



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

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

Tuesday, February 23, 2016 - 2:00 PM

Regular Meeting

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

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Farrell, Tang, Yee

Government Audit and Oversight Committee
Supervisors Peskin, Yee, Breed

Land Use and Transportation Committee
Supervisors Cohen, Wiener, Peskin

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

Rules Committee
Supervisors Tang, Mar, Cohen

Meeting Days

Wednesday
10:00 AM

2nd and 4th Thursday
10:00 AM

Monday
1:30 PM

2nd Thursday
2:30 PM

2nd and 4th Thursday
11:00 AM

Agenda Item Information

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

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

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

Meeting Procedures

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

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

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

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

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

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

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

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

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

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

Disability Access

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

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

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

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

Know Your Rights Under The Sunshine Ordinance

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

For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of the **January 12, 2016**, Board Meeting Minutes.

AGENDA CHANGES

CONSENT AGENDA

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

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

Items 1 through 4

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Tang, Yee

1. [151259](#) **[Administrative Code - City-Owned Fiber-Optic Facilities]**
Sponsors: Farrell; Mar
Ordinance amending the Administrative Code to require the Department of Technology to gather information from City departments concerning City-owned fiber-optic facilities; and to require the Public Utilities Commission to consider and approve any future expansion of City-owned fiber-optic facilities.

(Fiscal Impact)

02/09/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [151278](#) **[Agreement Amendment - AT&T Corporation - Telecommunications Services - Not to Exceed \$122,429,557]**

Sponsor: Farrell

Ordinance retroactively authorizing the Department of Technology and the Department of Contract Administration to enter into the Third Amendment of an Agreement between the City and the AT&T Corporation, for the City's telecommunications services, by extending the term of the agreement for an additional five years through December 31, 2020, and increasing the total not-to-exceed amount of the agreement from \$97,953,700 to \$122,429,557.

(Fiscal Impact)

02/09/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Cohen, Wiener, Peskin

3. [150494](#) **[Planning, Building Codes - Conditional Use Required to Remove Any Residential Unit in a C-3 District, Including Illegal Units; Permeable Surfaces and Landscaping Requirements Citywide for Building Additions and Residential Mergers]**

Sponsor: Avalos

Ordinance amending the Planning Code to require Conditional Use authorization for the removal of any residential unit in a C-3 (Downtown Commercial) District (whether legal or illegal) and to require compliance Citywide with landscaping and permeable surfaces requirements for building additions and residential mergers, and to exempt from the Conditional Use application requirement illegal units in C-3 Districts where there is no legal path for legalization and residential units that have received prior Planning approval; amending the Building Code to require that notices of violation in a C-3 District order the filing of an application to legalize an illegal unit unless infeasible under the Building Code or the Planning Commission approves its removal, and to require re-issuance of unabated notices of violation in a C-3 District to include the new requirement; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1.

(Economic Impact)

02/09/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [151251](#) **[Administrative Code - Water Efficient Irrigation]**

Sponsors: Wiener; Farrell

Ordinance amending the Administrative Code by revising the applicability threshold to 500 square feet for requirements for the development and maintenance of landscape irrigation controls for specified new construction landscapes and landscape rehabilitation projects.

02/09/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Budget and Finance Committee

Present: Supervisors Farrell, Yee

5. [151276](#) **[General Obligation Bond Election - Public Health and Safety - \$350,000,000]**

Sponsors: Mayor; Breed and Farrell

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

(Fiscal Impact)

02/09/2016; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Tang, Mar, Cohen

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

6. **150940** **[Charter Amendment - Park, Recreation and Open Space Fund]**
Sponsors: Farrell; Mar, Tang, Wiener, Yee, Breed, Cohen and Avalos
Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, extend the annual set-aside and the baseline appropriation for 15 years to FY2045-2046, and modify the Recreation and Park Department's planning obligations to include equity analysis and Board of Supervisors review, at an election to be held on June 7, 2016.

