadh Alawadhi, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged medical negligence; other material terms of the settlement are co-defendant Regents of the University of California to pay \$156,250. (City Attorney)

**PASSED ON FIRST READING by the following vote:**

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

**Supervisor Breed Excused from Voting**

**Supervisor Kim, seconded by Supervisor Yee, moved that Supervisor Breed be excused from voting on File No. 160704. The motion carried by the following vote:**

Ayes: 9 - Avalos, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee  
Excused: 1 - Breed  
Absent: 1 - Mar

**160704 [Settlement of Lawsuit - Ricardo Palikiko-Garcia, Stanley Harris, and Keith Dwayne Richardson - \$90,000]**

Ordinance authorizing settlement of the lawsuit filed by Ricardo Palikiko-Garcia, Stanley Harris, and Keith Dwayne Richardson against the City and County of San Francisco for \$90,000; the lawsuit was filed on March 16, 2016, in United States District Court for the Northern District of California, Case No. C16-1305 JCS; entitled Ricardo Palikiko-Garcia, et al. v. City and County of San Francisco, et al.; the lawsuit involves allegations of excessive force, cruel and unusual punishment, and egregious government conduct. (City Attorney)

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Avalos, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee  
Excused: 1 - Breed  
Absent: 1 - Mar

**160705 [Settlement of Lawsuit - Blue Cross of California and Anthem Blue Cross Life and Health Insurance Company - City to Receive \$6,250,000 and Future Payments]**

Ordinance authorizing settlement of the lawsuit filed by the City Attorney, acting on behalf of the People of the State of California, against Blue Cross of California dba Anthem Blue Cross, Anthem Blue Cross Life and Health Insurance Company (collectively, "Blue Cross") and Health Net of California for the payment by Blue Cross of \$6,250,000 in restitution and civil penalties for under-reimbursing Zuckerberg San Francisco General Hospital and Trauma Center ("ZSFG") for emergency medical care provided to Blue Cross's insureds prior to July 1, 2015, and for the payment of additional amounts for such emergency medical care provided between July 1, 2015, and June 30, 2019; the lawsuit was filed on May 24, 2011, in San Francisco Superior Court, Case No. 11-511181; entitled People of the State of California v. Blue Cross of California, et al.; other material terms of said settlement are that Blue Cross and the City will enter into a prompt payment agreement under which Blue Cross agrees to pay and ZSFG agrees to accept certain specified rates for treatment provided by ZSFG to Blue Cross's insureds for emergency medical services rendered from July 1, 2015, through at least June 30, 2019. (City Attorney)

**PASSED ON FIRST READING by the following vote:**

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

**160706 [Settlement of Lawsuit - State Farm General Insurance Company - \$90,000]**

Ordinance authorizing settlement of the lawsuit filed by State Farm General Insurance Company against the City and County of San Francisco for \$90,000; the lawsuit was filed on February 13, 2014, in San Francisco Superior Court, Case No. CGC-14-537478; entitled State Farm General Insurance Company v. City and County of San Francisco; the lawsuit involves alleged property damage arising from flooding. (City Attorney)

**PASSED ON FIRST READING by the following vote:**

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

**160707 [Settlement of Lawsuit - Paul Walker - \$80,000]**

Ordinance authorizing settlement of the lawsuit filed by Paul Walker against the City and County of San Francisco for \$80,000; the lawsuit was filed on November 10, 2015, in United States District Court, Northern District, Case No. CV-15-5129-JCS; entitled Paul Walker v. City and County of San Francisco; the lawsuit involves alleged Americans with Disabilities Act violations. (City Attorney)

**PASSED ON FIRST READING by the following vote:**

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

**160708 [Settlement of Lawsuit - Mery Perez - \$87,500]**

Ordinance authorizing settlement of the lawsuit filed by Mery Perez against the City and County of San Francisco for \$87,500; the lawsuit was filed on February 9, 2015, in San Francisco Superior Court, Case No. CGC-15-544024; entitled Mery Perez v. City and County of San Francisco; the lawsuit involves a medical malpractice claim; other material terms of the settlement are that co-defendant Dr. Derrick Lung is to pay \$87,500. (City Attorney)

