## BOARD OF SUPERVISORS
### CITY AND COUNTY OF SAN FRANCISCO

**AGENDA**

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

Tuesday, December 6, 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.sfbox.org](http://www.sfbox.org)

### BOARD COMMITTEES

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<td><strong>Budget and Finance Committee</strong></td>
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<td>Supervisors Farrell, Tang, Yee</td>
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<td><strong>Government Audit and Oversight Committee</strong></td>
<td>1st and 3rd Thursday</td>
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<td>Supervisors Peskin, Yee, Breed</td>
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<td><strong>Land Use and Transportation Committee</strong></td>
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<td>Supervisors Cohen, Wiener, Peskin</td>
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<td><strong>Public Safety and Neighborhood Services Committee</strong></td>
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<td>Supervisors Kim, Avalos, Campos</td>
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<td><strong>Rules Committee</strong></td>
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<td>Supervisors Tang, Mar, Cohen</td>
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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 Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

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

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

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

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

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. 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

APPROVAL OF MEETING MINUTES

Approval of the October 25, 2016, Board Meeting Minutes.

AGENDA CHANGES

CONSENT AGENDA

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

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

Items 1 through 3

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Breed

1. 161141 [Settlement of Lawsuit and Supplemental Appropriation - First National Insurance Company of America - $405,000]

   Ordinance authorizing settlement of the lawsuit filed by First National Insurance Company of America against the City and County of San Francisco for $405,000; the lawsuit was filed on February 13, 2015, in San Francisco Superior Court, Case No. CGC-15-544117; entitled First National Insurance Company of America v. City and County of San Francisco, et al.; the lawsuit involves alleged water main break and flooded property; and appropriating $405,000 from the Water Enterprise fund balance for such purpose. (City Attorney)

   11/29/2016; PASSED, ON FIRST READING.

   Question: Shall this Ordinance be FINALLY PASSED?
2. **161142**  

**[Settlement of Lawsuit - Beresford Corporation, a California Corporation - $52,500]**  

Ordinance authorizing settlement of the lawsuit filed by Beresford Corporation, a California Corporation, against the City and County of San Francisco for $52,500; the lawsuit was filed on October 30, 2014, in San Francisco Superior Court, Case No. CGC-14-542440; entitled Beresford Corporation, A California Corporation v. City and County of San Francisco, DOE 1 - 10, Inclusive; the lawsuit involves a demand for tax refund. (City Attorney)

11/29/2016; PASSED, ON FIRST READING.

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

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

*Present: Supervisors Cohen, Peskin*

3. **160510**  

**[Planning Code - Student Housing Exemption from Inclusionary Housing Requirements]**  

**Sponsor:** Wiener  

Ordinance amending the Planning Code to change the requirement from five to two years that Student Housing be owned or leased by an educational institution to be exempt from the Inclusionary Housing Program; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302, and of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/29/2016; PASSED, ON FIRST READING.

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

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Tang, Yee

4. **161035** [Resolution of Intention to Establish Infrastructure and Revitalization Financing District No. 1 (Treasure Island)]

   Sponsors: Mayor; Kim

   Resolution of Intention to establish City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island) and project areas therein to finance the construction and/or acquisition of facilities on Treasure Island and Yerba Buena Island; to provide for annexation; to call a public hearing on December 6, 2016, at 3:00 p.m. on the formation of the district and project areas therein, and to provide public notice thereof; and determining other matters in connection therewith.

   (Fiscal Impact)

   10/25/2016; CONTINUED.

   11/15/2016; CONTINUED.

   Question: Shall this Resolution be ADOPTED?

5. **161036** [Authorizing the Director of the Office of Public Finance to Prepare an Infrastructure Financing Plan - Infrastructure and Revitalization Financing District No. 1 (Treasure Island)]

   Sponsors: Mayor; Kim

   Resolution authorizing and directing the Director of the Office of Public Finance, or designee thereof, to prepare an infrastructure financing plan for City and County of San Francisco Infrastructure Financing District No. 1 (Treasure Island) and project areas therein; and determining other matters in connection therewith.

   (Fiscal Impact)

   10/25/2016; CONTINUED.

