BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

Z

MEETING MINUTES

Tuesday, April 18, 2017 - 2:00 PM

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

Regular Meeting

LONDON BREED, PRESIDENT MALIA COHEN, MARK FARRELL, SANDRA LEE FEWER, JANE KIM, AARON PESKIN, HILLARY RONEN, AHSHA SAFAI, JEFF SHEEHY, KATY TANG, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee Supervisors Cohen, Yee, Tang, Kim, Sheehy

Budget and Finance Federal Select Committee Supervisors Cohen, Sheehy, Fewer

Budget and Finance Sub-Committee Supervisors Cohen, Yee, Tang

Government Audit and Oversight Committee Supervisors Kim, Peskin, Breed

Land Use and Transportation Committee Supervisors Farrell, Peskin, Tang

Public Safety and Neighborhood Services Committee Supervisors Ronen, Sheehy, Fewer

Rules Committee Supervisors Safai, Fewer, Yee **Meeting Days**

Thursday 1:00 PM

2nd and 4th Thursday 1:05 PM

> Thursday 10:00 AM

1st and 3rd Wednesday 10:00 AM

> Monday 1:30 PM

2nd and 4th Wednesday 10:30 AM

2nd and 4th Wednesday 1:00 PM

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

Members Present: London Breed, Malia Cohen, Mark Farrell, Sandra Lee Fewer, Jane Kim, Aaron Peskin, Hillary Ronen, Ahsha Safai, Jeff Sheehy, Katy Tang, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, April 18, 2017, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:03 p.m. On the call of the roll, all Supervisors were noted present. There was a quorum.

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 March 7, 2017. There were no corrections.

Supervisor Cohen, seconded by Supervisor Yee, moved to approve the Board Meeting Minutes of March 7, 2017. The motion carried by the following vote, following general public comment:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendation of the Government Audit and Oversight Committee

170228 [Settlement of Lawsuit - CF Contracting, Inc. - Up to \$120,000]

Ordinance authorizing settlement of the lawsuit filed by CF Contracting, Inc. ("CFC") against the City and County of San Francisco for \$110,000, plus \$10,000 if CFC reaches substantial completion of the Mountain Lake Park Playground Renovation with Public Works by February 14, 2017; the lawsuit was filed on March 22, 2016, in the Superior Court of California, County of San Francisco, Case No. CGC-16-551060; entitled CF Contracting, Inc. v. City and County of San Francisco; the lawsuit involves CFC's allegation that the City wrongfully denied bid relief and rejected of one of the subcontractors CFC listed in its bid; other material terms of the settlement are 1) the City will release claims for delay and extend the Contract's completion dates, 2) the City will retain certain rights to assess liquidated damages if CFC does not achieve substantial completion by February 28, 2017, and 3) CFC will release the City from claims, with limited exceptions. (City Attorney)

Ordinance No. 093-17

FINALLY PASSED

Recommendations of the Rules Committee

170396 [Appointments, Park, Recreation, and Open Space Advisory Committee - Various District Appointees]

Motion appointing Elisa Laird-Metke and Wendy Aragon, terms ending February 1, 2018; appointing Reanna Tong, Jorell Corpus, and Theresa Factora, terms ending February 1, 2019; reappointing Mark Scheuer, term ending February 1, 2018; and reappointing Natalie Dillon, Nicholas Belloni, Steffen Franz, Robert Brust, Anthony Cuadro, Maya Rodgers, Richard Rothman, and Jane Weil, terms ending February 1, 2019, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Motion No. M17-059

APPROVED

170404 [Appointments, Commission on the Aging Advisory Council - Juliet Rothman, Catherine Russo, Patricia Spaniak, and Allegra Fortunati]

Motion appointing Juliet Rothman and Catherine Russo, terms ending March 31, 2018, and Paticia Spaniak and Allegra Fortunati, terms ending March 31, 2019, to the Commission on the Aging Advisory Council. (Rules Committee)

Motion No. M17-060

APPROVED

170405 [Appointments, Eastern Neighborhoods Citizens Advisory Committee - Keith Goldstein, Irma Lewis, and Roshann Pressman]

Motion appointing Keith Goldsetin, Irma Lewis, and Roshann Pressman, for terms ending October 19, 2017, to the Eastern Neighborhoods Citizens Advisory Committee. (Rules Committee)

Motion No. M17-061

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

President Breed requested File Nos. 170099 and 170100 be called together.

