BOARD OF SUPERVISORS

COUN

CITY AND COUNTY OF SAN FRANCISCO



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

Tuesday, May 3, 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, 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

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

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 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. 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

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

AGENDA CHANGES

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 10

Recommendation of the Budget and Finance Sub-Committee

Present: Supervisors Farrell, Tang, Yee

1. <u>151279</u> [Administrative Code - Sanctions for Non-Willful Violations of County Adult Assistance Programs Rules, and Creating Rental Assistance Pilot Project] Sponsor: Farrell

Ordinance amending the Administrative Code to codify the process for imposing sanctions for non-willful failures to comply with County Adult Assistance Programs (CAAP) program requirements and establish a three-year rental assistance pilot project for CAAP participants who have been sanctioned as a result of non-willful failures to comply with program requirements.

04/26/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Yee, Breed

2. <u>160242</u> [Settlement of Lawsuit - Lisa Owen - \$2,250,000]

Ordinance authorizing settlement of the lawsuit filed by Lisa Owen against the City and County of San Francisco for \$2,250,000; the lawsuit was filed on July 8, 2014, in San Francisco Superior Court, Case No. CGC-14-540434; entitled Lisa Owen v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing personal injury. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

3. <u>160243</u> [Settlement of Lawsuit - Ying Zhang and Chen Li - \$175,000]

Ordinance authorizing settlement of the lawsuit filed by Ying Zhang and Chen Li against the City and County of San Francisco for \$175,000; the lawsuit was filed on January 21, 2014, in San Francisco Superior Court, Case No. CGC-14-536903 (consolidated with CGC-13-536533); entitled Ying Zhang, et al. v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing personal injury; other materials terms of said settlement are that the Municipal Transportation Agency is to also pay \$175,000, subject to approval by the Municipal Transportation Agency Board. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 160244 [Settlement of Lawsuit - Kai Yuan and Jian Ping Yuan - \$175,000]

Ordinance authorizing settlement of the lawsuit filed by Kai Yuan and Jian Ping Yuan against the City and County of San Francisco for \$175,000; the lawsuit was filed on December 31, 2013, in San Francisco Superior Court, Case No. CGC-13-536533 (consolidated with CGC-14-536903); entitled Kai Yuan, et al. v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing death; other material terms of said settlement are that the Municipal Transportation Agency is to also pay \$175,000, subject to approval by the Municipal Transportation Agency Board, and co-defendant Gina Eunice to pay \$50,000 (insurance coverage limits). (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. <u>160306</u> [Settlement of Unlitigated Claim - Asiana Airlines - City to Receive \$3,450,000]

Ordinance authorizing settlement of an unlitigated claim by the City and County of San Francisco against Asiana Airlines for a payment of \$3,450,000 by Asiana Airlines to the City, appropriating funds from the settlement to the City Attorney's Office to pay the City's attorneys' fees and legal expenses, and allocating funds from the settlement to the Airport to pay the Airport's costs; other material terms of the settlement include payment by Asiana Airlines to the City's aviation insurer, the City's acceptance of the site cleanup performed by contractors to Asiana Airlines and approved by the San Francisco Bay Regional Water Quality Control Board, the City's agreement not to originate a lawsuit against the aircraft manufacturer, and mutual release of claims arising out of the July 6, 2013 crash of Asiana Airlines Flight 214; the City made its claim on July 16, 2013. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 160307 [Settlement of Lawsuit - Fernando Guanill - \$150,000]

Ordinance authorizing settlement of the lawsuit filed by Fernando Guanill against the City and County of San Francisco for \$150,000; the lawsuit was filed on October 14, 2015, in the United States District Court for the Northern District of California, Case No. 15-cv-04745 LB; entitled Fernando Guanill v. Michael Robert Lewelling, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Yee