   11/15/2016; CONTINUED.

   Question: Shall this Resolution be ADOPTED?
6. **161037**  
[Resolution of Intention to Issue Bonds Related to Infrastructure and Revitalization Financing District No. 1 (Treasure Island)]  
**Sponsors:** Mayor; Kim  
Resolution of intention to issue bonds for City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island); and determining other matters in connection therewith.  

(Fiscal Impact)  

10/25/2016; CONTINUED.  
11/15/2016; CONTINUED.  

**Question:** Shall this Resolution be ADOPTED?

7. **161038**  
[Resolution of Intention to Establish Community Facilities District No. 2016-1 (Treasure Island)]  
**Sponsors:** Mayor; Kim  
Resolution of Intention to establish City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island), Improvement Area No. 1 and a Future Annexation Area; to call a public hearing on December 6, 2016, at 3:00 p.m. on the formation of the district, and to provide public notice thereof; and determining other matters in connection therewith.  

10/25/2016; CONTINUED.  
11/15/2016; CONTINUED.  

**Question:** Shall this Resolution be ADOPTED?

8. **161039**  
[Resolution of Intention to Incur Bonded Indebtedness - Communities Facilities District No. 2016-1 (Treasure Island) - Not to Exceed $5,000,000,000]  
**Sponsors:** Mayor; Kim  
Resolution of intention to incur bonded indebtedness and other debt in an amount not to exceed $5,000,000,000 for the City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island); and determining other matters in connection therewith.  

10/25/2016; CONTINUED.  
11/15/2016; CONTINUED.  

**Question:** Shall this Resolution be ADOPTED?
9. 161116 [Approving Infrastructure and Revitalization Financing Plan - Infrastructure and Revitalization Financing District No. 1 (Treasure Island)]
Sponsor: Mayor
Resolution approving the Infrastructure Financing Plan for City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island) and project areas therein; and determining other matters in connection therewith.

(Fiscal Impact)
11/29/2016; CONTINUED.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Transportation Committee
Present: Supervisors Cohen, Peskin

10. 161069 [Health Code - Definition of Projects and Responsibilities for Alternate Water Sources]
Sponsor: Wiener
Ordinance amending the Health Code to revise the definition of development projects subject to the requirements for an Alternate Water Source system and the definitions of large and small residential projects subject to specific requirements for such a system, and providing authorization for the review and approval of alternative means of compliance; and affirming the Planning Department’s determination under the California Environmental Quality Act.

11/29/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
11/29/2016; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee
Present: Supervisors Farrell, Tang, Yee

11. 161110 [Police Code - Choice of Communications Services Providers in Multiple Occupancy Buildings]
Sponsors: Farrell; Mar
Ordinance amending the Police Code to prohibit owners of multiple occupancy buildings from interfering with the choice of communications services providers by occupants, establish requirements for communications services providers to obtain access to multiple occupancy buildings, and establish remedies for violation of the access requirement.

Question: Shall this Ordinance be PASSED ON FIRST READING?
12. **161194**  
**[Appropriation - General Obligation Bond Proceeds - Public Health and Safety Projects - FY2016-2017 - $176,000,000]**  
**Sponsors: Mayor; Breed, Farrell, Cohen and Peskin**  
Ordinance appropriating $176,000,000 of the Series 2017A Health and Safety General Obligation Bond Proceeds to Public Works in FY2016-2017 for improvements and seismic strengthening of public health and safety facilities for critical community and mental health, emergency response and safety, and homeless shelter and service.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Farrell, Tang

13. **161237**  
**[Waiver of Banner Fee - Office of Economic and Workforce Development - Shop and Dine in the 49 Campaign]**  
**Sponsor: Tang**  
Ordinance waiving the banner fees under Public Works Code, Section 184.78, for up to 300 banners to be placed by the Office of Economic and Workforce Development to publicize the City’s “Shop and Dine in the 49” campaign.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Farrell, Tang, Yee

14. **161075**  
**[Accept and Expend Grant - Regents of the University of California - GH13-1328, HQ, Technical Assistance to Countries Supported by the United States President's Emergency Plan for AIDS Relief and Global - $132,973]**  
**Sponsor: Farrell**  
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $132,973 from The Regents of the University of California to participate in a program entitled GH13-1328, HQ, Technical Assistance to Countries Supported by the United States President’s Emergency Plan for AIDS Relief and Global for the period of April 1, 2016, through March 31, 2017.