**PASSED ON FIRST READING by the following vote:**

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

**160709 [Settlement of Lawsuit - People of the State of California - \$250,000]**

Ordinance authorizing settlement of the lawsuit filed by the People of the State of California against the City and County of San Francisco for \$250,000; the lawsuit will be filed in Alameda County Superior Court; and be entitled People of the State of California v. San Francisco Public Utilities Commission and the City and County of San Francisco; the lawsuit involves alleged violations of California pollution prevention and hazardous materials laws at Public Utilities Commission facilities near Sunol in Alameda. (City Attorney)

**PASSED ON FIRST READING by the following vote:**

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

**160738 [Settlement of Lawsuit - Gary Frank and Debbie Frank - \$245,000]**

Ordinance authorizing settlement of the lawsuit filed by Gary Frank and Debbie Frank against the City and County of San Francisco for \$245,000; the lawsuit was filed on September 16, 2014, in San Francisco Superior Court, Case No. CGC-14-541671; entitled Gary Frank and Debbie Frank v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage arising from flooding. (City Attorney)

**PASSED ON FIRST READING by the following vote:**

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

**160770 [Settlement of Lawsuit - Sadeq Naji - \$30,000]**

Ordinance authorizing settlement of the lawsuit filed by Sadeq Naji against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 3, 2015, in San Francisco Superior Court, Case No. CGC 15-543936; entitled Sadeq Naji v. City and County of San Francisco; San Francisco Public Library; the lawsuit involves an employment dispute. (City Attorney)

**PASSED ON FIRST READING by the following vote:**

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

**160514 [Accept and Expend Grant - State Transportation Development Act, Article 3 - Pedestrian and Bicycle Projects - \$973,909]**

**Sponsor: Mayor**

Resolution authorizing the acceptance and expenditure of a State Transportation Development Act, Article 3, Pedestrian and Bicycle Project grant, in the amount of \$995,524 including \$497,762 for Public Works and \$497,762 for the San Francisco Municipal Transportation Agency, for a three-year period of July 1, 2016, through June 30, 2019.

**Resolution No. 327-16**

**ADOPTED by the following vote:**

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

**160793 [Resolution of Intention - Central Market Community Benefit District - Modify the Management Plan and Engineer's Report]****Sponsor: Mayor**

Resolution declaring the intention of the Board of Supervisors to modify the management district plan and engineer's report for the property-based business improvement district (community benefit district) known as the "Central Market Community Benefit District" to remove the district-wide cap on annual assessment revenues; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding and Assessment Ballot; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

**Resolution No. 288-16****ADOPTED by the following vote:**

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

**Recommendations of the Land Use and Transportation Committee****Supervisor Farrell Excused from Voting**

Supervisor Campos, seconded by Supervisor Tang, moved that Supervisor Farrell be excused from voting on File No. 160790. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Kim, Peskin, Tang, Wiener, Yee  
Excused: 1 - Farrell  
Absent: 1 - Mar

**160790 [Administrative Code - Short-Term Residential Rentals]****Sponsors: Campos; Peskin, Avalos and Mar**

Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to require Hosting Platforms to verify that a Residential Unit is on the City Registry prior to accepting a fee for booking a short-term rental transaction, and to provide an affidavit of compliance to the City and retain certain records; authorize the Office of Short Term Rentals to issue an administrative subpoena to obtain records; provide for civil, administrative, and criminal penalties against Hosting Platforms for violations of their obligations under the Residential Unit Conversion Ordinance; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

Supervisor Campos, seconded by Supervisor Peskin, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, by making technical amendments. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Kim, Peskin, Tang, Wiener, Yee  
Excused: 1 - Farrell  
Absent: 1 - Mar

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Cohen, Kim, Peskin, Tang, Wiener, Yee  
Excused: 1 - Farrell  
Absent: 1 - Mar



**160751 [Sublease of Non-Profit Office Space Under City's Master Lease - At The Crossroads - 167 Jessie Street - \$1 per Year Base Rent]****Sponsors: Mayor; Kim**

Resolution authorizing the Sublease between the City and County of San Francisco, as Tenant and Sublandlord, and At The Crossroads, as Subtenant, of 4,124 rentable square feet in the building located at 167 Jessie Street, for an initial term of five years at a base rent of \$1 per year, to commence upon approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion. (Mayor's Office of Housing and Community Development)