7. <u>160308</u> [Settlement of Lawsuit - J.C.R., a Minor, By and Through His Guardian Ad Litem, Guillerma Bojorquez - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by J.C.R., a minor, by and through his guardian ad litem, Guillerma Bojorquez, against the City and County of San Francisco for \$50,000; the lawsuit was filed on August 28, 2014, in the United States District Court for the Northern District of California, Case No. 3: 14-cv-3918 NC; entitled J.C.R., a minor, by and through his guardian ad litem, Guillerma Bojorquez v. The City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Yee, Breed

8. <u>160309</u> [Settlement of Lawsuit - Fireman's Fund Insurance Company - \$125,000] Ordinance authorizing settlement of the lawsuit filed by Fireman's Fund Insurance Company against the City and County of San Francisco for \$125,000; the lawsuit was filed on July 17, 2014, in San Francisco Superior Court, Case No. CGC-14-540616; entitled Fireman's Fund Insurance Company vs. Alliance of Event Planners and Vendors, Inc., et al.; the lawsuit involves an insurance dispute. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. <u>160316</u> [Settlement of Unlitigated Claim - 700 Cabrillo Street HOA - \$35,000] Resolution approving the settlement of the unlitigated claim filed by the 700 Cabrillo Street HOA against the City and County of San Francisco for \$35,000; the claim was filed on October 8, 2015; the claim involves alleged property damage arising from a sewage flood. (City Attorney)

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Cohen, Wiener, Peskin

10. <u>160253</u> [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 four 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 for a location within 500 feet of another permitted establishment, issuing the permit in a Supervisorial District with 45 or more such permits, issuing the permit for a location not previously occupied by a permitted establishment, and issuing the permit to a tobacco shop.

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

04/19/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

04/19/2016; RE-REFERRED AS AMENDED to the Land Use and Transportation Committee.

04/26/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Cohen, Wiener, Peskin

11. <u>160104</u> [Police Code - Entertainment Commission Permit Procedures] Sponsors: Wiener; Breed and Farrell

Ordinance amending the Police Code to authorize the Director of the Entertainment Commission to waive the filing fee for Loudspeaker Permits based on certain criteria and authorize the Director of the Entertainment Commission to extend the nine-month deadline for conditional grants of Place of Entertainment and Limited Live Performance Permits.

04/26/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

04/26/2016; DUPLICATED AS AMENDED.

04/26/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

04/26/2016; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

12. <u>160255</u> [Planning, Administrative Codes - Inclusionary Affordable Housing Fee and Requirements; Preparation of Economic Feasibility Report; Establishing Inclusionary Housing Technical Advisory Committee] Sponsors: Kim; Peskin, Yee and Mar

Ordinance amending the Planning and Administrative Codes to increase the Inclusionary Affordable Housing fee and other requirements; require the Controller to prepare an economic feasibility report regarding the City's inclusionary housing requirements and make recommendations by July 31, 2016, and every three years thereafter; and establish the Inclusionary Housing Technical Advisory Committee to provide advice about the economic feasibility of proposals to set maximum economically viable inclusionary housing requirements, and set forth the membership and duties of the Advisory Committee; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public convenience, necessity, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/26/2016; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

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

13. <u>160357</u> [Appropriation - Proceeds from Short-Term Certificates of Participation -Transbay Transit Center Project - \$260,000,000 - FY2015-2016] Sponsors: Mayor; Kim, Wiener and Campos Ordinance appropriating \$260,000,000 of proceeds from short-term certificates of

participation to general City responsibility for interim financing related to the Transbay Transit Center Project in FY2015-2016.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. <u>160363</u> [Annexation of Property to City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)] Sponsors: Mayor; Kim, Wiener and Campos

Resolution determining that certain property in the future annexation area, namely Assessor's Parcel Block No. 3721, Lot No. 019, Block No. 3721, Lot No. 020, and Block No. 3721, Lot No. 029, is Annexed to the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center).