Question: Shall this Resolution be ADOPTED?

15. **161096**  
**[Emergency Declaration - Airport Runways 19L and 19R Seawall Erosion - Estimated Cost of Repairs Exceeds $250,000]**  
Resolution approving the Airport Director’s declaration of an emergency for seawall erosion at the ends of Airport Runways 19L and 19R, estimated to cost more than $250,000 to repair, pursuant to Administrative Code, Section 6.60(b). (Airport Commission)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?
16. 161185  [Planning and Engineering Agreement Amendment - Carollo Engineers, Inc. - New Southeast Plant Headworks Facility - Not to Exceed $33,500,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 1 to Planning and Engineering Project Design Services Agreement No. CS-389 for specialized planning and engineering services for the proposed new headworks facility at the Southeast Water Pollution Control Plant between the City and County of San Francisco and Carollo Engineers, Inc., to extend the contract for three years and twenty days to commence November 30, 2020, for a total term of December 19, 2014, through December 19, 2023, for an additional amount of $19,500,000 for a total agreement amount not to exceed $33,500,000. (Public Utilities Commission)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

17. 161192  [Issuance of Taxable and Tax-Exempt General Obligation Bonds (Public Health and Safety, 2016) - Not to Exceed $350,000,000]

Sponsors: Mayor; Breed, Farrell, Cohen and Peskin

Resolution providing for the issuance of not to exceed $350,000,000 aggregate principal amount of City and County of San Francisco Taxable and Tax-Exempt General Obligation Bonds (Public Health and Safety, 2016); authorizing the issuance and sale of such bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts related thereto; declaring the City’s reasonable official intent to reimburse prior expenditures; adopting findings under the California Environmental Quality Act, and Administrative Code, Chapter 31; finding that the proposed project is in conformity with the priority policies of Planning Code, Section 101.1(8), with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the issuance and sale of such bonds, as defined herein.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?
18.  161193  [Sale of Tax-Exempt General Obligation Bonds (Public Health and Safety, 2016), Series 2017A - Not to Exceed $176,000,000]
Sponsors: Mayor; Breed, Farrell, Cohen and Peskin
Resolution authorizing the issuance and sale of not to exceed $176,000,000 aggregate principal amount of City and County of San Francisco Tax-Exempt General Obligation Bonds (Public Health and Safety, 2016), Series 2017A; prescribing the form and terms of such bonds; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

19.  161202  [Authorizing Expenditures - SoMa Community Stabilization Fund - $595,000]
Sponsor: Kim
Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund dollars in the amount of $595,000 to address various impacts of destabilization on residents and businesses in SoMa.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

20.  161227  [Agreement Amendment - En Pointe Technologies Sales, LLC - Microsoft Online 365 Subscription Services - Not to Exceed $13,909,873]
Resolution authorizing the Department of Technology and the Office of Contract Administration to enter into Amendment No. 1 to the Agreement between the City and County of San Francisco and En Pointe Technologies Sales, LLC, for Microsoft Online 365, to increase the agreement amount by $4,335,418 for an amount not to exceed $13,909,873 over the agreement term of June 25, 2014, through May 31, 2017.

(Department of Technology)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?
21. 161228 [Agreement Amendments - En Pointe Technologies Sales, LLC - Microsoft Enterprise Program Products - Not to Exceed $14,719,597]
Resolution authorizing the Department of Technology and the Office of Contract Administration to enter into Amendment No. 1 to the Agreement between the City and County of San Francisco and En Pointe Technologies Sales, LLC, for Microsoft enterprise products, to increase the agreement amount by $4,850,304 for an amount not to exceed $14,719,597 over the agreement term of June 25, 2014, through May 31, 2017. (Department of Technology)
(Fiscal Impact)
Question: Shall this Resolution be ADOPTED?

