



# 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, April 19, 2016 - 2:00 PM

## Regular Meeting

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

Angela Calvillo, Clerk of the Board

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

## BOARD COMMITTEES

### Committee Membership

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

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

**Government Audit and Oversight Committee**  
Supervisors Peskin, Yee, Breed

**Land Use and Transportation Committee**  
Supervisors Cohen, Wiener, Peskin

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

**Rules Committee**  
Supervisors Tang, Mar, Cohen

### Meeting Days

Wednesday  
1:00 PM

Wednesday  
10:00 AM

1st and 3rd Thursday  
9:30 AM

Monday  
1:30 PM

2nd Thursday  
2:30 PM

2nd and 4th Thursday  
11:00 AM

## Agenda Item Information

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

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

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

## Meeting Procedures

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

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

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

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

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

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

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

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

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

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

### **Disability Access**

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

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

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

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

### **Know Your Rights Under The Sunshine Ordinance**

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

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

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

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

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

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

## **COMMUNICATIONS**

## **APPROVAL OF MEETING MINUTES**

*Approval of the March 15, 2016, Board Meeting Minutes and the March 16, 2016, Budget and Finance Committee Meeting Minutes.*

## **AGENDA CHANGES**

*(Rescheduled from the April 12, 2016, Board of Supervisors Meeting.)*

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

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

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

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

## CONSENT AGENDA

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

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

### Items 1 through 15

#### Recommendation of the Budget and Finance Committee

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

1. [160151](#) **[Public Employment - Annual Salary Ordinance Amendment - Office of Small Business in the Mayor’s Office of Economic and Workforce Development - FYs 2015-2016 and 2016-2017]**

**Sponsors: Campos; Peskin**

Ordinance amending Ordinance No. 129-15 (Annual Salary Ordinance - FYs 2015-2016 and 2016-2017) to reflect the addition of one (1) 9774 Sr. Community Development Specialist for the equivalent of seven full pay periods before the end of FY2015-2016 in the Office of Small Business in the Mayor’s Office of Economic and Workforce Development (ECN) to administer the Legacy Business Registry and Historic Preservation Fund.

(Fiscal Impact)

04/12/2016; PASSED, ON FIRST READING.

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

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

*Present: Supervisors Farrell, Tang, Yee*

2. [151080](#) **[Administrative Code - Establishing Mayor’s Nuisance Abatement Revolving Loan Fund]**

**Sponsors: Wiener; Cohen**

Ordinance amending the Administrative Code to establish the Mayor’s Nuisance Abatement Revolving Loan Fund to help building owners finance repairs and improvements needed to abate violations of Building Inspection Commission Codes.

04/12/2016; PASSED, ON FIRST READING.

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

3. [151225](#) **[Taxable and/or Tax Exempt Certificates of Participation - Affordable Housing Projects - Not to Exceed \$95,000,000]**

**Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Certificates of Participation in an aggregate principal amount not to exceed \$95,000,000 to provide funds to assist in the development, acquisition, construction or rehabilitation of affordable rental housing projects; approving the form of a Supplemental Trust Agreement between the City and County of San Francisco and the Trustee named therein (including certain indemnities contained therein); approving the form of a Supplemental Property Lease between the City, as lessor, and the Trustee, as lessee; approving the form of a Supplemental Project Lease between the Trustee, as lessor, and the City, as lessee; approving the form of an Official Notice of Sale and Notice of Intention to Sell for the Certificates of Participation, if sold by competitive sale; authorizing certain actions relating to the Certificates of Participation, if sold by negotiated sale, including approving the form of a Purchase Contract between the City and the underwriter(s) selected in accordance City policies; approving the form of an official statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith.

(Fiscal Impact)

04/12/2016; PASSED, ON FIRST READING.

