

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, March 1, 2016 - 2:00 PM

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

### Regular Meeting

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

### BOARD COMMITTEES

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

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, March 1, 2016, with President London Breed presiding.*

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

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

*Supervisors Cohen and Wiener were noted present at 2:04 p.m.*

## **COMMUNICATIONS**

*There were no communications.*

## **APPROVAL OF MEETING MINUTES**

*President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of January 26, 2016. There were no corrections.*

**Supervisor Tang, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of January 26, 2016. The motion carried by the following vote, following general public comment:**

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

Absent: 1 - Yee

## **AGENDA CHANGES**

*There were no agenda changes.*

## CONSENT AGENDA

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

#### **151228 [Administrative Code - Special Law Enforcement Services (“10B Officers”)]**

**Sponsors: Campos; Farrell, Avalos and Breed**

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

**Ordinance No. 029-16**

**FINALLY PASSED**

### Recommendation of the Rules Committee

#### **151005 [Administrative Code - Extending Single Room Occupancy Task Force]**

**Sponsors: Yee; Mar**

Ordinance amending the Administrative Code to codify the Single Room Occupancy Task Force and extend its sunset date by three years to December 31, 2018.

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

**Ordinance No. 028-16**

**FINALLY PASSED**

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

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

*Absent: 1 - Yee*

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

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

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

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

*Supervisor Yee was noted present at 2:06 p.m.*

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Board

#### **151119 [Establishing an Infrastructure Financing District and Adopting an Infrastructure Financing Plan (Port of San Francisco)]**

**Sponsors: Mayor; Cohen**

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

*Privilege of the floor was granted unanimously to Elaine Forbes, Interim Port Director, and Brad Benson (Port of San Francisco) who responded to questions raised throughout the discussion.*

**Ordinance No. 027-16**

**FINALLY PASSED by the following vote:**

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

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

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

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

*After the matter was called, Supervisor Farrell, seconded by Supervisor Wiener, moved that consideration of File No. 151274 be continued to later in the meeting. The motion carried by the following vote:*

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

**ORDERED SUBMITTED by the following vote:**

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

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

### **151257 [Planning Code - Increasing Transportation Sustainability Fee for Non-residential Projects]**

**Sponsors: Avalos; Campos and Mar**

Ordinance amending the Planning Code to increase the Transportation Sustainability Fee for Non-residential projects larger than 99,999 gross square feet, and to require Non-residential or Production, Distribution and Repair (PDR) projects that filed development or environmental applications on or before July 21, 2015, but that have not yet received approvals, to pay the Transportation Sustainability Fee with a partial refund; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including general findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**FINALLY PASSED by the following vote:**

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

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

## **NEW BUSINESS**

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

*President Breed requested File Nos. 160007 and 160008 be called together.*

### **160007 [Lease Amendment - Pacific Gateway Concessions, LLC - Airport Concessions - Minimum Annual Lease Amount of \$958,366.08]**

Resolution retroactively approving Amendment No. 5 to Boarding Areas "B" and "C" Principal Concession Retail Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, extending the lease term for two concession locations to approximately September 2019, and extending the lease term for one concession location to approximately June 2016, for a minimum annual lease amount of \$958,366.08 in order to accommodate the Terminal 1 Redevelopment Program, retroactive to June 2015. (Airport Commission)

**Resolution No. 072-16**

**ADOPTED by the following vote:**

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

**160008 [2011 Lease and Use Agreement - China Southern Airlines Company Limited - Estimated Rent of \$1,283,008.93]**

Resolution approving the terms of 2011 Lease and Use Agreement No. L15-0253 between China Southern Airlines Company Limited and the City and County of San Francisco, acting by and through its Airport Commission, with an estimated rent of \$1,283,008.93 for Exclusive Use Space, for the lease term to commence following Board approval through June 30, 2021. (Airport Commission)

**Resolution No. 073-16**

**ADOPTED by the following vote:**

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

**160044 [Contract Amendment - San Francisco AIDS Foundation - HIV Prevention Services - Not to Exceed \$20,231,412]**

Resolution approving a fourth amendment to the contract between the Department of Public Health and the San Francisco AIDS Foundation to provide HIV Prevention Services, to extend the contract by two years for a total contract term of September 1, 2011, through June 30, 2018, and increase the contract amount by \$5,573,835 for a total amount not to exceed \$20,231,412. (Public Health Department)