22. 161230 [Accept and Expend Grant - Fiscal Year 2016 Housing Opportunities for Persons with AIDS Permanent Supportive Housing Renewal - $1,430,000]
Sponsor: Mayor
Resolution retroactively approving the Fiscal Year 2016 Housing Opportunities for Persons with AIDS (HOPWA) Permanent Supportive Housing Renewal Grant; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's Fiscal Year 2016 HOPWA Permanent Supportive Housing Renewal Grant from the U.S. Department of Housing and Urban Development in the amount of $1,430,000 for the period of December 1, 2016, through November 30, 2019.
Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Transportation Committee
Present: Supervisors Cohen, Wiener, Peskin

23. 161067 [Planning Code, Zoning Map - Mission and 9th Street Special Use District]
Sponsors: Kim; Peskin
Ordinance amending the Planning Code to add Section 249.15 to create the Mission and 9th Street Special Use District in the area generally bounded by Mission Street on the south, Laskie Street on the east, Assessor's Parcel Block No. 3701, Lot Nos. 22, 23, and 24 on the west, and Assessor's Parcel Block No. 3701, Lot No. 66 to the north; amending the Zoning Map Sheet SU07 to create the Mission and 9th Street Special Use District; amending Zoning Map Sheet HT07 to change the height limit on Assessor's Parcel Block No. 3701, Lot Nos. 20 and 21, from 120-X to 200-X; 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.
Question: Shall this Ordinance be PASSED ON FIRST READING?
24. **161095**

[Planning Code, Zoning Map - 1493-1497 Potrero Avenue]

Ordinance amending the Planning Code to revise Sectional Map HT08 of the Zoning Map to rezone the height and bulk designation for 1493-1497 Potrero Avenue, Assessor's Parcel Block No. 4277, Lot No. 016, from Open Space (OS) to 40-X; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302. (Planning Commission)

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

25. **161184**

[General Plan Amendment - Downtown Area Plan Map 5]

Sponsor: Kim

Ordinance amending the General Plan by revising the height designation for Assessor's Parcel Block No. 3701, Lot Nos. 20 and 21, on Map 5 of the Downtown Area Plan from 120-X to 200-X; adopting and making findings regarding the Mitigated Negative Declaration prepared in compliance with 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. (Planning Commission)

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

26. **161197**

[Jurisdictional Transfer and Exchange of City Property - San Francisco Public Utilities Commission - Public Works - 160 Napoleon Street - 1801 Jerrold Avenue and a Portion of 160 Napoleon Street]

Sponsor: Mayor

Resolution approving the jurisdictional transfer of 1801 Jerrold Avenue, Assessor's Parcel Block No. 5281, Lot No. 001, consisting of approximately 64,340 square feet, commonly known as the Asphalt Plant Site, currently under the jurisdiction of Public Works (SFPW) to the San Francisco Public Utilities Commission (SFPUC), and a portion of 160 Napoleon Street, Assessor's Parcel Block No. 4343, Lot Nos. 018 and 031, and Block No. 4346, Lot Nos. 001 and 001A, consisting of 59,132 square feet, commonly known as the Napoleon Site, currently under the jurisdiction of the SFPUC to the SFPW, subject to the terms and conditions of a Memorandum of Understanding between SFPUC and SFPW; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing other actions in furtherance of this Resolution, as defined herein.

**Question:** Shall this Resolution be ADOPTED?

**SPECIAL ORDER 2:30 P.M. - Recognition of Commendations**
SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

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

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

(Public hearing continued open from November 15, 2016.)

27. **161174**

[Hearing - Appeal of Tentative Map Approval - 162-164 Alhambra Street]

Hearing of persons interested in or objecting to the decision of Public Works dated October 18, 2016, approving a Tentative Map for three units of new construction at 162-164 Alhambra Street, Assessor's Parcel Block No. 0463A, Lot No. 013. (District 2) (Appellants: John Barrett, Kathleen Eckhart, and Mauricio Franco) (Filed October 28, 2016). (Clerk of the Board)

11/15/2016; CONTINUED OPEN.