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

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

*Present: Supervisors Peskin, Yee, Breed*

4. [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)

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

5. [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)

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

6. [160241](#) **[Settlement of Lawsuit - Kuiana Taylor - \$49,999]**  
Ordinance authorizing settlement of the lawsuit filed by Kuiana Taylor against the City and County of San Francisco for \$49,999; the lawsuit was filed on August 6, 2014, in United States District Court for the Northern District of California, Case No. 14-cv-03555 CRB; entitled Kuiana Taylor v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
7. [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)  
**Question: Shall this Resolution be ADOPTED?**
8. [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)  
**Question: Shall this Resolution be ADOPTED?**
9. [160191](#) **[Settlement of Unlitigated Claim - Robert Monte - \$145,000]**  
Resolution approving the settlement of the unlitigated claim filed by Robert Monte against the City and County of San Francisco for \$145,000; claim was filed on June 12, 2015; the claim involves an alleged injury on a City sidewalk. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**
10. [160192](#) **[Settlement of Unlitigated Claim - Diane Alcala - \$225,000]**  
Resolution approving the settlement of the unlitigated claim filed by Diane Alcala against the City and County of San Francisco for \$225,000; claim was filed on February 4, 2010; the claim involves an employment dispute. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**
11. [160245](#) **[Settlement of Unlitigated Claim - Big Heart Pet Brands - \$110,682.83]**  
Resolution approving the settlement of the unlitigated claim filed by Big Heart Pet Brands against the City and County of San Francisco for \$110,682.83; claim was filed on November 19, 2015; the claim involves a payroll expense tax refund. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**
12. [160246](#) **[Settlement of Unlitigated Claim - FMC Corporation - City to Receive \$425,000]**  
Resolution approving settlement of the unlitigated claim filed by the City and County of San Francisco against FMC Corporation for \$425,000; the claim involves compensation for environmental contamination caused by FMC Corporation. (City Attorney)  
**Question: Shall this Resolution be ADOPTED?**



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

*Present: Supervisors Cohen, Wiener, Peskin*

13. [151081](#) **[Building Code - Permit Suspension for Repeat Violations]**  
**Sponsors: Wiener; Cohen and Tang**  
Ordinance amending the Building Code to authorize the Director of the Department of Building Inspection to stop all work on a construction project whenever there are repeated violations of City codes on the project; and affirming the Planning Department's determination under the California Environmental Quality Act.  
  
04/12/2016; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
14. [151085](#) **[Various Codes - Code Enforcement Procedures]**  
**Sponsors: Wiener; Cohen**  
Ordinance amending the Building, Housing, Electrical, Plumbing, Fire, Health, Planning, and Administrative Codes to clarify and standardize enforcement procedures for violations of Municipal Codes relating to buildings and property, to require departments to report on code enforcement activities, and to direct the City Administrator to coordinate the preparation of standard Citywide model forms for code enforcement proceedings; setting an operative date of June 1, 2016; 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.  
  
04/12/2016; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
15. [160155](#) **[Public Works Code - Stormwater Management Requirements]**  
**Sponsor: Wiener**  
Ordinance amending the Public Works Code to incorporate changes to ensure consistency and compliance with California's municipal stormwater permit requirements; to revise application of the requirements from projects disturbing 5,000 square feet of ground surface area to projects that include construction or remodeling of 5,000 square feet of impervious surface area; and affirming the Planning Department's determination under the California Environmental Quality Act.  
  
04/12/2016; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**



## REGULAR AGENDA

### UNFINISHED BUSINESS

#### From the Board

16. [160150](#) **[Redevelopment Plan Amendment - Transbay Redevelopment Project Area - Zone One]**  
**Sponsors: Mayor; Kim**  
Ordinance approving an amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area, to increase the maximum height limit from 300 feet to 400 feet on Block 1 (Assessor's Block No. 3740, Lot Nos. 027, 029, 030, 031, and 032) within Zone One of the Transbay Redevelopment Project Area; and making environmental findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/12/2016; CONTINUED.

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

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

*Present: Supervisors Cohen, Wiener, Peskin*

17. [160188](#) **[General Plan Amendment - Downtown Area Plan Map 5 - Portions of Transbay Redevelopment Plan Blocks 1 and 2]**  
Ordinance amending the General Plan by revising Map 5 of the Downtown Area Plan to include a note stating that the proposed Height and Bulk Districts on Block 1 (Assessor's Parcel Block No. 3740, Lot Nos. 027, 029, 030, 031, and 032), on Folsom Street between Main and Spear Streets, and a portion of Block 2 (Assessor's Parcel Block No. 3739, Lot No. 004), on Folsom and Main Streets, of the Transbay Redevelopment Project Area shall be consistent with those provided in the Transbay Redevelopment Plan Development Controls; and making findings, including findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

04/12/2016; PASSED, ON FIRST READING.