170099 [Real Property Lease - American Messaging Services, LLC - Zuckerberg San Francisco General Hospital and Trauma Center, Building 25 - 1001 Potrero Avenue -\$5,000 per Month Base Rent Exempt]

Sponsor: Cohen

Resolution authorizing and approving the lease of a portion of the roof and equipment room at Zuckerberg San Francisco General Hospital and Trauma Center, Building 25, at 1001 Potrero Avenue with American Messaging Services, LLC, a Delaware limited liability company, at the monthly base rent of \$5,000 which shall be waived while providing paging services and equipment to the City, for a five-year term to commence upon approval by the Board of Supervisors and Mayor, with two five-year options to extend.

Resolution No. 128-17

ADOPTED by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

170100 [Real Property Lease - SPOK, Inc. - Zuckerberg San Francisco General Hospital and Trauma Center, Building 25 - 1001 Potrero Avenue - \$5,000 per Month Base Rent Exempt]

Sponsor: Cohen

Resolution authorizing and approving the lease of a portion of the equipment room at Zuckerberg San Francisco General Hospital and Trauma Center, Building 25, at 1001 Potrero Avenue with SPOK, Inc., a Delaware corporation, at the monthly base rent of \$5,000 which shall be waived while providing paging services and equipment to the City, for the five-year term to commence upon approval by the Board of Supervisors and Mayor, with two five-year options to extend.

Resolution No. 129-17

ADOPTED by the following vote:

170153 [Real Property Lease - C & E Haas Development Company, LLC - 1 Bayview Park Road- Initial Annual Rental of \$91,800]

Resolution approving a lease between C & E Haas Development Company, LLC, as landlord, and the City and County of San Francisco, as tenant, for certain equipment at 1 Bayview Park Road (Assessor's Parcel Block No. 4991, Lot No. 1C), for an approximate ten-year term to commence upon lease execution (expected to be about April 1, 2017) through March 31, 2027, with three five-year options at an initial annual lease rate of \$91,800 with a one-time fee of \$25,000 with annual three percent increases, for use as a radio transmission site for the City's first responders; and adopting environmental findings. (Department of Technology)

Resolution No. 130-17

ADOPTED by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

170154 [Telecommunication Ground Lease - Emergency Radio Tower - State of California -San Bruno Mountain State Park - \$43,884 Initial Annual Base Rent - \$175,000 Payment to the State Park Benefit Fund]

Resolution authorizing and approving a 25-year telecommunication ground lease of 859 square feet of existing emergency radio telecommunications tower and associated equipment with the State of California, Department of General Services, and Department of Parks and Recreation, as Landlord, for the Department of Emergency Management and the Department of Technology at San Bruno Mountain State Park, South Hill Site, San Mateo County, at a yearly initial base rent of \$43,884 to commence upon approval by the Board of Supervisors and Mayor; and approving payment of \$175,000 to the State Park Benefit Fund. (Department of Technology) (Fiscal Impact)

Resolution No. 131-17

ADOPTED by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

170180 [Emergency Declaration - Kezar Pavilion Boilers - Estimated Cost of Repairs Exceeds \$250,000]

Sponsors: Mayor; Breed

Resolution approving the Recreation and Park Department General Manager's declaration of an emergency based on the catastrophic failure of the boiler system at Kezar Pavilion, estimated cost more than \$250,000 to repair, pursuant to Administrative Code, Section 6.60(b). (Recreation and Park Department)

(Fiscal Impact)

Supervisor Breed requested to be added as a co-sponsor.

Resolution No. 133-17

ADOPTED by the following vote:

170192 [California Constitution Appropriations Limit - FY2016-2017 - \$3,185,468,215]

Resolution establishing the appropriations limit of \$3,185,468,215 for FY2016-2017, pursuant to California Constitution, Article XIII B. (Controller) (Fiscal Impact)

Resolution No. 134-17

ADOPTED by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

170231 [Grant Agreement - Homebridge - Contract Mode In-Home Supportive Services and Provider Skill Development Training and Supports - \$66,972,930]

Resolution retroactively approving a grant agreement between the City and County of San Francisco and Homebridge for the provision of Contract Mode In-Home Supportive Services and Provider Skill Development Training and Supports, for the period of April 1, 2017, through June 30, 2019, in the amount of \$66,972,930. (Human Services Agency) (Fiscal Impact)