**Resolution No. 290-16****ADOPTED by the following vote:**

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

**160755 [Owner Participation/Disposition and Development Agreement - Successor Agency to the San Francisco Redevelopment Agency Land - Block One Property Holder, L.P. - Transbay Block One]****Sponsor: Kim**

Resolution approving the disposition of land located on the southern one-third of the block bounded by Howard, Spear, Folsom, and Main Streets, Assessor's Parcel Block No. 3740, Lot No. 027, by the Office of Community Investment and Infrastructure, as Successor Agency to the San Francisco Redevelopment Agency, to Block One Property Holder, L.P, a Delaware limited partnership and an affiliate of Tishman Speyer, for the purpose of developing affordable for-sale housing for low and moderate income households; and making findings under California Health and Safety Code, Section 33433.

**Resolution No. 291-16****ADOPTED by the following vote:**

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

**Referred Without Recommendation from the Rules Committee**

*Supervisor Farrell was noted absent at 9:24 p.m. and for the remainder of the meeting.*

**Supervisor Farrell Excused from Attendance**

**Supervisor Tang, seconded by Supervisor Avalos, moved that Supervisor Farrell be excused from attending the remainder of today's meeting, beginning at 9:42 p.m. The motion carried by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Cohen, Kim, Peskin, Tang, Wiener, Yee  
Excused: 1 - Farrell  
Absent: 1 - Mar

**160698 [Initiative Ordinance - Planning Code - Requiring Conditional Use Authorization for Replacement of Production, Distribution, Repair, Institutional Community, and Arts Activities Uses]**

**Sponsors: Kim; Peskin and Campos**

Motion ordering submitted to the voters an Ordinance amending the Planning Code to require Conditional Use authorization for conversion of Production, Distribution, and Repair Use, Institutional Community Use, and Arts Activities Use and replacement space; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held November 8, 2016.

(Economic Impact; No Office of Economic Analysis Report)

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

**Supervisor Wiener requested the question to amend the Initiative Ordinance be DIVIDED to consider separately the amendment on Page 9, Lines 8-10, to change Subsection (i) to read 'The Board of Supervisors by ordinance and by at least a two-thirds vote of all its members may amend this Section 202.8 at any time after its effective date.'**

(Economic Impact; No Office of Economic Analysis Report)

**Supervisor Kim, seconded by Supervisor Peskin, moved the remaining balance of the question that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

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

Absent: 2 - Farrell, Mar

**Supervisor Kim, seconded by Supervisor Peskin, moved the divided question that this Motion be AMENDED on Page 9, Lines 8-10. The motion carried by the following vote:**

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

Noes: 4 - Breed, Cohen, Tang, Wiener

Excused: 1 - Farrell

Absent: 1 - Mar

(Economic Impact)

*Pursuant to Board Rule 5.14, the motion to amend this Motion is of a parliamentary nature and only requires the affirmative vote of a majority of the Supervisors present; there being only nine members present for consideration of this motion.*

*Upon passage of both the divided portion and the remaining balance of the amendments to the Initiative Ordinance, the Ordinance was amended as a whole.*

**Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be CONTINUED AS AMENDED to the Board of Supervisors meeting of August 2, 2016, and for the Board to convene as a Committee of the Whole to consider this Initiative Ordinance. The motion carried by the following vote:**