15. <u>160364</u> [Certificates of Participation - Interim Financing for Phase 1 of the Transbay Transit Center Project - Not to Exceed \$260,000,000] Sponsors: Mayor; Kim, Wiener and Campos

Resolution approving and authorizing the execution and delivery of Tax Exempt and/or Taxable Lease Revenue Commercial Paper Certificates of Participation and Tax Exempt and/or Taxable Direct Placement Revolving Certificates of Participation in a combined aggregate principal of amount not to exceed \$260,000,000 to provide interim financing for Phase 1 of the Transbay Transit Center Project; approving and authorizing execution of one or more trust agreements, site leases, subleases, a leaseback, one or more letters of credit and reimbursement agreements and/or lines of credit, and one or more certificate purchase agreements and related documents; and Declaring the Official Intent of the City to reimburse itself from proceeds of Tax-Exempt Obligations in accordance with the Internal Revenue Code of 1986, as amended; and making certain public benefit findings for the Transbay Transit Center Project under California Government Code, Section 6586.5.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Farrell, Tang, Yee

16. <u>160101</u> [Business and Tax Regulations Code - Parking Tax Exemption for Certain Parking Events on School District Property] Sponsor: Mar

Ordinance amending the Business and Tax Regulations Code to exempt, from the parking tax and certain other requirements, a limited number of special parking events operated by volunteer-led non-profit organizations on School District property for the benefit of San Francisco public schools and earning less than \$10,000 per event from rent; establishing Special School Parking Event Permits issued by the Tax Collector; and establishing a sunset date.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. <u>160207</u> [Administrative Code - Local Business Enterprise Bid Discounts] Ordinance amending the Administrative Code to allow the San Francisco Public Utilities Commission (SFPUC) Local Business Enterprises to receive Bid Discounts on eligible SFPUC Regional Project contracts, with certain restrictions. (Public Utilities Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. <u>160285</u> [Ground Lease - Mercy Housing California 64, LP - 255 Fremont Street / 222 Beale Street - Transbay Block 7 Housing - \$15,000 per Year] Sponsor: Kim

Resolution approving and authorizing the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to execute a ground lease at 255 Fremont Street / 222 Beale Street, with Mercy Housing California 64, LP, a California limited partnership, for \$15,000 per year for a term of 75 years for the purpose of developing housing for very low and low-income households at Transbay Block 7.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

19. <u>160302</u> [Contract Approval - Univar USA, Inc. - Purchase of Sodium Hypochlorite -Estimated Not to Exceed \$24,000,000]

Resolution approving the contract between the City and County of San Francisco and Univar USA, Inc., pursuant to Charter, Section 9.118(b), for purchase of sodium hypochlorite with an initial amount not to exceed \$14,500,000 for a term of June 1, 2016, through May 31, 2019; with two options to extend the agreement for up to one year each with a total amount not to exceed \$24,000,000 for the term ending March 31, 2021. (Office of Contract Administration)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

20. <u>160328</u> [Accept and Expend Grant - California Department of Public Health - Hepatitis C Virus Testing and Linkages to Care Demonstration Projects - \$456,000] Sponsor: Wiener

Resolution retroactively authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$456,000 from the California Department of Public Health to participate in a program entitled Hepatitis C Virus Testing and Linkages to Care Demonstration Projects for the period of March 1, 2016, through June 30, 2016. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

21. <u>160330</u> [Accept and Expend Gift - Estate of Norma Parenti - Laguna Honda Hospital and Rehabilitation Center Gift Fund - \$26,673.29] Sponsor: Yee

Resolution retroactively authorizing the Department of Public Health, Laguna Honda Hospital and Rehabilitation Center, to accept and expend a gift of \$26,673.29 from the Estate of Norma Parenti to the Laguna Honda Hospital and Rehabilitation Center Gift Fund for the period of April 1, 2016, through March 31, 2026. (Public Health Department)

22. 160365 [Apply for, Accept, and Expend Grant - Community Development Block Grant Program - \$19.163.346 - FY2016-20171

Sponsor: Mayor

Resolution approving the FY2016-2017 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 CDBG Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$16.485.875. and to expend program income and reprogrammed funds in the amount of \$2,677,471. for a period beginning July 1, 2016, through the date when all funds are expended. (Mayor's Office of Housing and Community Development)

Question: Shall this Resolution be ADOPTED?