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

18. [160253](#) **[Health Code - Exempting The Humidor from Certain Provisions of the Tobacco Sales Permit Ordinance]**

**Sponsor: Peskin**

Ordinance exempting The Humidor, formerly located at 275 Battery Street, from two prohibitions in the Tobacco Sales Permit Ordinance on the issuance of such a permit for The Humidor's new location at One Embarcadero Center: the prohibitions on issuing the permit in a Supervisorial District with 45 or more such permits, and on issuing the permit to a tobacco shop.

04/12/2016; PASSED, ON FIRST READING.

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

## NEW BUSINESS

### Recommendation of the Budget and Finance Committee

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

19. [160152](#) **[Appropriation - Office of Small Business in the Mayor's Office of Economic and Workforce Development - \$306,250 from the General Reserve - FY2015-2016]**

**Sponsors: Campos; Peskin**

Ordinance appropriating \$343,359 from the General Reserve for grants and related administrative costs for the Legacy Business Registry and Historic Preservation Fund in the Office of Small Business in the Mayor's Office of Economic and Workforce Development in FY2015-2016.

(Fiscal Impact)

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

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

*Present: Supervisors Farrell, Tang, Yee*

20. [141118](#) **[Building Code - Building Façade Inspection and Maintenance and Establishing Fee]**  
**Sponsors: Mayor; Farrell, Mar, Tang, Wiener, Breed and Yee**  
Ordinance amending the Building Code to require that 1) the façades of certain buildings having five or more stories be inspected periodically by a licensed architect or engineer; 2) inspection reports be submitted to the owner and the Department of Building Inspection according to an inspection and reporting schedule; 3) maintenance of the façades be conducted in accordance with an Administrative Bulletin that is based on a national standard; 4) establishing a fee to compensate the Department for review and related evaluation processing; 5) making findings, including environmental findings, and findings under the California Health and Safety Code; and 6) directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
21. [160145](#) **[Airport Lease and Use Agreement Modification - Early Termination - US Airways, Inc.]**  
Resolution approving Modification No. 1 to the 2011 Lease and Use Agreement L10-0276, granting the early termination of the Lease between US Airways, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
22. [160146](#) **[2011 Lease and Use Agreement - Qantas Airways, Limited - Estimated Rent of \$749,411.49]**  
Resolution approving the terms of 2011 Lease and Use Agreement No. L15-0275 between Qantas Airways, Limited, and the City and County of San Francisco, acting by and through its Airport Commission, with an estimated rent of \$749,411.49 for Exclusive Use Space plus, Joint-Use Space Rental and Landing Fees, for the lease term to commence following Board approval through June 30, 2021. (Airport Commission)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

23. [160216](#) **[Emergency Contract - Pilot Construction Management, Inc. - Superbay Hangar Emergency Fire Watch and Interim Foam Fire Suppression System Retrofit - Not to Exceed \$4,366,164]**  
Resolution approving an emergency public work contract between the Airport Commission and Pilot Construction Management, Inc. under Administrative Code, Section 6.60, for the Superbay Hangar Emergency Fire Watch and Interim Foam Fire Suppression System Retrofit Project in an amount not to exceed \$4,366,164. (Airport Commission)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
24. [160256](#) **[Accept Gift - Cisco, Inc. - Wi-Fi Equipment - \$353,925]**  
**Sponsor: Mayor**  
Resolution retroactively authorizing the Department of Technology to accept a gift of equipment from Cisco, Inc., with a total value of \$353,925 in order to provide free, wireless access to the Internet in San Francisco.
- Question: Shall this Resolution be ADOPTED?**
25. [160323](#) **[Accept and Expend Gift - Envisions Solar International - Solar Powered Electric Vehicle Chargers - \$139,650]**  
**Sponsor: Farrell**  
Resolution authorizing the San Francisco Department of the Environment to accept a gift from Envisions Solar International of three solar-powered electric vehicle chargers with a value of \$139,650. (Environment)
- Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Peskin, Yee*

26. [160203](#) **[Fisherman's Wharf and Fisherman's Wharf Portside Community Benefit Districts - Annual Report to the City - FY2014-2015]**  
**Sponsor: Peskin**  
Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside 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 Districts' Management Agreements with the City, Section 3.4.
- Question: Shall this Resolution be ADOPTED?**