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

Excused: 1 - Farrell

Absent: 1 - Mar

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

**PUBLIC COMMENT**

*Tom Gilberty; expressed concerns regarding public comment.*  
*Christopher Dahl; shared various experiences with the Board.*  
*Sala Chandler; shared a new foundation she started in memory of her son.*  
*Abraham Johnson; shared concerns regarding the prosecution of Falun Dafa.*  
*Male Speaker; shared concerns regarding the prosecution of Falun Dafa.*  
*Male Speaker; shared concerns regarding the prosecution of Falun Dafa.*  
*Jennie; shared concerns regarding the prosecution of Falun Dafa.*  
*Cecilia Lou; shared concerns regarding the prosecution of Falun Dafa.*  
*Michelle; shared concerns regarding the prosecution of Falun Dafa.*  
*Jeremy Lou; shared concerns regarding the prosecution of Falun Dafa.*  
*Female Speaker; shared concerns regarding the prosecution of Falun Dafa.*  
*Female Speaker; shared concerns regarding the prosecution of Falun Dafa.*  
*Ian Haddo; shared concerns regarding property being assessed.*  
*Bob Lee; shared concerns regarding property being assessed.*  
*Female Speaker; shared concerns regarding the prosecution of Falun Dafa.*  
*Male Speaker; shared concerns regarding the prosecution of Falun Dafa.*  
*Tom Shaw; shared concerns regarding the prosecution of Falun Dafa.*  
*Jack Shaw; shared concerns regarding the prosecution of Falun Dafa.*  
*Male Speaker; shared concerns regarding the prosecution of Falun Dafa.*

*Supervisor Yee was noted absent at 10:01 p.m. and the Board momentarily lost quorum until Supervisor Yee was again noted present at 10:01 p.m.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*President Breed recessed the meeting at 10:18 p.m. and reconvened at 10:20 p.m. Upon reconvening, Supervisor Avalos was noted absent and for the remainder of the meeting.*

### **Appointment of President Pro Tempore**

*At the request of President Breed, Supervisor Campos assumed the chair at 10:28 p.m. so the President could participate in the debate on File No. 160759 from the floor. The President resumed the chair at 10:36 p.m.*

### **160759 [Urging the California Public Utilities Commission to Adopt Conviction History Regulations In Furtherance of a Level Regulatory Playing Field And In Compliance With San Francisco's 2014 Fair Chance Ordinance]**

#### **Sponsor: Peskin**

Resolution urging the California Public Utilities Commission to adopt regulations of Transportation Network Companies that comply with San Francisco's 2014 Fair Chance Ordinance, recognizing the importance of a level regulatory playing field between Transportation Network Companies and traditional taxi cab companies, and supporting the California Public Utilities Commission's solicitation for comment regarding the current method of criminal background checks for Transportation Network Companies.

**Supervisor Peskin, seconded by Supervisor Kim, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of August 2, 2016. The motion carried by the following vote:**

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

Excused: 1 - Farrell

Absent: 2 - Avalos, Mar

*President Breed requested File Nos. 160830 and 160831 be called together.*

### **160830 [Recreation and Parks Month - July 2016]**

#### **Sponsor: Breed**

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

#### **Resolution No. 337-16**

**ADOPTED by the following vote:**

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

Excused: 1 - Farrell

Absent: 2 - Avalos, Mar

**160831 [World Hepatitis Day - July 28]****Sponsors: Tang; Kim, Wiener, Cohen, Peskin and Yee**

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

*Supervisor Yee requested to be added as a co-sponsor.***Resolution No. 338-16****ADOPTED by the following vote:**

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

Excused: 1 - Farrell

Absent: 2 - Avalos, Mar

**IMPERATIVE AGENDA***There were no imperative agenda items.***LEGISLATION INTRODUCED AT ROLL CALL****Introduced by a Supervisor or the Mayor***Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.***Ordinances****160426 [Planning Code, Zoning Map - Rezoning Midtown Terrace Neighborhood]****Sponsor: Yee**

Ordinance amending the Planning Code by revising the Zoning Map to rezone all lot numbers in Assessor's Parcel Block Nos. 2780, 2783, 2784, 2785, 2786, 2787, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2820, 2822, 2822A, 2822B, 2823, 2823A, 2823B, 2823C, 2824, 2825, 2833, 2834, 2835, 2836; all lots in Block No. 2643B except Lot Nos. 5 and 8; all lots in Block No. 2781 except Lot No. 22; all lots in Block No. 2782 except Lot No. 27; all lots in Block No. 2788 except Lot No. 27; all lots in Block No. 2789 except Lot No. 29; and Lot Nos. 1, 2, 9, 12, 13, 14, 15, 16, 17, 23, and 24 of Assessor's Parcel Block No. 2821, from their current designation as Residential, House: One-Family (RH-1) to Residential, House: One-Family (Detached Dwellings) (RH-1(D)); revising the Zoning Map to rezone Assessor's Parcel Block No. 2643B, Lot No. 8, from its current designation as Public to RH-1(D); 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.