**Resolution No. 074-16**

**ADOPTED by the following vote:**

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

**160119 [Multifamily Housing Revenue Bonds - Columbia Park Apartments - 1035 Folsom Street and 21 Columbia Square Park - Not to Exceed \$13,779,028]**

**Sponsor: Kim**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$13,779,028 for the purpose of providing financing for the acquisition and rehabilitation of a 50-unit multifamily residential rental housing project known as Columbia Park Apartments; approving the form of and authorizing the execution of a trust indenture providing 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; ratifying and approving any action heretofore taken in connection with the bonds and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

**Resolution No. 075-16**

**ADOPTED by the following vote:**

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

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

### **151004 [Planning Code - Projecting Signs in the Fillmore Street Neighborhood Commercial Transit District]**

**Sponsor: Breed**

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

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

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

### **151179 [Health Code - Banning the Sale of Tobacco Products to Persons Aged 18, 19, or 20]**

**Sponsors: Wiener; Mar, Cohen and Farrell**

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

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

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

### **160026 [Planning Code, Zoning Map - Rezoning Noe Valley Town Square]**

**Sponsor: Wiener**

Ordinance amending the Planning Code, Zoning Map, to rezone Noe Valley Town Square, 3861-24th Street, Assessor's Block No. 6509, Lot No. 040, from its current designation as 24th Street - Noe Valley Neighborhood Commercial District and 40-X to Public (P) and Open Space (OS); affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

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

**160115 [Planning, Building Codes - Conditional Use Required to Remove Any Residential Unit; Mandatory Legalization of Unauthorized Units]****Sponsor: Avalos**

Ordinance amending the Planning Code to require Conditional Use authorization for the removal of any residential unit (whether authorized or unauthorized) and to exempt from the Conditional Use application requirement unauthorized units where there is no legal path for legalization, residential units that have received prior Planning approval, and single-family homes that are demonstrably unaffordable or unsound; amending the Building Code to require that notices of violation order the filing of an application to legalize an unauthorized unit unless infeasible under the Building Code, the Planning Commission approves its removal, or a serious and imminent hazard exists on the property; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1. (Economic Impact)

**Supervisor Avalos, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Line 9, by adding 'on a site in a RH-1 or RH-1(D) District' after 'Single-Family Residential Building'; on Page 12, Line 22, by striking '(4)' and adding '(5)'; on Page 14, Line 6, by striking '(5)' and adding '(6)'; and on Page 15, Line 1, by striking '(6)' and adding '(7)'. The motion carried by the following vote:**

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

*After the matter was called and the amendments were accepted, Supervisor Avalos, seconded by Supervisor Peskin, moved that further consideration of File No. 160115 be continued to later in the meeting. The motion carried by the following vote:*

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

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

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Wiener  
Noes: 2 - Tang, Yee

*President Breed recessed the meeting at 3:29 p.m. and reconvened at 3:31 p.m.*



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

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

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

### WOMEN'S HISTORY MONTH

Dr. Emily Murase, Director (Department on the Status of Women), provided opening remarks for the 2016 Women's History Month commendations. The Supervisors then introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Women's History Month, their accomplishments, and their continued community support as referenced below:

Supervisor Wiener recognized Jana Sax (James Lick Middle School);  
Supervisor Yee recognized Naomi Kelly, City Administrator (City and County of San Francisco);  
Supervisor Avalos recognized Brigitte Davila (Board of Trustees for City College of San Francisco);  
Supervisor Breed recognized Susan Strolis (Haight Ashbury Improvement Association);  
Supervisor Campos recognized Diane Jones, RN (San Francisco General Hospital);  
Supervisor Cohen recognized Raffaella Nicolosi;  
Supervisor Farrell recognized Catherine Stefani, County Clerk (City and County of San Francisco);  
Supervisor Kim recognized Judge Lillian K. Sing (retired) and Judge Julie M. Tang (retired);  
Supervisor Mar recognized Linda Murley, Director (Richmond Senior Center);  
Supervisor Peskin recognized Ida Pantaleo Zoubi (Caffe Trieste); and  
Supervisor Tang recognized Jane Gong.