**Question:** Shall this Hearing be HEARD AND FILED?

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

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

28. **161175**

[Approving Decision of Public Works and Approving the Tentative Map - 162-164 Alhambra Street]

Motion approving decision of Public Works and approving the Tentative Map for three units of new construction at 162-164 Alhambra Street, Assessor's Parcel Block No. 0463A, Lot No. 013; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

11/15/2016; CONTINUED.

**Question:** Shall this Motion be APPROVED?
29. 161176 [Disapproving Decision of Public Works and Disapproving the Tentative Map - 162-164 Alhambra Street]
Motion disapproving decision of Public Works and disapproving the Tentative Map for three units of new construction at 162-164 Alhambra Street, Assessor's Parcel Block No. 0463A, Lot No. 013. (Clerk of the Board)

11/15/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

30. 161177 [Preparation of Findings Related to the Tentative Map - 162-164 Alhambra Street]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for three units of new construction at 162-164 Alhambra Street, Assessor's Parcel Block No. 0463A, Lot No. 013. (Clerk of the Board)

11/15/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

31. 161216 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed Project at 203 Cotter Street]
Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on September 27, 2016, approved by the Planning Commission by Motion No. 19751 on September 29, 2016, for a proposed project located at 203 Cotter Street, to change the use from a neighborhood agricultural use to a school and to construct a new K-8 school (dba Golden Bridges School), including a new two-story building totaling approximately 15,400 square feet. (District 11) (Appellant: Nancy Huff, on behalf of Mission Terrace Land Preservation Committee) (Filed October 27, 2016). (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

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

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

32. 161217 [Affirming the Categorical Exemption Determination - Proposed Project at 203 Cotter Street]
Motion affirming the determination by the Planning Department that a proposed project at 203 Cotter Street is categorically exempt from further environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
33. 161218 [Conditionally Reversing the Categorical Exemption Determination - Proposed Project at 203 Cotter Street]
Motion conditionally reversing the determination by the Planning Department that a proposed project at 203 Cotter Street is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

34. 161219 [Preparation of Findings to Reverse the Categorical Exemption Determination - Proposed Project at 203 Cotter Street]
Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 203 Cotter Street is categorically exempt from further environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

35. 161220 [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 203 Cotter Street]
Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Sections 209.1 and 303, for a proposed project located at 203 Cotter Street, Assessor’s Parcel Block No. 6795A, Lot No. 029, identified in Case No. 2015-003791CUA, issued by the Planning Commission by Motion No. 19745 dated September 29, 2016, to establish a new K-8 school (dba Golden Bridges School) and allow the construction of a two-story building of approximately 15,400 gross square feet within the Residential Housing, One Family Zoning District and a 40-X Height and Bulk District. (District 11) (Appellant: David Hooper, on behalf of New Mission Terrace Improvement Association) (Filed October 27, 2016). (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

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

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

36. 161221 [Approving Conditional Use Authorization - Proposed Project at 203 Cotter Street]
Motion approving the decision of the Planning Commission by its Motion No. 19751, approving a Conditional Use Authorization identified as Planning Case No. 2015-003791CUA for a proposed project located at 203 Cotter Street, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
37. 161222  
[Disapproving Conditional Use Authorization - Proposed Project at 203 Cotter Street]
Motion disapproving the decision of the Planning Commission by its Motion No. 19751, approving a Conditional Use Authorization identified as Planning Case No. 2015-003791CUA for a proposed project located at 203 Cotter Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

38. 161223  
[Preparation of Findings Related to Conditional Use Authorization Appeal - Proposed Project at 203 Cotter Street]
Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors’ disapproval of the proposed Conditional Use Authorization identified as Planning Case No. 2015-003791CUA for a proposed project located at 203 Cotter Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

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

The following item will be considered by the Budget and Finance Committee at a Special Meeting on Monday, December 5, 2016, at 2:30 p.m. The Chair intends to request the Committee to send the following item to the Board as a Committee Report on Tuesday, December 6, 2016.