02/09/2016; CONTINUED.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS**Recommendations of the Budget and Finance Committee**

Present: Supervisors Farrell, Tang, Kim

7. **160009** **[Real Property Acquisition - Easements from John Daly Boulevard Associates, L.P., Monarch Ventures, L.P., and Wilbak Investments, L.P. - Regional Groundwater Storage and Recovery Project, San Mateo County - \$78,185]**
Resolution approving and authorizing the acquisition of one temporary construction easement, two permanent surface access easements and one permanent subsurface easement for water utility purposes from John Daly Boulevard Associates, L.P., a California limited partnership, Monarch Ventures, L.P., a California limited partnership, and Wilbak Investments, L.P., a California limited partnership, for \$78,185 to be used by the City and County of San Francisco under the Water System Improvement Program for the access, installation, modification, removal, inspection, maintenance, repair, replacement, periodic scheduled maintenance, emergency repairs, and construction of the project known as the Regional Groundwater Storage and Recovery Project, Project No. CUW30103; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and approving the Agreement and authorizing the Director of Property and/or the San Francisco Public Utilities Commission General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

8. [160045](#) **[Agreement Amendment - Hatch Mott MacDonald - Construction Management Services - New Irvington Tunnel Project - Not to Exceed \$20,500,000]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 3 to Agreement No. CS-918, New Irvington Tunnel Project - Construction Management Services with Hatch Mott MacDonald, to continue providing construction management services for the final construction and close-out of the tunnel, increasing the agreement by \$1,000,000 for a total agreement amount not to exceed \$20,500,000 and with a time extension of three months, for a total agreement duration of seven years and three months from August 1, 2009, through October 31, 2016, pursuant to Charter, Section 9.118. (Public Utilities Commission)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
9. [160066](#) **[Subordination Agreement - Seismic and Safety Loan Program - HealthRight 360 - 890 Hayes Street and 214 Haight Street - \$8,500,000]**
Sponsors: Mayor; Kim and Breed
Resolution authorizing the subordination of two existing Seismic and Safety Loan Program loans, secured in part by real property commonly known as 890 Hayes Street and 214 Haight Street, to a new loan from the Nonprofit Finance Fund to HealthRight 360 in the amount of \$8,500,000 for the construction of HealthRight 360's new headquarters and clinic located at 1563 Mission Street.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
10. [160068](#) **[Paratransit Broker Agreement Amendment - Transdev Services, Inc. - Not to Exceed \$125,443,773]**
Sponsor: Campos
Resolution approving Amendment No. 6 to the Paratransit Broker Agreement with Transdev Services, Inc., to continue providing paratransit broker services to administer the City's Paratransit Program, and increase the amount of the contract by \$6,844,063 to a total amount not to exceed \$125,443,773 for the term of April 1, 2010, through June 30, 2016.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
11. [160069](#) **[Real Property Acquisition - 1101 Connecticut Street - San Francisco Unified School District - \$1,800,000]**
Sponsor: Cohen
Resolution authorizing the acquisition of real property from the San Francisco Unified School District located at 1101 Connecticut Street, near the intersection of Connecticut Street and 25th Street, in order to further the General Plan priority of preserving and enhancing the supply of affordable housing, for the purchase price of \$1,800,000.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

12. [160071](#) **[Accept and Expend Grant - State of California Department of Housing and Community Development - Housing-Related Parks Program Grant - \$2,686,325]**
Sponsor: Farrell
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant in the amount of \$2,686,325 from the State of California Department of Housing and Community Development to fund Housing Related Parks Projects identified in Exhibit A of the Grant Standard Agreement for the period of October 9, 2015, through June 30, 2017; and delegating authority to the General Manager of the Recreation and Park Department to reallocate funds among approved projects where necessary to maximize City recovery from the Grant during the eligible expenditure period.
- Question: Shall this Resolution be ADOPTED?**
13. [160075](#) **[Contract Amendment - Children's Council of San Francisco - Preschool for All Program - Not to Exceed \$74,390,567]**
Sponsor: Tang
Resolution retroactively approving the sixth contract amendment with the Children's Council of San Francisco to manage the Preschool for All Program subsidies to eligible children of the City, and increasing the not to exceed amount from \$47,326,791 to \$74,390,567 for the period of July 1, 2012, to June 30, 2016.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Breed