23. 160366 [Apply for, Accept, and Expend Grant - Housing Opportunities for Persons with AIDS Program - \$9,213,182 - FY2016-20171 Sponsor: Mavor

Resolution approving the FY2016-2017 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$7,089,501 and to expend program income and reprogrammed funds in the amount of \$2,123,681 for a combined total of \$9,213,182 for the period of July 1, 2016, through June 30, 2021. (Mayor's Office of Housing and Community Development)

Question: Shall this Resolution be ADOPTED?

24. 160367 [Apply for, Accept, and Expend Grant - HOME Program - \$4,236,238 -FY2016-2017]

Sponsor: Mayor

Resolution approving the FY2016-2017 HOME Investment Partnership (HOME) Program: and authorizing the Mayor, on behalf of the City and County of San Francisco. to apply for, accept, and expend the City's FY2016-2017 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$4,136,238 and to expend program income in the amount of \$100,000 for a combined total of \$4,236,238 for the term of July 1, 2016, through June 30, 2021. (Mayor's Office of Housing and Community Development)

Question: Shall this Resolution be ADOPTED?

25. [Apply for, Accept, and Expend Grant - Emergency Solutions Grants Program 160368 - \$1,484,425 - FY2016-2017]

Sponsor: Mayor

Resolution approving the FY2016-2017 Emergency Solutions Grants (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 ESG Program entitlement from the U.S. Department of Housing and Urban Development, in the amount of \$1,484,425 for an unspecified period starting July 1, 2016. (Mayor's Office of Housing and Community Development)

26. <u>160370</u> [Multifamily Housing Revenue Bonds - Transbay Block 7 Affordable Housing -Not to Exceed \$35,000,000]

Sponsor: Kim

Resolution authorizing the issuance, sale, and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$35,000,000 for the purpose of providing financing for the construction of a 120-unit multifamily rental housing project known as Transbay Block 7 Affordable Housing; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; approving modifications, changes, and additions to the documents; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Mayor's Office of Housing and Community Development)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Breed

27. <u>150672</u> [Home Detention Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2015] Resolution approving the Sheriff Department's home detention and electronic monitoring program rules and regulations and approving evidence of financial responsibility demonstrated by program administrator, Leaders in Community Alternatives, for the 2015 calendar year. (Sheriff)

Question: Shall this Resolution be ADOPTED?

28. <u>160313</u> [Home Detention Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2016] Resolution approving the Sheriff Department's home detention and electronic monitoring program rules and regulations and approving evidence of financial responsibility demonstrated by program administrator, Leaders in Community Alternatives, for the 2016 calendar year. (Sheriff)

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Cohen, Wiener, Peskin

29. <u>151211</u> [Planning Code - Landmark Designation - 90-92 Second Street (aka the Bourdette Building)] Sponsors: Kim; Peskin

Ordinance designating 90-92 Second Street (aka the Bourdette Building), Assessor's Block No. 3707, Lot No. 012, as a Landmark under Planning Code, Article 10; and making environmental findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

SPECIAL ORDER 5:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to Motion No. M16-051 (File No. 160376) approved on April 19, 2016.)

30. <u>160395</u> [Hearing - Joint Meeting with the San Francisco Youth Commission - Charter Amendment (File No. 150267) - Sixteen- and Seventeen-Year-Old Voting for Municipal Elections]

Hearing of the Board of Supervisors sitting as a Committee of the Whole in a joint meeting with the San Francisco Youth Commission on May 3, 2016, at 5:00 p.m., to consider the proposed Charter Amendment (File No. 150267, called from the Rules Committee pursuant to Motion No. M16-051) authorizing sixteen- and seventeen-year-olds to vote in municipal elections, to be proposed to the voters at the November 8, 2016, election. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

Called from the Rules Committee

(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.)

31. <u>150267</u> [Charter Amendment - Sixteen and Seventeen-Year-Old Voting for Municipal Elections]

Sponsors: Avalos; Campos, Kim and Mar

Charter Amendment (Second Draft) to amend the Charter to authorize 16- and 17-year-olds to vote in municipal elections, at an election to be held on November 8, 2016.