39. 161286  
[Project Partnership Agreement - United States Army Corps of Engineers - Dredging of Central Basin by Pier 70 - Waiving Certain Requirements of Environment and Administrative Codes - Not to Exceed $3,139,850]
Sponsor: Mayor
Ordinance approving and authorizing the Executive Director of the Port of San Francisco ("Port") to execute a Project Partnership Agreement with the United States Army Corps of Engineers ("USACE") to allow federal dredging of the Central Basin adjacent to Pier 70 conditioned upon the Port providing a 25% matching share not to exceed $2,242,750 for the initial project costs, and the Port providing a 10% matching share, not to exceed an additional $897,100 for federal maintenance dredging of the Central Basin payable over the following 30 years, for a total matching share from the Port not to exceed $3,139,850; exempting the Agreement from certain requirements of the Environment Code and Administrative Code except to the extent that the Agreement obligates USACE to satisfy any such requirements; and affirming the Planning Department’s determination under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?
The following items will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Thursday, December 1, 2016, at 9:30 a.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, December 6, 2016.

40. **161158**  
[**Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filing Requirements**]  
Sponsor: Breed  
Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code’s Form 700 (Statement of Economic Interests) filing requirements for the City, San Francisco Community College District, San Francisco Unified School District, and Successor Agency to the Redevelopment Agency, by adding, deleting, and changing titles of designated officials and employees to reflect organizational and staffing changes, and by refining disclosure requirements for designated officials and employees.

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

41. **161238**  
[**Settlement of Claims - Ronald and Patricia Martell - $5,007,400.31 and Hold Harmless; Appropriating $4,000,000 from the Water Enterprise Fund Balance - Waiver of Contract Requirements for Landslide Repair on Private Property Not to Exceed $500,000**]  
Sponsor: Yee  
Ordinance authorizing final settlement of Claim No. 16-02314 filed by Ronald and Patricia Martell against the City and County of San Francisco by payment of $4,469,637.02 establishing a third-party escrow account in the amount of $537,763.29 as a Landslide Contingency Fund, for a total potential payment of $5,007,400.31 and holding claimants harmless from third party claims for a limited period; the claim was filed on February 25, 2016; the claim involves alleged property damage arising from the January 25, 2016, landslide on Casitas Avenue; appropriating $4,000,000 from the Water Enterprise fund balance for such purpose; and waiving Administrative Code contract requirements except for Administrative Code, Section 12B.1(a) (nondiscrimination) and Section 6.22(e) (prevailing wage), for San Francisco Public Utilities Commission (SFPUC) contracts to implement landslide stabilization measures at 256 Casitas Avenue prior to April 1, 2017, or to undertake landslide repairs on 266 Casitas Avenue, with an engineer or construction contractor, subject to approval by the applicable property owner at 256 Casitas Avenue and/or 266 Casitas Avenue, if the SFPUC’s Commission President and General Manager determine such contract is necessary to protect public facilities or minimize or avoid City liability, not to exceed $500,000 in total for any such contracts. (City Attorney)

**Question:** Shall this Ordinance be PASSED ON FIRST READING?
The following items will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, December 5, 2016, at 1:30 p.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, December 6, 2016.

42. 161285  
[Real Property Acquisition - Sidewalks Along Portions of Van Ness Avenue and South Van Ness Avenue]  
Sponsor: Mayor  
Ordinance authorizing the Director of Property to agree to acquire and accept the State of California’s relinquishment of all its right, title, and interest in and to the sidewalks along portions of Van Ness Avenue (between Lombard Street and Market Street), portions of South Van Ness Avenue (between Market Street and Plum Street), and the underlying real property (if any and without warranty), except as otherwise excepted and reserved by the State of California; authorizing the placement of such sidewalks and real property, upon acquisition, under the jurisdiction of Public Works; authorizing additional official City actions required to consummate the relinquishment of the sidewalks, as defined herein; authorizing the Director of Public Works to amend an existing Delegated Maintenance Agreement with the State of California regarding shared maintenance of portions of Van Ness Avenue and maintenance cost allocation, upon relinquishment of the sidewalks; waiving fees and bonding requirements for the State of California that would be otherwise applicable to excavation permits; waiving the required 90-days’ notice of intention to relinquish set forth in California Streets and Highways Code, Section 73; adopting the Planning Department’s determination that such acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting the Planning Department’s determination under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

43. 161241  
[Interim Zoning Controls - Indoor Agriculture]  
Sponsor: Mayor  
Resolution creating interim zoning controls to require conditional use authorization for indoor agriculture uses, as defined in Planning Code, Section 102, and other indoor agriculture uses in Production, Distribution, and Repair zoning districts; making findings of consistency with the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department’s determination under the California Environmental Quality Act.