14. [150936](#) **[Donation of Obsolete Ambulance to San Francisco Unified School District]**
Sponsor: Breed
Resolution authorizing the Fire Department to donate an obsolete ambulance to the San Francisco Unified School District's Health Academy at Galileo High School.
- Question: Shall this Resolution be ADOPTED?**
15. [150937](#) **[Donation of Retired Fire Engine to City College of San Francisco]**
Sponsor: Breed
Resolution authorizing the Fire Department to donate a retired fire engine to the City College of San Francisco Fire Academy Program.
- Question: Shall this Resolution be ADOPTED?**
16. [151147](#) **[Accept Gift - Mr. and Mrs. Bernard Osher - Donation for Purchase of Two New Ambulances - \$350,000]**
Sponsor: Breed
Resolution authorizing the San Francisco Fire Department to accept a gift in the amount of \$350,000 from Mr. and Mrs. Bernard Osher specifically for the purchase of two new ambulances by the San Francisco Fire Department.
- Question: Shall this Resolution be ADOPTED?**

17. [160067](#) **[Mission Miracle Mile Business Improvement District - Annual Reports to the City - Calendar Years 2010-2015]**

Sponsor: Campos

Resolution receiving and approving annual reports for the Mission Miracle Mile Business Improvement District for calendar years 2010-2015, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

Question: Shall this Resolution be ADOPTED?

18. [160072](#) **[Lower Polk Community Benefit District - Annual Report to the City - FY2014-2015]**

Sponsor: Peskin

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

Question: Shall this Resolution be ADOPTED?

19. [160073](#) **[Greater Union Square Business Improvement District - Annual Report to the City - FY2014-2015]**

Sponsor: Peskin

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

Question: Shall this Resolution be ADOPTED?

From the Land Use and Transportation Committee with a Recommendation of "Do Not Pass"

Present: Supervisors Cohen, Wiener, Peskin

20. [151257](#) [Planning Code - Increasing Transportation Sustainability Fee for Non-residential Projects]

Sponsor: Avalos

Ordinance amending the Planning Code to increase the Transportation Sustainability Fee for Non-residential projects larger than 99,999 gross square feet, and to require Non-residential or Production, Distribution and Repair (PDR) projects that filed development or environmental applications on or before July 21, 2015, but that have not yet received approvals, to pay the Transportation Sustainability Fee with a partial refund; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings, including general 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.

(Supervisor Peskin dissented in committee.)

12/08/2015; DUPLICATED.

12/08/2015; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

12/08/2015; RE-REFERRED AS AMENDED to the Land Use and Transportation Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety and Neighborhood Services Committee

Present: Supervisors Kim, Avalos, Campos

21. [151228](#) [Administrative Code - Special Law Enforcement Services (“10B Officers”)]
Sponsors: Campos; Farrell and Avalos

Ordinance amending the Administrative Code to require event organizers seeking additional Police Department personnel (“10B officers”) and equipment for law enforcement purposes to include a request for approval of alcohol license application, if applicable, and a security plan with the request for those services; require the Department to respond to the request for services, and provide a staffing plan if the response is favorable, at least 90 days before the event if the request was received at least 125 days before the event; require the Chief of Police to reconsider denials and staffing plans if so requested; and require the Department after the event to provide to the event organizer and the Entertainment Commission a written report reviewing the use of 10B officers at the event and the costs of the event.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Tang, Cohen

- 22. [160034](#) **[Initiative Ordinance - Administrative Code - Paid Sick Leave Ordinance Amendments]**
Sponsors: Mayor; Breed, Mar, Farrell, Peskin, Tang, Kim, Yee, Wiener, Campos, Cohen and Avalos
Motion ordering submitted to the voters an Ordinance amending the Administrative Code to revise the City's Paid Sick Leave Ordinance (PSLO) to include protections for employees under the PSLO that largely parallel recent State law enactments pertaining to paid sick leave, primarily the Healthy Workplaces, Healthy Families Act of 2014, as amended, at an election to be held on June 7, 2016.
Question: Shall this Motion be APPROVED?

- 23. [151005](#) **[Administrative Code - Extending Single Room Occupancy Task Force]**
Sponsor: Yee
Ordinance amending the Administrative Code to codify the Single Room Occupancy Task Force and extend its sunset date by three years to December 31, 2018.
Question: Shall this Ordinance be PASSED ON FIRST READING?

- 24. [160111](#) **[Confirming Appointment, Port Commission - Eleni Kounalakis]**
Sponsor: Mayor
Motion confirming the mayoral appointment of Eleni Kounalakis to the Port Commission, term ending May 1, 2016.
Question: Shall this Motion be APPROVED?

- 25. [160113](#) **[Appointment, Small Business Commission - William Ortiz-Cartagena]**
Motion reappointing William Ortiz-Cartagena, term ending January 6, 2020, to the Small Business Commission. (Rules Committee)
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

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

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

(Continued from February 9, 2016.)