Supervisor Peskin, seconded by Supervisor Kim, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of April 25, 2017. The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

170265 [Agreement Amendment - Leaders in Community Alternatives - Home Detention and Electronic Monitoring Program Rules and Regulations; Program Administrator's Evidence of Financial Responsibility - 2017 Calendar Year - Not to Exceed \$2,000,000]

Resolution authorizing the Sheriff's Department to enter into a first amendment to the existing agreement with Leaders in Community Alternatives ("LCA"), to extend the term by one year for a total term of May 1, 2014, through April 30, 2018, with no change in the agreement amount not to exceed \$2,000,000; approving the Sheriff Department's home detention and electronic monitoring program rules and regulations; and approving evidence of financial responsibility demonstrated by program administrator LCA for the 2017 calendar year. (Sheriff)

Resolution No. 135-17

ADOPTED by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

170270 [Renovation of County Jail No. 2 - Supplemental Information for State Funding Application]

Resolution designating the construction administrator, financial officer, and project contact person for a proposed project to renovate County Jail No. 2; confirming the fair market land value of \$6,000,000 for County Jail No. 2; and conditionally assuring the staffing, operation and continued ownership of County Jail No. 2. (Sheriff)

Resolution No. 120-17

ADOPTED by the following vote:

170280 [Accept and Expend Grant - California Department of Public Health - HIV CARE Program Supplemental - \$1,336,000]

Sponsor: Sheehy

Resolution retroactively authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$1,336,000 from the California Department of Public Health to participate in a program entitled HIV CARE Program Supplemental for the period of November 30, 2016, through September 29, 2017; and waiving indirect costs. (Public Health Department)

Resolution No. 136-17

ADOPTED by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

170303 [Issuance of Bonds - California Municipal Finance Authority - Institute on Aging, a California Nonprofit Public Benefit Corporation - Not to Exceed \$45,000,000] Sponsor: Fewer

Resolution approving, in accordance with Internal Revenue Code, Section 147(f), the issuance of revenue bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$45,000,000 to refinance all or a portion of certain outstanding debt obligations that originally financed and refinanced the acquisition, construction, equipping, and furnishing of facilities owned and managed by Institute on Aging, a California nonprofit public benefit corporation, in connection with the provision of health care and other support services for low-income, frail older adults.

Resolution No. 121-17

ADOPTED by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Recommendation of the Public Safety and Neighborhood Services Committee

170155 [Liquor License - 277 Taylor Street]

Resolution determining that the issuance of a Type 64 special on-sale general theatre license to The Cutting Ball Theater, dba Cutting Ball Theater, located at 277 Taylor Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 132-17

ADOPTED by the following vote:

Recommendations of the Rules Committee

170406 [Appointments, Market and Octavia Community Advisory Committee - Krute Singa, Joshua Marker, Mohammed Soriano-Bilal, Paul Olsen, and Jason Henderson] Motion appointing Krute Singa, Joshua Marker, Mohammed Soriano-Bilal, Paul Olsen, and Jason Henderson, terms ending December 16, 2018, to the Market and Octavia Community Advisory Committee. (Rules Committee)

Motion No. M17-062

APPROVED by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Supervisor Safai Excused from Voting

Supervisor Ronen, seconded by Supervisor Kim, moved that Supervisor Safai be excused from voting on File No. 170407. The motion carried by the following vote:

Ayes: 10 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Sheehy, Tang, Yee Excused: 1 - Safai

170407 [Appointment, San Francisco International Airport Community Roundtable -Supervisor Ahsha Safaí]

Motion appointing Supervisor Ahsha Safaí, for an indefinite term, to the San Francisco International Airport Community Roundtable. (Rules Committee)

Motion No. M17-063

APPROVED by the following vote:

Ayes: 10 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Sheehy, Tang, Yee Excused: 1 - Safai

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

Supervisor Fewer, seconded by Supervisor Ronen, 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 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Supervisor Fewer introduced, welcomed, and presented a Certificate of Honor to Regan Gong, on behalf of the Anza Branch Library, on the occasion of the Branch Library's 85th Anniversary and in recognition of the many years providing books, literary programs and services to the community.

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 161146, 161147, 161148, and 161149 be called together.