04/26/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/26/2016.

05/03/16; REFERRED TO DEPARTMENT.

05/06/16; RESPONSE RECEIVED.

07/26/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

**160850 [Appropriation - Mayor's Office of Housing and Community Development - Proceeds from General Obligation Housing Bond - FY2016-2017 - \$77,000,000]**  
**Sponsors: Mayor; Breed**

Ordinance appropriating \$77,000,000 of proceeds from the General Obligation Housing Bond, Series 2016F to the Mayor's Office of Housing and Community Development for Public Housing, Low-Income Housing, Investment in Mission Neighborhood, and Middle Income Housing-DALP and TND in FY2016-2017, and placing these funds on Controller's Reserve pending sale of the bonds.

(Fiscal Impact)

07/26/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/25/2016.

**160851 [Street Vacation Order - Parkmerced Development Project]**

**Sponsor: Yee**

Ordinance ordering the conditional vacation of portions of streets (along with public service easements within those streets) that exist within the Subphases 1A and 1B of the Parkmerced Development Project area, an approximately 152 acre site located in the Lake Merced District in the southwest corner of San Francisco and generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue, and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; reserving various easement rights in favor of the City and third party utilities, subject to conditions specified in this ordinance; delegating authority to the Director of Real Estate to execute certain quit claim deeds; adopting findings under the California Environmental Quality Act; adopting findings that the vacations are consistent with the Parkmerced Development Agreement, the General Plan, and the eight priority policies of Planning Code, Section 101.1; directing the Clerk of the Board of Supervisors to make certain transmittals; and authorizing actions by City officials in furtherance of this Ordinance, as defined herein.

07/26/16; ASSIGNED to Land Use and Transportation Committee.

## **Resolutions**

**160852 [Multifamily Housing Revenue Note - 938 Ellsworth Street - Alemany - Not to Exceed \$87,787,000]**

**Sponsors: Mayor; Campos**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$87,787,000 for the purpose of providing financing for the acquisition and rehabilitation of a 150-unit multifamily rental housing project located in the City at 938 Ellsworth Street, commonly known as Alemany; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160853 [Multifamily Housing Revenue Note - 2451 Sacramento Street - JFK Tower - Not to Exceed \$35,363,000]****Sponsors: Mayor; Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$35,363,000 for the purpose of providing financing for the acquisition and rehabilitation of a 98-unit multifamily rental housing project located in the City at 2451 Sacramento Street; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160854 [Multifamily Housing Revenue Note - 1855-15th Street - Mission Dolores - Not to Exceed \$32,368,000]****Sponsors: Mayor; Wiener**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$32,368,000 for the purpose of providing financing for the acquisition and rehabilitation of a 91-unit multifamily rental housing project located in the City at 1855-15th Street, commonly known as Mission Dolores; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160855 [Multifamily Housing Revenue Note - 655, 711-795, and 895 Pacific Avenue - Ping Yuen - Not to Exceed \$98,065,000]****Sponsors: Mayor; Peskin**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$98,065,000 for the purpose of providing financing for the acquisition and rehabilitation of a 234-unit multifamily rental housing project located in the City at 655, 711-795, and 895 Pacific Avenue, commonly known as Ping Yuen; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160856 [Multifamily Housing Revenue Note - 838 Pacific Avenue - Ping Yuen North - Not to Exceed \$88,354,000]****Sponsors: Mayor; Peskin**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$88,354,000 for the purpose of providing financing for the acquisition and rehabilitation of a 200-unit multifamily rental housing project located in the City at 838 Pacific Avenue, commonly known as Ping Yuen North; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160857 [Multifamily Housing Revenue Note - 1251 Turk Street - Rosa Parks - Not to Exceed \$63,890,000]****Sponsors: Mayor; Breed**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$63,890,000 for the purpose of providing financing for the acquisition and rehabilitation of a 203-unit multifamily rental housing project located in the City at 1251 Turk Street, commonly known as Rosa Parks; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160858 [Multifamily Housing Revenue Note - 40 Harbor Road - Westbrook Apartments - Not to Exceed \$87,459,000]****Sponsors: Mayor; Cohen**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$87,459,000 for the purpose of providing financing for the acquisition and rehabilitation of a 223-unit multifamily rental housing project located in the City at 40 Harbor Road, commonly known as Westbrook Apartments; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.