27. [160287](#) **[Ocean Avenue Community Benefit District - Annual Report to the City - FY2014-2015]**  
**Sponsor: Yee**  
Resolution receiving and approving an annual report for the Ocean Avenue 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?**

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

*Present: Supervisors Cohen, Wiener, Peskin*

28. [140886](#) **[Jerry Garcia Commemorative Plaques - Mission Street at Harrington and Amazon Streets]**  
**Sponsors: Avalos; Cohen**  
Ordinance commemorating the Mission Street sidewalk in two locations near Harrington Street and near Amazon Street under Public Works Code, Sections 789 et seq., the Commemorative Street Plaque Ordinance, in honor of the childhood homes of Jerry Garcia, waiving permit and inspection fees for plaque installation, and directing official acts in furtherance of this Ordinance.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
29. [160154](#) **[Green Building, Environment Codes - Better Roof Requirements for Renewable Energy Facilities]**  
**Sponsor: Wiener**  
Ordinance amending the Green Building Code and the Environment Code to establish requirements for certain new building construction facilitating development of renewable energy facilities; updating provisions of the Green Building requirements for City buildings; setting an operative date of January 1, 2017; providing findings as to local conditions pursuant to the California Health and Safety Code; directing the Clerk of the Board of Supervisors to transmit the ordinance to appropriate State officials; and affirming the Planning Department's determination under the California Environmental Quality Act.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

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

*Present: Supervisors Avalos, Campos*

30. [160022](#) **[Administrative Code - Due Process for All and Sanctuary]**  
**Sponsors: Avalos; Campos, Kim, Mar and Peskin**  
Ordinance amending the Administrative Code to prohibit the use of City funds or resources to assist in the enforcement of Federal immigration law, except for individuals who have been convicted of a violent felony and held to answer for a violent felony.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

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

### COMMITTEE REPORTS

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

*The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, April 14, 2016, at 11:00 a.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, April 19, 2016.*

31. [160304](#) **[Confirming Appointment, Police Commission - Suzy Loftus]**  
**Sponsor: Mayor**  
Motion confirming the Mayor's nomination, and appointing Suzy Loftus to the Police Commission for a four-year term ending April 30, 2020.
- (Charter, Section 4.109, 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: April 1, 2016)
- Question: Shall this Motion be APPROVED?**
32. [160305](#) **[Confirming Appointment, Police Commission - Thomas Mazzucco]**  
**Sponsor: Mayor**  
Motion confirming the Mayor's nomination, and appointing Thomas Mazzucco to the Police Commission for a four-year term ending April 30, 2020.
- (Charter, Section 4.109, 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: April 1, 2016)
- Question: Shall this Motion be APPROVED?**
33. **ROLL CALL FOR INTRODUCTIONS**
- Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.*

### 34. PUBLIC COMMENT

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

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

### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

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

### Items 35 through 45

35. [160258](#) **[Supporting California State Senate Bill 1286 (Leno) - Increasing Law Enforcement Transparency]**  
**Sponsors: Cohen; Breed, Kim, Avalos, Peskin, Mar, Yee and Campos**  
 Resolution supporting California State Senate Bill 1286, authored by Senator Mark Leno, improving government transparency and accountability by allowing the public to access information on police misconduct and use of force.
- 03/15/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 03/22/2016; CONTINUED.
- 04/12/2016; CONTINUED.
- Question: Shall this Resolution be ADOPTED?**
36. [160372](#) **[Urging the California Attorney General to Investigate the Racist Text Messages and Practices of the San Francisco Police Department]**  
**Sponsors: Cohen; Kim and Yee**  
 Resolution urging California Attorney General Kamala Harris initiate a civil-rights investigation, pursuant to California Civil Code, Section 52.3, into the San Francisco Police Department's racist text messages and practices.
- 04/12/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**