26. [151269](#) **[Public Hearing - Appeal of Categorical Exemption from Environmental Review - Proposed Commuter Shuttle Permit Program]**
 Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on October 22, 2015, and approved by the San Francisco Municipal Transportation Agency on November 17, 2015, for the proposed Commuter Shuttle Permit Program. (Appellant: Rebecca L. Davis, on behalf of the Coalition for Fair, Legal and Environmental Transit, Sue Vaughan, and Robert Planthold) (Filed December 17, 2015). (Clerk of the Board)

01/26/2016; CONTINUED.

02/09/2016; CONTINUED.

Question: Shall this Hearing be HEARD AND FILED?

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

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

27. [151270](#) [Affirming Categorical Exemption Determination - Proposed Commuter Shuttle Permit Program]

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

01/26/2016; CONTINUED.

02/09/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

28. [151271](#) [Reversing the Categorical Exemption Determination - Proposed Commuter Shuttle Permit Program]

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

01/26/2016; CONTINUED.

02/09/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

29. [151272](#) [Preparation of Findings to Reverse the Categorical Exemption Determination - Proposed Commuter Shuttle Permit Program]

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

01/26/2016; CONTINUED.

02/09/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

(Hearing scheduled pursuant to Resolution No. 416-15 (File No. 151007) approved on November 10, 2015, and Resolution No. 421-15 (File No. 151006) approved on November 17, 2015; Continued from January 26, 2016.)

30. [151120](#) **[Hearing - Infrastructure Financing District No. 2 (Port of San Francisco)]**
Hearing of persons interested in or objecting to a proposed Ordinance (File No. 151119) establishing an Infrastructure Financing District, an Infrastructure Financing Plan, a Tax Administration Agreement, and approving other matters in connection with establishing City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco); a proposed Resolution (File No. 151118) approving a Memorandum of Understanding Relating to Infrastructure Financing District No. 2 (Port of San Francisco), Sub-Project Area G-1 (Pier 70 - Historic Core), and approving other matters in connection therewith; and a proposed Resolution (File No. 151117) approving issuance of bonds in an amount not to exceed \$25,100,000 for City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco), with respect to Sub-Project Area G-1 (Pier 70 - Historic Core), approving an Indenture of Trust and Pledge Agreement, and approving other matters in connection therewith.

01/26/2016; CONTINUED.

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

31. [151119](#) **[Establishing an Infrastructure Financing District and Adopting an Infrastructure Financing Plan (Port of San Francisco)]**
Sponsors: Mayor; Cohen
Ordinance establishing an Infrastructure Financing District (IFD) (including Sub-Project Area G-1 (Pier 70 - Historic Core) and adopting an Infrastructure Financing Plan (IFP) (including Appendix G-1) for City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco); approving a Tax Administration Agreement; affirming the Planning Department's determination under the California Environmental Quality Act; and approving other matters in connection with the IFD and IFP, as defined herein.

(Fiscal Impact)

01/26/2016; CONTINUED.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. [151118](#) [Authorizing Issuance of Bonds - Port Infrastructure Financing District - Pier 70 (Historic Core) - Not to Exceed \$25,100,000]

Sponsors: Mayor; Cohen

Resolution approving issuance of bonds in an amount not to exceed \$25,100,000 for City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco) with respect to Sub-Project Area G-1 (Pier 70 - Historic Core); approving an Indenture of Trust and a Pledge Agreement; and approving other matters in connection with the bonds, as defined herein.

(Fiscal Impact)

01/26/2016; CONTINUED.

Question: Shall this Resolution be ADOPTED?

33. [151117](#) [Authorizing Execution of a Memorandum of Understanding Relating to Infrastructure Financing District No. 2]

Sponsors: Mayor; Cohen

Resolution approving a Memorandum of Understanding (MOU) relating to Sub-Project Area G-1 (Pier 70 - Historic Core) of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco); and approving other matters in connection with the MOU, as defined herein.

(Fiscal Impact)

01/26/2016; CONTINUED.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M. - CALLED FROM COMMITTEE

(Pursuant to Board of Supervisors Rule 3.37)

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to Motion No. M16-15 (File No. 160036) approved on February 9, 2016.)