**160859 [Multifamily Housing Revenue Note - 2501 Sutter Street - Westside Courts - Not to Exceed \$47,497,000]****Sponsors: Mayor; Breed**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$47,497,000 for the purpose of providing financing for the acquisition and rehabilitation of a 135-unit multifamily rental housing project located in the City at 2501 Sutter Street, commonly known as Westside Courts; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160860 [Multifamily Housing Revenue Note - 320 and 330 Clementina Street - Not to Exceed \$69,260,000]****Sponsors: Mayor; Kim**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$69,260,000 for the purpose of providing financing for the acquisition and rehabilitation of a 276-unit multifamily rental housing project located in the City at 320 and 330 Clementina Street; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160861 [Multifamily Housing Revenue Note - 350 Ellis Street - Not to Exceed \$41,640,000]****Sponsors: Mayor; Kim**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$41,640,000 for the purpose of providing financing for the acquisition and rehabilitation of a 96-unit multifamily rental housing project located in the City at 350 Ellis Street; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160862 [Multifamily Housing Revenue Note - 1750 McAllister Street - Not to Exceed \$34,043,000]****Sponsors: Mayor; Breed**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$34,043,000 for the purpose of providing financing for the acquisition and rehabilitation of a 97-unit multifamily rental housing project located in the City at 1750 McAllister Street; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160863 [Multifamily Housing Revenue Note - 1760 Bush Street - Not to Exceed \$29,425,000]****Sponsors: Mayor; Breed**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$29,425,000 for the purpose of providing financing for the acquisition and rehabilitation of a 108-unit multifamily rental housing project located in the City at 1760 Bush Street; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160864 [Multifamily Housing Revenue Note - 2698 California Street - Not to Exceed \$18,337,000]****Sponsors: Mayor; Farrell**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$18,337,000 for the purpose of providing financing for the acquisition and rehabilitation of a 40-unit multifamily rental housing project located in the City at 2698 California Street; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160865 [Multifamily Housing Revenue Note - 3850 18th Street - Not to Exceed \$33,975,000]****Sponsors: Mayor; Wiener**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$33,975,000 for the purpose of providing financing for the acquisition and rehabilitation of a 107-unit multifamily rental housing project located in the City at 3850-18th Street; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160866 [Accept and Expend Grant - State of California, Department of Parks and Recreation - Non-Motorized Boat Launching Facility Grant - \$225,000]****Sponsor: Mayor**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a Non-Motorized Boat Launching Facility Grant in the amount of \$225,000 from the State of California, Department of Parks and Recreation, Division of Boating and Waterways, for the replacement of the existing public boat launching facility at the Lake Merced's North Lake, for the Grant performance period of May 5, 2015, through March 1, 2017. (Recreation and Park Department)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160867 [Issuance of Taxable and Tax-Exempt General Obligation Bonds (Affordable Housing, 2015) - Not to Exceed \$310,000,000]****Sponsors: Mayor; Breed**

Resolution providing for the issuance of not to exceed \$310,000,000 aggregate principal amount of City and County of San Francisco Taxable and Tax-Exempt General Obligation Bonds (Affordable Housing, 2015); authorizing the issuance and sale of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and Administrative Code, Chapter 31; finding that the proposed project is in conformity with the priority policies of Planning Code, Section 101.1(8), and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; ratifying certain actions previously taken, as defined herein; and granting general authority to city officials to take necessary actions in connection with the issuance and sale of said bonds, as defined herein. (Fiscal Impact)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160868 [Sale of Taxable General Obligation Bonds (Affordable Housing, 2015), Series 2016F - Not to Exceed \$77,000,000]****Sponsors: Mayor; Breed**

Resolution authorizing the issuance and sale of not to exceed \$77,000,000 aggregate principal amount of City and County of San Francisco Taxable General Obligation Bonds (Affordable Housing, 2015), Series 2016F; prescribing the form and terms of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; authorizing the sale of said bonds by competitive or negotiated sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of Bond Purchase Contract; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein.