37. [160373](#) **[Asian Pacific American Heritage Month, Day of Commendation - First Tuesday of May]**  
**Sponsors: Mar; Kim, Tang and Yee**  
Resolution declaring the first Tuesday of May each year as the Board of Supervisors' commendation date in celebration of Asian Pacific American Heritage Month, and in recognition of outstanding Asian Pacific Americans in each of the eleven Districts in the City and County of San Francisco.
- 04/12/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
38. [160374](#) **[Commending the Golden State Warriors for a Historic and Record-Breaking Season]**  
**Sponsors: Tang; Farrell and Kim**  
Resolution commending the Golden State Warriors for tying the record for most victories in a season with 72 wins during the 2015-2016 National Basketball Association season and wishing the team the best of luck in the postseason.
- 04/12/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
39. [160375](#) **[Urging the Department of Human Resources to Analyze and Implement Strategies to Reduce Implicit Bias in Recruitment for Employment]**  
**Sponsors: Tang; Kim, Cohen, Farrell and Yee**  
Resolution urging the Department of Human Resources (DHR) to analyze strategies and create a plan to reduce implicit bias in the hiring process for City and County of San Francisco employment, and further urging DHR to report its findings and plan to the Board of Supervisors by June 2016.
- 04/12/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
40. [160349](#) **[Committee of the Whole - Report of Assessment Costs for Blighted Properties]**  
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 17, 2016, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)
- 04/12/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

41. [160352](#) **[Final Map 7724 - 340 Fremont Street]**  
Motion approving Final Map 7724, a 348 residential unit condominium project, located at 340 Fremont Street, being a subdivision of Assessor's Parcel Block No. 3748, Lot Nos. 006, 007, 008, 009, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

04/08/2016; RECEIVED FROM DEPARTMENT.

04/13/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

42. [160353](#) **[Final Map 8008 - 1440-1450 Filbert Street]**  
Motion approving Final Map 8008, a six residential unit Condominium Project, located at 1440-1450 Filbert Street, being a subdivision of Assessor's Parcel Block No. 0523, Lot No. 043, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

04/08/2016; RECEIVED FROM DEPARTMENT.

04/13/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

43. [160354](#) **[Final Map 8285 - 399 Fremont Street]**  
Motion approving Final Map 8285, a 447 residential unit and one commercial unit mixed-use condominium project, located at 399 Fremont Street, being a subdivision of Assessor's Parcel Block No. 3747, Lot No. 320, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

04/08/2016; RECEIVED FROM DEPARTMENT.

04/13/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

44. [160355](#) **[Final Map 8339 - 158 Laidley Street]**  
Motion approving Final Map 8339, a five residential unit condominium project, located at 158 Laidley Street, being a subdivision of Assessor's Parcel Block No. 6665, Lot No. 056, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

04/08/2016; RECEIVED FROM DEPARTMENT.

04/13/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**45. [160376](#) [Committee of the Whole - Joint Meeting with the San Francisco Youth Commission - Charter Amendment (File No. 150267) - Sixteen and Seventeen-Year-Old Voting for Municipal Elections - May 3, 2016]**

**Sponsor: Avalos**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 3, 2016, at 5:00 p.m., in a joint meeting with the San Francisco Youth Commission, to hold a public hearing to consider the proposed Charter Amendment (File No. 150267) authorizing sixteen and seventeen-year-olds to vote in municipal elections, to be proposed to the voters at the November 8, 2016, election.

04/12/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**46. IMPERATIVE AGENDA**

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

*[Serious Injury Finding]*

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

*[Purely Commendatory Finding]*

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

*[Brown Act Finding]*

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

**LEGISLATION INTRODUCED AT ROLL CALL**

**Introduced by a Supervisor or the Mayor**

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](http://www.sfbos.org/legislation_introduced).

**Introduced at the Request of a Department**

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

**PROPOSED ORDINANCES****160346 [Planning Code - Mid-Block Alley and Rooftop Screening and Enclosure Controls]**

Ordinance amending the Planning Code to allow for greater flexibility in the screening and enclosure of rooftop mechanical equipment, modify mid-block alley controls and their applicability to the South of Market Neighborhood Commercial Transit District, Folsom Street Neighborhood Commercial Transit District, Regional Commercial District and C-3 (Downtown Commercial) District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302. (Planning Commission)

04/07/2016; RECEIVED FROM DEPARTMENT.

04/19/2016; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**160347 [General Plan Amendment - Affordable Housing Bonus Programs]**

Ordinance amending the General Plan to make conforming changes in association with legislation creating the Affordable Housing Bonus Program by amending the Housing Element, Urban Design Element, Van Ness Avenue Area Plan, Chinatown Area Plan, Downtown Area Plan, and Northeastern Waterfront Area Plan; making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act. (Planning Commission)

04/08/2016; RECEIVED FROM DEPARTMENT.