34. [160137](#) **[Hearing - Charter Amendment - Authorizing Board of Supervisors to Update Inclusionary or Affordable Housing Requirements and Providing Increased Interim Requirements]**

Hearing of persons interested in or objecting to a proposed Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize the Board of Supervisors to update the inclusionary or affordable housing obligations for housing development projects, and setting forth increased interim requirements; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held on June 7, 2016. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

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

35. [151274](#) **[Charter Amendment - Authorizing Board of Supervisors to Update Inclusionary or Affordable Housing Requirements and Providing Increased Interim Requirements]**

Sponsors: Kim; Peskin, Mar, Avalos and Campos

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize the Board of Supervisors to update the inclusionary or affordable housing obligations for housing development projects, and setting forth increased interim requirements; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held on June 7, 2016.

Question: Shall this Charter Amendment be SUBMITTED?

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

Black History Month

36. ROLL CALL FOR INTRODUCTIONS

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

37. PUBLIC COMMENT

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

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

Items 38 and 39

38. [160123](#) **[Urging the University of California, San Francisco to Rehire Fired Impec Group Custodial Workers]**
Sponsors: Breed; Kim, Peskin, Cohen, Wiener and Campos
Resolution urging the Chancellor of the University of California, San Francisco, to rectify serious breaches of workers' rights by hiring the fired Impec Group custodial workers as full-time employees.

02/09/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 39. [160135](#) [Final Map 7993 - 1450 Franklin Street]**
Motion approving Final Map 7993, a 67 residential unit and one commercial unit, mixed-use Condominium Project, located at 1450 Franklin Street, being a subdivision of Assessor's Block No. 0671, Lot No. 006, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

02/04/2016; RECEIVED FROM DEPARTMENT.

02/17/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

40. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

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

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

160128 **[Settlement of Lawsuits - California Department of Health Care Services - City to Receive \$928,763.44]**

Ordinance authorizing settlement of the lawsuits filed by the City and County of San Francisco against the California Department of Health Care Services, et al., for \$928,763.44; the lawsuits were filed on July 24, 2007, and November 3, 2008, in San Francisco Superior Court, Case Nos. CPF-07-507445 and CPF-08-508951; both lawsuits are entitled City and County of San Francisco v. Sandra Shewry, Director of the Department of Health Care Services, State of California, et al.; to compel respondents to approve and pay Short Doyle Medi-Cal claims and implement an appeal procedure for denied claims. (City Attorney)

02/08/2016; RECEIVED FROM DEPARTMENT.

02/23/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

160130 **[Settlement of Lawsuit - Roque and Sonia Ballesteros - \$79,000]**

Ordinance authorizing settlement of the lawsuit filed by Roque and Sonia Ballesteros against the City and County of San Francisco for \$79,000; the lawsuit was filed on December 31, 2015, in San Francisco Superior Court, Case No. CGC 15-549684; entitled Roque Ballesteros, et al. v. City of San Francisco, et al. (City Attorney)

02/12/2016; RECEIVED FROM DEPARTMENT.

02/23/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

- 160131** **[Settlement of Unlitigated Claim - Pacific Gas and Electric Company - \$37,872.50]**
Resolution approving the settlement of the unlitigated claim filed by the Pacific Gas and Electric Company against the City and County of San Francisco for \$37,872.50; claim was filed on August 27, 2015. (City Attorney)

02/12/2016; RECEIVED FROM DEPARTMENT.

02/23/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
- 160132** **[Settlement of Unlitigated Claim - Frank Fong - \$44,992]**
Resolution approving the settlement of the unlitigated claim filed by Frank Fong against the City and County of San Francisco for \$44,992; claim was filed on November 19, 2015. (City Attorney)

02/12/2016; RECEIVED FROM DEPARTMENT.

02/23/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
- 160133** **[First Amended Tolling Agreement - California Department of Fish and Wildlife, Office of Spill Prevention and Response - San Mateo Creek Discharges]**
Resolution approving a First Amended Tolling Agreement to toll the statutes of limitations for the California Department of Fish and Wildlife, Office of Spill Prevention and Response, to bring potential claims against the San Francisco Public Utilities Commission for discharges of chlorinated water into San Mateo Creek. (City Attorney)

02/08/2016; RECEIVED FROM DEPARTMENT.