Supervisor Campos and President Breed acknowledged Former Board of Supervisors Member Tom Ammiano who was in attendance during today's meeting.

## COMMITTEE REPORTS

### Recommendation of the Rules Committee

#### **160081 [Initiative Ordinance - Administrative Code - Requiring the Office of Citizens Complaints to Investigate All Officer Involved Shootings]**

**Sponsors: Cohen; Breed, Campos and Mar**

Motion ordering submitted to the voters an Ordinance amending the Administrative Code to require the Office of Citizen Complaints to investigate all officer-involved shootings, at an election to be held on June 7, 2016.

**Motion No. M16-023**

**APPROVED by the following vote:**

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

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

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

**Sponsors: Peskin; Mar**

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

*The Board did not consider this matter since the item was not referred as a Committee Report by the Land Use and Transportation Committee.*

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

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## **PUBLIC COMMENT**

*Abdallah Megahed; shared various viewpoints relating to Hillary Clinton.*

*Rob Cole; expressed his support of File No. 160167 on today's agenda and encouraged the Board to approve the Transbay Block 1 Redevelopment Project.*

*Adrian Simi (Carpenters, Local 22); expressed his support of File No. 160167 on today's agenda and encouraged the Board to approve the Transbay Block 1 Redevelopment Project.*

*Tom Gilbert; shared various concerns regarding Muni seat access and the democratic party.*

*Joe Wilson; expressed his support of increasing the percentage of affordable inclusionary housing.*

*Julie Gallh; expressed her support of increasing the percentage of affordable inclusionary housing.*

*Remy Pescareello; shared his concerns regarding the definition of affordable housing.*

*Mr. Wright; shared his concerns regarding the lack of affordable housing in San Francisco.*

*Male Speaker; shared his negative experience with a police officer in San Francisco.*

*Grace; shared her concerns regarding the lack of affordable housing in San Francisco.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

**160162 [Supporting California Assembly Bill Nos. 1574 and 1677 (Chiu and Ting) and California Senate Bill 812 (Hill) - Increasing the Safety Oversight and Local Coordination of Tour Buses and Charter Party Bus Carriers]**

**Sponsors: Yee; Kim and Mar**

Resolution supporting California Assembly Bill Nos. 1574 and 1677, authored by Assembly Members Chiu and Ting, and California Senate Bill 812, authored by Senator Hill, that increase the inspection protocol, safety oversight, and local coordination between the Department of Motor Vehicles, the California Public Utilities Committee, and the National Highway Traffic Safety Administration for tour bus and charter-party carriers, and for both legislative bodies to pass the bills.

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

**Resolution No. 076-16**

**ADOPTED**

**160163 [Consolidation of Elections Scheduled for June 7, 2016]**

**Sponsor: Breed**

Resolution consolidating the following elections, all of which will be held on June 7, 2016: the State of California's Presidential Primary Election; the City and County of San Francisco Municipal Election; the City and County of San Francisco's Special Bond Election; the San Francisco Bay Restoration Authority's Special Election; and the San Francisco's Democratic County Central Committee's election, and providing that the election precincts, voting places, and officers for these elections shall be the same as for the State Presidential Primary Election.

**Resolution No. 056-16**

**ADOPTED**

**160164 [Supporting United States Senate Bill 1412 (Franken and Portman) - Housing for Homeless Students Act]**

**Sponsor: Farrell**

Resolution supporting United States Senate Bill 1412, the Housing for Homeless Students Act, sponsored by Senators Al Franken and Rob Portman.

**Resolution No. 077-16**

**ADOPTED**

**160165 [Helen Kunz Day - March 9, 2016]**

**Sponsor: Wiener**

Resolution declaring March 9, 2016, to be Helen Kunz Day in the City and County of San Francisco.

**Resolution No. 078-16**

**ADOPTED**

**160167 [Committee of the Whole - Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area - Zone One (File No. 160150) - April 12, 2016]****Sponsors: Mayor; Kim**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on April 12, 2016, at 3:00 p.m., to hold a public hearing to consider the proposed Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area (File No. 160150) to increase the maximum height limit from 300 feet to 400 feet on Block 1 of Zone One of the Transbay Redevelopment Project Area.