04/19/2016; CALLED FROM COMMITTEE.

Question: Shall this Charter Amendment be CONTINUED?

COMMITTEE REPORTS

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

The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, May 2, 2016, at 1:30 p.m. The Chair intends to request the Committee to send the following item to the Board as a Committee Report on Tuesday, May 3, 2016.

** 32. <u>160320</u> [Landmark Tree Designation - Norfolk Island/Cook Pine Hybrid Located at 46A Cook Street]

** This item was added as of 04/29/16 Sponsor: Farrell

Ordinance designating the Norfolk Island/Cook Pine hybrid (Araucaria heterophylla x A. columnaris) tree at 46A Cook Street (Assessor's Parcel Block No. 1067, Lot No. 032) as a landmark tree pursuant to Public Works Code, Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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 39

35. <u>160391</u> [Opposing California State Senate Bill 1102 (McGuire) - Short-Term Rentals and Collection of Transit Occupancy Taxes] Sponsors: Campos; Peskin and Mar

Resolution opposing California State Senate Bill 1102, authored by Senator McGuire, which would infringe upon the City's longstanding home rule powers, preclude the City from effectively enforcing the application of its transient occupancy tax to short-term residential rentals, and prevent the City from obtaining information from platforms that may allow the City to enforce its zoning, housing, building, and life safety laws.

04/19/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

04/26/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

04/26/2016; CONTINUED AS AMENDED.

Question: Shall this Resolution be ADOPTED?

36. <u>160432</u> [Approval of a 150-Day Extension for Planning Commission Review of Inclusionary Affordable Housing Program (File No. 150911)] Sponsors: Mayor; Farrell and Tang

Resolution extending by 150 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 150911) amending the Planning Code to provide revised geographic, timing, pricing, and other requirements for the off-site alternative to the Inclusionary Housing Fee; create a new option for off-site projects that qualify as Nonprofit Provider Partner Projects; create a new alternative for project sponsors of smaller market-rate projects to direct the Affordable Housing Fee to small sites projects; create an option for project sponsors of on- and off-site housing to provide higher amounts of affordable housing at higher levels of affordability termed "dialing up;" revise certain definitions and operating procedures related to the Inclusionary Housing Program and make conforming changes; 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 the Planning Code, Section 101.1.

04/26/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

37. <u>160433</u> [Supporting American Federation of Teachers Local 2121 Faculty at City College of San Francisco]

Sponsors: Campos; Kim, Mar, Yee and Avalos

Resolution supporting the American Federation of Teachers Local 2121's (AFT 2121) one day strike and urging the administration of City College of San Francisco to swiftly reach an agreement with AFT 2121 that recognizes the important labor City College faculty perform for the City of San Francisco.

04/26/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. <u>160434</u> [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Prohibiting Formula Retail in the Polk Street Neighborhood Commercial District (File No. 160102)]

Sponsor: Peskin

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 160102) amending the Planning Code to prohibit formula retail in the Polk Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/26/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. <u>160436</u> [Committee of the Whole - Report of Delinquent Real Property Transfer Taxes]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 24, 2016, at 3:00 p.m., to hold a public hearing on a Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0284, Lot No. 010 (562 Sutter Street) and Block No. 0330, Lot No. 023 (55 Cyril Magnin Street), and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund. (Clerk of the Board)

04/26/2016; 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 RESOLUTIONS

160408 [Intergovernmental Agreement - San Mateo County - Reimburse Dispatched Calls - Not to Exceed \$1,000,000 - Share Transient Occupancy Tax] Resolution approving an Intergovernmental Agreement between San Mateo County and the City and County of San Francisco, by and through its Airport Commission, to reimburse San Mateo County for the cost of dispatched calls to the Airport in an amount not to exceed \$1,000,000 over five years; and to share the Transient Occupancy Tax relating to the Airport's Hotel. (Airport Commission)

04/21/2016; RECEIVED FROM DEPARTMENT.