04/19/2016; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

## PROPOSED RESOLUTIONS

**160348 [Real Property Sale - Easement to JWG McHenry, LLC, and City of Modesto - Portion of San Francisco Public Utilities Commission Parcel 656, Modesto, Stanislaus County - \$35,000]**

Resolution approving and authorizing the conveyance of one permanent easement to the City of Modesto, for \$35,000 to be paid by JWG McHenry, LLC, a California limited liability company, to allow JWG McHenry, LLC, to widen a portion of McHenry Avenue, including installing street, curb, gutter, driveway, and sidewalk improvements within an approximately 3,627 square foot portion of property owned by the City under the jurisdiction of the San Francisco Public Utilities Commission, identified as SFPUC Parcel 656; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31; adopting findings under Administrative Code, Section 23.3, that offering the easement for sale through competitive bidding would be impractical; 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. (Real Estate Department)

04/05/2016; RECEIVED FROM DEPARTMENT.

04/19/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

**160351 [Report of Assessment Costs for Blighted Properties]**

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

04/11/2016; RECEIVED FROM DEPARTMENT.

04/19/2016; RECEIVED AND ASSIGNED to the Board of Supervisors.

**160345 [Petitions and Communications]**

Petitions and Communications received from April 4, 2016, through April 11, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 19, 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 action items to be considered by the Board of Supervisors. Copy: Each Supervisor. (1)

From Mayor Lee, designating Supervisor Farrell as Acting-Mayor from Friday, April 8, 2016 to Thursday, April 14, 2016. Copy: Each Supervisor. (2)

From Planning Department, regarding Housing Balance Report No. 3. File No. 160321. (3)

From Planning Department, submitting response to Board of Supervisors Inquiry regarding residential hotels conditional use authorizations. (4)

From Recreation and Parks Department, submitting FY2014-15 report detailing admissions, revenue and expense for the San Francisco Botanical Garden. (5)

From San Francisco Municipal Transportation Agency, submitting Administrative Code Chapters 12B and 14B Waiver Request Form. Copy: Each Supervisor. (6)

From Fish and Game Commission, regarding fishing activity records and CPFV logbooks. Copy: Each Supervisor. (7)

From Fish and Game Commission, regarding regulatory action relative to Section 665, Title 14 of the California Code of Regulations. Copy: Each Supervisor. (8)

From Fish and Game Commission, regarding mammal regulations for the 2016-2017 seasons. Copy: Each Supervisor. (9)

From West Area California Public Utilities Commission, regarding notification of filings for various Verizon Small Cell facilities. Copy: Each Supervisor. (10)

From concerned citizens, regarding Jerry Garcia plaques. 3 letters. File No. 140886. Copy: Each Supervisor. (11)

From concerned citizens, regarding coyotes. 2 letters. File No. 151246. Copy: Each Supervisor. (12)

From Juvenile Probation Department, regarding proposed legislation for Due Process for All and Sanctuary. File No. 160022. Copy: Each Supervisor. (13)

From concerned citizens, regarding proposed legislation for Paid Parental Leave. 3 letters. File No. 160065. Copy: Each Supervisor. (14)

From Geoffrey Norman, regarding proposed formula retail ban on Polk Street. File No. 160102. Copy: Each Supervisor. (15)

From concerned citizens, regarding items from the San Francisco Municipal Transportation Agency Board of Directors meeting on April, 5, 2016. 2 letters. File Nos. 160147 and 160189. Copy: Each Supervisor. (16)

From Ben Matranga, regarding proposed legislation for declaring a shelter state of emergency. File No. 160223. Copy: Each Supervisor. (17)

From Tom DeBono, regarding Sanctuary City status. Copy: Each Supervisor. (18)

From Dennis Hong, regarding the Transit District project. Copy: Each Supervisor. (19)

From John Fitch, regarding firearms. Copy: Each Supervisor. (20)

From Martin MacKerel, regarding Open Source Voting. Copy: Each Supervisor. (21)

From Patrick Gavin, regarding application for liquor license at 3499 Mission St. File No. 160344. (22)

From Moscone, Emblidge & Otis LLP, regarding 160 Folsom Street height increase. File No. 160215. Copy: Each Supervisor. (23)

From Jim Keller, regarding Muni fare. Copy: Each Supervisors. (24)

## **ADJOURNMENT**