**Motion No. M16-025****APPROVED****The foregoing items were acted upon by the following vote:**

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

**Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Yee requested that File No. 160166 be severed so that it may be considered separately.*

**160166 [Establishing City Policy Maximizing a Feasible Inclusionary Affordable Housing Requirement]****Sponsor: Yee**

Resolution establishing City policy to maximize the percentage of affordable Inclusionary Housing in market rate development through Board ordinance and to ensure fairness and feasibility.

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

**Supervisor Yee, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding language to indicate the Board intends to adopt trailing legislation by April 19, 2016, which will include a grandfathering clause; a feasibility clause requiring the Controller and other City departments to conduct a periodic economic feasibility study, the first of which will be completed by May 31, 2016; allow for the middle income units to be 100% average median income and for the Board to set the maximum affordable unit pricing; and allow for the City to approve projects through Development Agreements that could include variations from the inclusionary housing requirements. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee  
Resolution establishing City policy to maximize the economically viable percentage of affordable inclusionary housing in market rate development through Board ordinance and to ensure fairness and feasibility; and to define certain exceptions to future inclusionary housing policy changes.

**Resolution No. 079-16****ADOPTED AS AMENDED by the following vote:**

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

Supervisor Avalos requested that File No. 160183 be severed so that it may be considered separately.

**160183 [Urging the San Francisco Public Utilities Commission to Expand Public Access to the Peninsula Watershed Lands]**

**Sponsors: Avalos; Wiener and Campos**

Resolution urging the San Francisco Public Utilities Commission to provide enhanced public access to existing roads and trails in the Peninsula Watershed Lands consistent with the goals of protecting the water supply and the environmental quality of the area.

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

**Supervisor Avalos requested this Resolution be REFERRED to the Land Use and Transportation Committee.**

*Supervisor Peskin requested that File No. 160186 be severed so that it may be considered separately.*

**160186 [Authorizing Preparation of Proponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the June 7, 2016, Consolidated Presidential Primary Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 7, 2016, Consolidated General Election. (Clerk of the Board)

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

**Supervisor Breed, seconded by Supervisor Tang, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Lines 17 through 18, by striking 'Mar, Wiener, Yee, Breed, Cohen, Avalos', and Line 25, by striking 'Peskin, Mar, Avalos, Campos'; on Page 2, Lines 6 through 7, by striking 'Supervisors Breed, Mar, Farrell, Peskin, Tang, Kim, Yee, Wiener, Campos, Cohen, Avalos', and Lines 11 through 12, by striking 'Breed, Campos'; on Page 3, Lines 20 through 22, by striking 'Initiative Ordinance amending the Planning Code to set forth a minimum inclusionary affordable housing fee requirement. (Supervisor Kim, Peskin, Campos, Avalos)'; and on Page 4, Lines 1 through 22, by striking all references to the opponent ballot argument authorizations for the Charter Amendment on the Park, Recreation and Open Space Fund, the General Obligation Bond, and the Inclusionary Housing Initiative Ordinance. The motion carried by the following vote:**

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

*ADOPTED AS AMENDED by the following vote:*

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

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

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

**Supervisor Avalos, seconded by Supervisor Yee, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 5, Line 24, through Page 6, Line 6, by striking 'Declaration of Policy submitted by the Mayor to the voters at the June 7, 2016, Election entitled "Declaration of Policy declaring it official policy of the City and County of San Francisco to invest in the future of transportation by prioritizing investment in Muni infrastructure and vehicles, including buses and light rail; road repaving and pothole repair; "Vision Zero" safety projects and other bicycle and pedestrian safety improvements; and investment in regional transportation infrastructure and vehicles that serve San Franciscans such as BART and Caltrain in the expenditure of revenues from future revenue ballot measures.'** The motion carried by the following vote:

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

Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 7, 2016, Consolidated General Election. (Clerk of the Board)

**Supervisor Breed, seconded by Supervisor Farrell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 17 through 18, by striking 'Supervisors Breed, Farrell, Mar.'** The motion carried by the following vote:

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

Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 7, 2016, Consolidated Presidential Primary Election. (Clerk of the Board)

**Motion No. M16-024**

**APPROVED AS AMENDED by the following vote:**

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

## IMPERATIVE AGENDA

*[Purely Commendatory Finding]*

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

**Supervisor Mar, seconded by Supervisor Farrell, moved ADOPTION of the commendatory finding. The motion carried by the following vote:**

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

*[Brown Act Finding]*

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

**Supervisor Mar, seconded by Supervisor Farrell, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:**

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

### **160194 [Balboa Theatre Day - March 6, 2016]**

**Sponsor: Mar**

Resolution commending the Balboa Theatre on the occasion of its 90th anniversary and declaring March 6, 2016, as Balboa Theatre Day in the City and County of San Francisco.