Question: Shall this Resolution be ADOPTED?

44. **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.
45. **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 46 through 50**

46. **161284**

[Commending Chuck Nevius]

Sponsors: Wiener; Peskin and Farrell

Resolution commending Chuck Nevius.

11/29/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/29/2016; CONTINUED.

*Question: Shall this Resolution be ADOPTED?*
47. [Approval of an Additional 120-Day Extension for Planning Commission Review of Inclusionary Affordable Housing Program (File No. 150911)]

Sponsors: Mayor; Farrell and Tang
Resolution extending by an additional 120 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.

11/29/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. [Tom Owen Day - December 8, 2016]

Sponsor: Peskin
Resolution declaring December 8, 2016, as Tom Owen Day in the City and County of San Francisco, in recognition of his many years of outstanding service in the City Attorney’s Office and his well-deserved retirement.

11/28/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. [Rescinding Motion Reversing the Community Plan Exemption Determination and Requesting Additional Information - Proposed Project at 1515 South Van Ness Avenue]

Motion rescinding Board of Supervisors Motion No. 16-156 reversing the Planning Department’s determination that a proposed project at 1515 South Van Ness Avenue does not require further environmental review under a Community Plan Exemption; removing the motion in Board File No. 161002 from the table; and requesting further information from the Planning Department related to the potential environmental impacts of the proposed project. (Clerk of the Board)

11/22/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/29/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/29/2016; CONTINUED AS AMENDED.

Question: Shall this Motion be APPROVED?
50. 161282  

[Board of Supervisors Regular Meeting Schedule - 2017]  
Motion establishing the 2017 Board of Supervisors Regular Meeting Schedule pursuant to Board of Supervisors Rules of Order, Sections 4.2, and 4.2.1 by cancelling the Board meetings of January 3, January 17, February 21, May 30, July 4, October 10, and November 7 and 21, 2017; and all Board and Committee meetings during the spring, summer and winter breaks from March 27 through March 31, July 31 through September 4, and December 18, 2017, through January 5, 2018; and further suspending portions of Board Rule 4.2. to effectuate certain dates within the regular meeting schedule to augment the flow of business. (Clerk of the Board)

11/29/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

51. 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.
Petitions and Communications received from November 21, 2016, through November 23, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 6, 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 Department of Building Inspection, submitting a memo regarding the Development of Future DBI Expert Peer Review Pool. Copy: Each Supervisor. (2)

From Clerk of the Board, submitting a memo regarding the Quarterly Report on Departmental Spending Quarter Ending September 30, 2016. Copy: Each Supervisor. (3)

From Controller’s City Services Auditor Division regarding its audit report on NRG Energy Center San Francisco LLC payment of franchise fees for 2013 and 2014. (4)

From Human Services Agency, regarding possible changes to vital programs. (5)


From Dan Kramer Law Group, regarding request for Determination of Public Convenience or Necessity at 616 Divisadero St. File No. 161268. (8)

From Fish and Game Commission, submitting notice of proposed regulatory action relating to use of dogs in pursuit and take of mammals. Copy: Each Supervisor. (9)

From Fish and Game Commission, submitting Notice of Final Consideration regarding the flat-tailed horned lizard. Copy: Each Supervisor. (10)

From Sandy Weil, regarding Beach Chalet. Copy: Each Supervisor. (11)

From Steven Curavo, regarding Improvements to San Francisco. Copy: Each Supervisor. (12)

From Dave Lackie, regarding a Thank you message from Canada. Copy: Each Supervisor. (13)

From Kimberly Allard, regarding Sanctuary City. Copy: Each Supervisor. (14)

From Christine Harris, regarding Hands Around San Francisco. Copy: Each Supervisor. (15)

From Tracy Hepler, regarding short term housing. (17)

ADJOURNMENT