05/03/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160409 [Real Property Lease - BC Capp, LLC - 165 Capp Street - \$240,500 Annual Base Rent]

Resolution authorizing the lease of approximately 6,500 square feet at 165 Capp Street with BC Capp, LLC, a California limited liability company, for a five year term commencing upon approval by the Board of Supervisors and the Mayor, with two options to extend for five years, at the monthly base rent of \$20,041.67 for a total annual base rent of \$240,500. (Human Services Agency)

04/22/2016; RECEIVED FROM DEPARTMENT.

05/03/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160410 [Agreement Amendment - San Francisco AIDS Foundation - Housing and Urban Health Program Services - Not to Exceed \$39,938,517] Resolution approving a first amendment to the agreement between the Department of Public Health and the San Francisco AIDS Foundation to provide Housing and Urban Health Program Services, to extend the contract by five years, from July 1, 2011, through June 30, 2016, to July 1, 2011, through June 30, 2021, with a corresponding increase of \$20,252,607, from \$19,685,910; for a total amount not to exceed \$39,938,517. (Public Health Department)

04/22/2016; RECEIVED FROM DEPARTMENT.

160411 [Accept and Expend Gift - San Francisco General Hospital Foundation - \$2,625,000]

Resolution authorizing the Department of Public Health to accept and expend a \$2,625,000 gift from the San Francisco General Hospital Foundation for the procurement of furniture, fixtures, equipment, and information technology for the Priscilla Chan and Mark Zuckerberg San Francisco General Hospital and Trauma Center. (Public Health Department)

04/22/2016; RECEIVED FROM DEPARTMENT.

05/03/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160412 [Contract Amendment - Xtech JV - Technology Marketplace Tier 1A - \$56,000,000]

Resolution authorizing the Office of Contract Administration to enter into the second amendment to the contract agreement between the City and County of San Francisco and Xtech JV, a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from \$32,000,000 to \$56,000,000 for the period of October 1, 2014, through September 30, 2017. (Office of Contract Administration)

04/25/2016; RECEIVED FROM DEPARTMENT.

05/03/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160413 [Contract Amendment - ComputerLand of Silicon Valley - Technology Marketplace, Tier 1A - \$44,000,000]

Resolution authorizing the Office of Contract Administration to enter into the second amendment to the contract agreement between the City and County of San Francisco and ComputerLand of Silicon Valley, a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from \$32,000,000 to \$44,000,000 for the period of October 1, 2014, through September 30, 2017. (Office of Contract Administration)

04/25/2016; RECEIVED FROM DEPARTMENT.

05/03/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

<u>160414</u> [Contract Amendment - InterVision Systems Technologies, Inc. - Technology Marketplace, Tier 1B - \$15,000,000]

Resolution authorizing the Office of Contract Administration to enter into the first amendment to the contract agreement between the City and County of San Francisco and InterVision Systems Technologies, Inc., a Technology Marketplace, Tier 1B Specialist contractor, to increase the contract limit from \$12,000,000 to \$15,000,000 for the period of October 1, 2014, through September 30, 2017. (Office of Contract Administration)

04/25/2016; RECEIVED FROM DEPARTMENT.

160415 [Contract Amendment - En Pointe Technologies Sales, Inc. - Technology Marketplace, Tier 1A - \$50,000,000]

Resolution authorizing the Office of Contract Administration to enter into the second amendment to the contract agreement between the City and County of San Francisco and En Pointe Technologies Sales, Inc., a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from \$31,000,000 to \$50,000,000 for the period of October 1, 2014, through September 30, 2017. (Office of Contract Administration)

04/25/2016; RECEIVED FROM DEPARTMENT.

05/03/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

<u>160416</u> [Contract Agreement - Cornerstone Technology Partners II JV - Technology Marketplace, Tier 1B - Not to Exceed \$12,000,000]

Resolution authorizing the Office of Contract Administration to enter into a contract agreement between the City and County of San Francisco and Cornerstone Technology Partners II JV, a Technology Marketplace, Tier 1B Specialist contractor, for an amount not to exceed \$12,000,000 for an initial three year term to commence following Board approval, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City. (Office of Contract Administration)

04/25/2016; RECEIVED FROM DEPARTMENT.