*The President inquired as to whether any member of the public wished to address the Board relating to Balboa Theatre Day as referenced in File No. 160194. Larry Juicy Edmond; spoke in support of Balboa Theatre Day. The President declared public comment closed.*

**Resolution No. 080-16**

**ADOPTED by the following vote:**

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

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

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

### Ordinances

#### **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.

10/28/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/27/2014.

11/10/14; REFERRED TO DEPARTMENT.

11/26/14; RESPONSE RECEIVED.

01/07/15; TRANSFERRED to Budget and Finance Committee.

03/01/16; REACTIVATED PURSUANT TO RULE 3.42, SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.



**151085 [Various Codes - Code Enforcement Procedures]****Sponsor: Wiener**

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 forms for code enforcement proceedings; 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.

10/20/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/19/2015.

10/27/15; REFERRED TO DEPARTMENT.

11/23/15; RESPONSE RECEIVED.

01/26/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

02/01/16; REFERRED TO DEPARTMENT.

02/05/16; RESPONSE RECEIVED.

02/08/16; RESPONSE RECEIVED.

03/01/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

**151280 [Planning Code - Permitting Accessory Massage Uses, with a Conditional Use Permit, in the North of Market Residential Special Use District]****Sponsor: Kim**

Ordinance amending the Planning Code to permit accessory massage uses, with a Conditional Use permit, in the North of Market Residential Special Use 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.

12/15/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/14/2016.

12/23/15; REFERRED TO DEPARTMENT.

01/28/16; RESPONSE RECEIVED.

03/01/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

**160195 [Appropriation - Proceeds from Road Repaving and Street Safety General Obligation Bonds of \$44,145,000 and Bond Interests of \$2,317,851 - FY2015-2016]****Sponsor: Mayor**

Ordinance appropriating \$46,462,851 consisting of \$44,145,000 of the 2016E Series Road Repaving and Street Safety (RRSS) 2011 General Obligation Bond Proceeds and \$2,317,851 of accumulated bond interest earnings to the Department of Public Works and Municipal Transportation Agency for street resurfacing, the redesign of streetscapes to include pedestrian and bicycle safety improvements, and traffic signal improvements to support transit priority in FY2015-2016 and placing these funds on Controller's Reserve pending the sale of the bonds and review of arbitrage costs.

(Fiscal Impact)

03/01/16; ASSIGNED to Budget and Finance Committee.

**160196 [Appropriation - Proceeds from General Obligation Bonds and Bond Proceed Interest Earnings - \$29,673,553 - FY2015-2016]**

**Sponsor: Mayor**

Ordinance appropriating \$29,673,553 consisting of \$25,215,000 of the 2016 Series Earthquake Safety and Emergency Response (ESER 2010) General Obligation Bond Proceeds, and \$4,458,553 accumulated bond interest to Public Works in FY2015-2016 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster and placing these funds on Controller's Reserve pending the sale of the bonds and review of arbitrage costs.

(Fiscal Impact)

03/01/16; ASSIGNED to Budget and Finance Committee.

**160197 [Appropriation - Proceeds from Earthquake Safety and Emergency Response General Obligation Bonds - \$111,060,000 - FY2015-2016]**

**Sponsor: Mayor**

Ordinance appropriating \$111,060,000 of the 2016 Series Earthquake Safety and Emergency Response (ESER 2014) General Obligation Bond Proceeds to the Department of Public Works in FY2015-2016 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster.

(Fiscal Impact)

03/01/16; ASSIGNED to Budget and Finance Committee.

**160198 [Police Code - Storage of Firearms in Any Residence]**

**Sponsor: Farrell**

Ordinance amending the Police Code to prohibit any person from keeping a firearm within any residence unless the firearm is stored in a locked container or disabled with a trigger lock.

03/01/16; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 3/31/2016.