02/23/2016; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
- 160134** **[Agreement - TEGSCO, LLC, dba San Francisco AutoReturn - Towing and Storage of Abandoned and Illegally-Parked Vehicles - Not to Exceed \$65,400,000]**
Resolution approving the Agreement with TEGSCO, LLC, dba San Francisco AutoReturn, for services related to the towing, storage, and disposal of abandoned and illegally-parked vehicles in an amount not to exceed \$65,400,000 and for a five year term of April 1, 2016, through March 31, 2021, with the option to extend for up to five additional years; and approving a License between the San Francisco Municipal Transportation Agency and AutoReturn for a portion of the premises at 2650 Bayshore Boulevard in Daly City for use as the long-term vehicle storage and auction facility for a term of five years, with the option to extend for five additional years. (Municipal Transportation Agency)

02/12/2016; RECEIVED FROM DEPARTMENT.

02/23/2016; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

160136 [Petitions and Communications]

Petitions and Communications received from February 1, 2016, through February 12, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on February 23, 2016.

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

From Capital Planning Committee, regarding proposed legislation to be considered before the Board of Supervisors: 1) Port of San Francisco Pier 70 Historic Core Infrastructure Financing District; and 2) update to sea level rise guidance. Copy: Each Supervisor. (1)

From Office of Civic Engagement & Immigrant Affairs, submitting the 2015 Language Access Ordinance Summary Compliance Report. Copy: Each Supervisor. (2)

From Department of Public Health, submitting quarterly report which details Laguna Honda Hospital and Rehabilitation Center statistics regarding admissions, age, ethnicity, and referral information. Copy: Each Supervisor. (3)

From Municipal Transportation Agency, submitting quarterly report regarding the 2014 Transportation and Road Improvement General Obligation Bond. Copy: Each Supervisor. (4)

From Treasurer & Tax Collector, submitting monthly pooled investment report for January 2016. Copy: Each Supervisor. (5)

From Shelter Monitoring Committee, regarding Human Services Agency's Imminent Danger Policy regarding victims of domestic violence. Copy: Each Supervisor. (6)

From Community Challenge Grant Program, regarding opening of Spring 2016 Grant Cycle. Copy: Each Supervisor. (7)

From San Francisco Civil Grand Jury, submitting Investigative Report for 2014-2015. Copy: Each Supervisor. (8)

From Police Officers Association, regarding Department of Justice review. Copy: Each Supervisor. (9)

From Bay Area Rapid Transit, submitting BART System Renewal Draft Program Plan. Copy: Each Supervisor. (10)

From American Lung Association, regarding State of Tobacco Control Report. Copy: Each Supervisor. (11)

From Blue Shield of California, regarding a reduction in force. Copy: Each Supervisor. (12)

From Sonoma County Juvenile Justice Commission, regarding the care and treatment for children and adolescents. Copy: Each Supervisor. (13)

From California Public Utilities Commission, regarding notification of filings for various Verizon Wireless facilities. Copy: Each Supervisor. (14)

From Zacks & Freedman, regarding removal of residential units. File No. 150494. Copy: Each Supervisor. (15)

From concerned citizens, regarding proposed legislation for an annual baseline appropriation for Park, Recreation, and Open Space Committee. 2 letters. File No. 150940. Copy: Each Supervisor. (16)

From concerned citizens, regarding proposed legislation for the Affordable Housing Bonus Program. 2 letters. File No. 150969. Copy Each Supervisor. (17)

From concerned citizens, regarding the Commuter Shuttle Program. 15 letters. File Nos. 151269-151272. Copy: Each Supervisor. (18)

From Alvin Ja, regarding overall process for Balboa Reservoir project. Copy: Each Supervisor. (19)

From concerned citizens, regarding Open Source Voting System project. File No. 160127. (20)

From concerned citizens, regarding issues with Super Bowl 50. 3 letters. File No. 160054. Copy: Each Supervisor. (21)

From Mike Freeman, regarding gentrification. Copy: Each Supervisor. (22)

From concerned citizens, regarding joint hearing on Transportation Network Companies. 2 letters. Copy: Each Supervisor. (23)

From concerned citizens, submitting signatures for petition entitled, 'San Francisco Needs a Better Plan.' 379 signatures. Copy: Each Supervisor. (24)

From concerned citizen, regarding Sanctuary Cities. Copy: Each Supervisor. (25)

From Terrance Alan, regarding proposed legislation seeking additional Police Department personnel. File No. 151228. Copy: Each Supervisor. (26)

ADJOURNMENT