05/03/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

<u>160417</u> [Contract Agreement - Learn iT!, Inc.- Technology Marketplace, Tier 1B - Not to Exceed \$12,000,000]

Resolution authorizing the Office of Contract Administration to enter into a contract agreement between the City and County of San Francisco and Learn iT!, Inc., a Technology Marketplace, Tier 1B Specialist contractor, for an amount not to exceed \$12,000,000 for an initial three year term, to commence following Board approval, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City. (Office of Contract Administration)

04/25/2016; RECEIVED FROM DEPARTMENT.

05/03/2016; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

160418 [Contract Agreement - Softnet Solutions Inc.- Technology Marketplace Tier 1B - Not to Exceed \$12,000,000]

Resolution authorizing the Office of Contract Administration to enter into a contract agreement between the City and County of San Francisco and Softnet Solutions Inc., a Technology Marketplace, Tier 1B Specialist contractor, for an amount not to exceed \$12,000,000 for an initial three year term to commence following Board approval, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City. (Office of Contract Administration)

04/25/2016; RECEIVED FROM DEPARTMENT.

160419 [Contract Agreement - United Layer - Technology Marketplace Tier 1B - Not to Exceed \$12,000,000]

Resolution authorizing the Office of Contract Administration to enter into a contract agreement between the City and County of San Francisco and United Layer, Inc., a Technology Marketplace, Tier 1B Specialist contractor, for an amount not to exceed \$12,000,000 for an initial three year term to commence following Board approval, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City. (Office of Contract Administration)

04/25/2016; RECEIVED FROM DEPARTMENT.

<u>160420</u> [Petitions and Communications]

Petitions and Communications received from April 18, 2016, through April 25, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 3, 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 Clerk of the Board, reporting that the following individual has submitted a Form 700 Statement: (1)

Ann Fryman - Legislative Aide - Assuming Office

From Commission of Animal Control and Welfare, submitting quarterly report for the period, June 2015 to December 2015. Copy: Each Supervisor. (2)

From Prashant Sridharan, regarding Formula Retail ban on Polk Street - Whole Foods Market 365 proposal. File No. 160102. Copy: Each Supervisor. (3)

From Office of Small Business, regarding Small Business Commission's response to Paid Parental Leave Ordinance. File No. 160065. Copy: Each Supervisor. (4)

From West Area California Public Utilities Commission, regarding notification of filing for Verizon Small Cell facility. Copy: Each Supervisor. (5)

From Gloria Yee, regarding proposed Ordinance designating 90-92 Second Street as a landmark. File No. 151211. Copy: Each Supervisor. (6)

From Department of the Environment, regarding Better Roof Requirements for Renewable Energy. File 160154. Copy: Each Supervisor. (7)

From Christopher Dahl, regarding addendum to public comment from April 19, 2016, Board of Supervisors meeting. Copy: Each Supervisor. (8)

From Alice Tom, regarding proposed parcel tax. File No. 160381. Copy: Each Supervisor. (9)

From Susan Au, regarding San Francisco Police Chief, Greg Suhr. Copy: Each Supervisor. (10)

From Murray Bauer, regarding buildings to be built with solar energy. File No. 160154. Copy: Each Supervisor. (11)

From Linda Tang, regarding proposed legislation to increase the maximum height limit at 160 Folsom Street. File Nos. 160150 and 160215. Copy: Each Supervisor. (12)

From Carol Jean, regarding Iris Canada. Copy: Each Supervisor. (13)

From concerned citizens, regarding reappointment of Peter Cohen to Citizen's Committee on Community Development. 3 letters. File No. 160342. Copy: Each Supervisor. (14)

From People for the Ethical Treatment of Animals (PETA), regarding pit bull sterilization ordinance. (15)

From concerned citizens, regarding nomination of Leuwam Tesfai to the Sunshine Ordinance Task Force. 5 letters. File No. 160407. Copy: Each Supervisor. (16)

ADJOURNMENT