**160199 [Administrative Code - Prevailing Wages for Commercial Vehicle Loading and Unloading on Park Property]**

**Sponsor: Wiener**

Ordinance amending the Administrative Code to require that prevailing wages be paid for work loading or unloading materials, goods, or products for special events on City park property, and the driving of commercial vehicles for that purpose.

03/01/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/31/2016.

## **Resolutions**

### **151109 [Establishing the SoMa Pilipinas - Filipino Cultural Heritage District in San Francisco]**

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

Resolution establishing the SoMa Pilipinas - Filipino Cultural Heritage District in the City and County of San Francisco.

10/27/15; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

11/03/15; REFERRED TO DEPARTMENT.

11/17/15; RESPONSE RECEIVED.

03/01/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

### **160200 [Sale of General Obligation Bonds - Earthquake Safety and Emergency Response Bonds - Not to Exceed \$25,215,000]**

**Sponsor: Mayor**

Resolution authorizing and directing the sale of not to exceed \$25,215,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010), Series 2016C; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said Bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents, as defined herein; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein.

(Fiscal Impact)

03/01/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160201 [Sale of General Obligation Bonds - Earthquake Safety and Emergency Response Bonds - Not to Exceed \$111,060,000]****Sponsor: Mayor**

Resolution authorizing and directing the sale of not to exceed \$111,060,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2014), Series 2016D; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said Bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents, as defined herein; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein.

(Fiscal Impact)

03/01/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160202 [Sale of General Obligation Bonds - Road Repaving and Street Safety Bonds - Not to Exceed \$44,145,000]****Sponsor: Mayor**

Resolution authorizing and directing the sale of not to exceed \$44,145,000 aggregate principal amount of General Obligation Bonds (Road Repaving and Street Safety Bonds, 2011), Series 2016E; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said Bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents, as defined herein; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein.

(Fiscal Impact)

03/01/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**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.

03/01/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**160204 [National Social Work Month - March 2016]****Sponsors: Avalos; Campos**

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

03/01/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**160205 [Opposing Golden Gate National Recreation Area's Proposed Rule Regulating Dog Walking]****Sponsors: Tang; Wiener, Yee, Breed, Farrell, Campos, Avalos and Cohen**

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

03/01/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Request for Hearing****160206 [Hearing - Nonprofit Displacement Mitigation Program]****Sponsors: Kim; Campos and Avalos**

Hearing on the initial findings and impact of the Nonprofit Displacement Mitigation Program, and requesting Mayor's Office of Housing and Community Development, Arts Commission, Office of Economic and Workforce Development, and the Northern California Loan Fund to report.

03/01/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**Introduced by the President 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****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)

02/16/16; RECEIVED FROM DEPARTMENT.

03/01/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**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)

02/16/16; RECEIVED FROM DEPARTMENT.

03/01/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160147 [Contract Agreement - State Department of Health Care Services - Substance Use Disorder Services - FYs 2014-2017 - \$47,586,924]**

Resolution retroactively authorizing the San Francisco Department of Public Health, Behavioral Health Services to enter into an amended multi-year contract for substance use disorder services with the State Department of Health Care Services, in the amount of \$47,586,924 for the term of July 1, 2014, through June 30, 2017; and authorizing and designating the Department of Public Health County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. (Public Health Department)  
(Fiscal Impact)

02/22/16; RECEIVED FROM DEPARTMENT.

03/01/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**160148 [Agreement - Accept Vizient, Inc., Common Stock - Authorization to Accept Distribution of Shares]**

Resolution approving the acceptance of a distribution of Vizient, Inc. common stock, by and through the Department of Public Health, and authorizing the Director of Health to enter into an agreement with Vizient to accept the distribution of shares, including the 11th Amended Stockholders' Agreement and the Joinder to the Amended and Restated Stockholders' Agreement. (Public Health Department)

02/22/16; RECEIVED FROM DEPARTMENT.

03/01/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*(Approved on April 12, 2016.)*

*From: Supervisor Peskin*

*To: City Attorney*

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

*From: Supervisor Wiener*

*To: Director, Planning Department*

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

**In Memoriams**

*(Approved on April 12, 2016.)*

*Ching Yin Wu - Supervisor Peskin*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 5:41 p.m.*

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

*Approved by the Board of Supervisors on April 5, 2016.*

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Angela Calvillo, Clerk of the Board