(Fiscal Impact)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160869 [Multifamily Housing Revenue Bonds - 626 Mission Bay Boulevard North (also known as 1300 Fourth Street and Mission Bay South Block 6 East) - Not to Exceed \$52,500,000]****Sponsor: Kim**

Resolution authorizing the issuance, sale and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$52,500,000 for the purpose of providing financing for the construction of a 143-unit multifamily rental housing project known as 626 Mission Bay Boulevard North; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; approving modifications, changes and additions to the documents, as defined herein; ratifying and approving any action heretofore taken in connection with the bonds and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters, as defined herein. (Mayor's Office of Housing and Community Development)

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160870 [Resolution of Intent - Street and Public Easement Vacation - Parkmerced Development Project]****Sponsor: Yee**

Resolution declaring the intent of the Board of Supervisors to order the conditional vacation of portions of streets (along with public service easements within those streets) that exist within the Subphases 1A and 1B of the Parkmerced Development Project area, an approximately 152 acre site located in the Lake Merced District in the southwest corner of San Francisco and generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue, and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; reserve various easement rights in favor of the City and third party utilities, subject to conditions specified; delegate authority to the Director of Real Estate to execute certain quit claim deeds; adopt findings under the California Environmental Quality Act; adopt findings that the vacations are consistent with the Parkmerced Development Agreement, the General Plan, and the eight priority policies of Planning Code, Section 101.1; direct the Clerk of the Board of Supervisors to make certain transmittals; authorize actions by City officials in furtherance of the street vacation ordinance; and setting a hearing date for all persons interested in the proposed vacation of said street areas and public service easements.

07/26/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**160871 [Intent to Prioritize Funding to Support Safe, Healthy Thriving Communities]****Sponsor: Yee**

Resolution declaring the intent of the City and County of San Francisco to prioritize allocating available funds to support safe, healthy, thriving communities, including the maintenance of public trees, and commitment to supporting families with infants and toddlers.

07/26/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160872 [Lindy in the Park Day - August 21, 2016]****Sponsor: Mar**

Resolution declaring August 21, 2016, as Lindy in the Park Day and recognizing its 19th Anniversary in the City and County of San Francisco.

07/26/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**160873 [Laurence Kornfield Day - August 7, 2016]****Sponsors: Peskin; Mar**

Resolution declaring Sunday, August 7, 2016, as Laurence Kornfield Day in the City and County of San Francisco.

07/26/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**160874 [Urging Cumulus Media to Engage in Good-Faith Negotiations and Reach a Fair Contract with KNBR 680 AM Radio Station Employees]****Sponsors: Peskin; Mar and Campos**

Resolution urging Cumulus Media to engage in good-faith negotiations and reach a fair contract with the Screen Actors Guild American Federation of Television and Radio Artists (SAG-AFTRA) members employed by KNBR 680 AM Radio Station.

07/26/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**160875 [Approval of a 30-Day Extension for Planning Commission Review of Exemptions and General Advertising Sign Penalties (File No. 160553)]****Sponsor: Peskin**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 160553) amending the Planning Code to clarify that all noncommercial Signs are exempt from regulations pursuant to Planning Code, Article 6; increase penalties for repeat violations for the display of illegal General Advertising Signs; shorten the time before penalties for General Advertising Sign violations begin to accrue; allow property liens for such penalties that go unpaid; 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 a finding of public necessity, convenience, and welfare under Planning Code, Section 302.

07/26/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**160812 [Board Response - Civil Grand Jury - Drinking Water Safety in San Francisco: A Reservoir of Good Practice]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2015-2016 Civil Grand Jury Report, entitled "Drinking Water Safety in San Francisco: A Reservoir of Good Practice;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

07/19/16; REFERRED TO DEPARTMENT.

07/26/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Motions****160844 [Modifying Time for Submission of Charter Amendment under Rule 2.22.7 - City Responsibility for Street Trees (File No. 160381)]****Sponsor: Wiener**

Motion modifying the amount of time required under Rule 2.22.7 between the first appearance on the Board's agenda of the proposed Charter Amendment (File No. 160381) regarding City responsibility for street trees and the Board's order submitting them to the electorate for the November 8, 2016 election.

07/26/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

07/26/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**160876 [Urging the San Francisco Legislative Delegation to Amend or Oppose the Proposed "By-Right Housing Approvals" Budget Trailer Bill]****Sponsor: Peskin**

Motion urging the San Francisco Legislative Delegation to amend or oppose the "By-Right Housing Approvals" proposed Trailer Bill in recognition of San Francisco's local planning tools and significant contributions to regional housing development; and ordering the Clerk of the Board of Supervisors of the City and County of San Francisco to transmit the Board of Supervisors' urgent policy position regarding the "By-Right Housing Approvals" proposed Trailer Bill to all 120 members of the State Legislature.

07/26/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**160879 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 8, 2016, Consolidated General Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 8, 2016, Consolidated General Election. (Clerk of the Board)

07/26/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing****160877 [Hearing - Update on Status of T-Line Service]****Sponsor: Cohen**

Hearing to receive an update on the status of T-Line service, including switchbacks and traffic calming needs for the Design Center and Division Street traffic circle.

07/26/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**160878 [Hearing - Governance of Structure, Oversight of Assets, and City Funding Processes - Fine Arts Museums of San Francisco]****Sponsor: Peskin**

Hearing on the governance structure, oversight of assets, and city funding processes of the Fine Arts Museums of San Francisco (FAMSF) and its Board of Trustees; and requesting the Director of FAMSF and the Office of the Controller to report.

07/26/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**160811 [Hearing - Civil Grand Jury Report - Drinking Water Safety in San Francisco: A Reservoir of Good Practice]**

Hearing on the recently published 2015-2016 Civil Grand Jury report, entitled "Drinking Water Safety in San Francisco: A Reservoir of Good Practice." (Clerk of the Board)

07/19/16; REFERRED TO DEPARTMENT.

07/26/16; 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****160819 [Settlement of Lawsuit - Travis Ian Hall - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Travis Ian Hall against the City and County of San Francisco for \$40,000; the lawsuit was filed on September 9, 2015, in United States District Court, Case No. 15-cv-4092; entitled Travis Ian Hall v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

07/14/16; RECEIVED FROM DEPARTMENT.

07/26/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**160820 [Planning Code - Landmark Designation - 1345 Ocean Avenue (aka Ingleside Presbyterian Church and the Great Cloud of Witnesses)]**

**Sponsor: Yee**

Ordinance designating 1345 Ocean Avenue (aka Ingleside Presbyterian Church and the Great Cloud of Witnesses), Assessor's Parcel Block No. 6942, Lot No. 050, as a Landmark under Planning Code, Article 10; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

07/12/16; RECEIVED FROM DEPARTMENT.

07/26/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/25/2016.

**160821 [Planning Code - Amending Landmark Designation - 140 Maiden Lane (aka V. C. Morris Gift Shop)]**

**Sponsor: Peskin**

Ordinance amending the Landmark Designation of 140 Maiden Lane (aka V. C. Morris Gift Shop), Assessor's Parcel Block No. 0309, Lot No. 019, under Planning Code, Article 10; affirming the Planning Department's determination under the California Environmental Quality Act; 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. (Historic Preservation Commission)

07/12/16; RECEIVED FROM DEPARTMENT.

07/26/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/25/2016.



## PROPOSED RESOLUTIONS

### **160822 [Settlement of Unlitigated Claim - Capital One N.A. - \$33,145.03]**

Resolution approving the settlement of the unlitigated payroll expense tax claim filed by Capital One N.A. against the City and County of San Francisco for \$33,145.03; claim was filed on July 27, 2015. (City Attorney)

07/14/16; RECEIVED FROM DEPARTMENT.

07/26/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **160823 [Settlement of Unlitigated Claim - Capital One Services II, LLC - \$108,301.61]**

Resolution approving the settlement of the unlitigated claim for a payroll expense tax refund filed by Capital One Services II, LLC against the City and County of San Francisco for \$108,301.61; claim was filed on July 27, 2015. (City Attorney)

07/14/16; RECEIVED FROM DEPARTMENT.

07/26/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **In Memoriams**

*Nate Thurmond - Supervisor Peskin*

*Josh Williams - Supervisors Cohen and Breed*

*Pat Christensen - Supervisor Peskin*

*Saul Bloom - Supervisor Peskin*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 10:39 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on September 6, 2016.*

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Angela Calvillo, Clerk of the Board