Supervisor Safai was noted absent at 3:14 p.m.

161146 [Hearing - Appeal of Determination of Exemption From Environmental Review -Proposed Project at 2675 Folsom 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 Community Plan Exemption by the Planning Department on June 27, 2016, and approved by the Planning Commission on September 22, 2016, for the proposed project located at 2675 Folsom Street, to allow the demolition of three two-story warehouse and storage structures, and construction of a four-story, 40-foot tall residential building of approximately 109,917 square feet, within the UMU (Urban Mixed Use), RH-2 (Residential Housing, Two Family), and RH-3 (Residential Housing, Three Family) Zoning Districts and a 40-X Height and Bulk District. (District 9) (Appellant: J. Scott Weaver, on behalf of Calle 24 Latino Cultural District Community Council) (Filed October 21, 2016) (Clerk of the Board)

President Breed opened the public hearing and Supervisor Ronen provided information on the project and indicated she would be making a motion to continue the appeal to a later date. The President then inquired as to whether any member of the public wished to address the Board regarding the continuance. Alan Martinez (San Francisco Historical Society); Anne Cervantes (Latino Context Statement Research; Corey Smith (San Francisco Housing Coalition); Harold Kyer, Leticia Perez and Arnulfo Barajas (Fisher Construction); Alex Lantsberg and Tim Lipscomb (Local 22); Eric; Lorraine Garcia Narata (San Francisco Latino Historical Society); John Mendoza; Laurel Bernice; spoke in support of the continuance. There were no other speakers. President Breed closed public comment.

Supervisor Ronen, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of May 9, 2017, at 4:00 p.m. The motion carried by the following vote:

Ayes: 10 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Sheehy, Tang, Yee Absent: 1 - Safai

Supervisor Safai, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Supervisor Ronen, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of May 9, 2017, at 4:00 p.m. The motion carried by the following vote:

161147 [Affirming the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street]

Motion affirming the determination by the Planning Department that a proposed project at 2675 Folsom Street is exempt from further environmental review under a Community Plan Exemption. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of May 9, 2017, at 4:00 p.m. The motion carried by the following vote:

Ayes: 10 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Sheehy, Tang, Yee Absent: 1 - Safai

Supervisor Safai, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Supervisor Ronen, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of May 9, 2017, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

161148 [Conditionally Reversing the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street]

Motion conditionally reversing the determination by the Planning Department that a proposed project at 2675 Folsom Street does not require further environmental review under a Community Plan Exemption, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of May 9, 2017, at 4:00 p.m. The motion carried by the following vote:

Ayes: 10 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Sheehy, Tang, Yee Absent: 1 - Safai

Supervisor Safai, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Supervisor Ronen, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of May 9, 2017, at 4:00 p.m. The motion carried by the following vote:

161149 [Preparation of Findings to Reverse the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street]

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Exemption determination by the Planning Department that a proposed project at 2675 Folsom Street does not require further environmental review. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of May 9, 2017, at 4:00 p.m. The motion carried by the following vote:

Ayes: 10 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Sheehy, Tang, Yee Absent: 1 - Safai

Supervisor Safai, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Supervisor Ronen, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of May 9, 2017, at 4:00 p.m. The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 170286, 161002, and 161003 be called together.

Supervisor Safai was noted present at 3:27 p.m.

170286 [Hearing - Appeal of Determination of Exemption From Environmental Review -Proposed Project at 1515 South Van Ness Avenue]

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act, issued as a Community Plan Exemption by the Planning Department on July 12, 2016, and approved by Planning Commission Motion No. 19727 on August 11, 2016; and on the supplemental report prepared by the Planning Department, transmitted on March 15, 2017, providing additional information and analysis regarding whether a proposed project located at 1515 South Van Ness Avenue would result in new significant environmental effects or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods Rezoning and Area Plan Final Environmental Impact Report, including whether the proposed project would cause social or economic change such as displacement or gentrification that would result in physical impacts to the environment, either cumulatively or at the project-specific level, within the geographic area of the Calle 24 Latino Cultural District. (District 9) (Appellant: J. Scott Weaver, on behalf of the Calle 24 Latino Cultural District Community Council) (Filed September 12, 2016) (Clerk of the Board)

President Breed opened the public hearing and Supervisor Ronen provided information on the project. The President then inquired as to whether any member of the public wished to address the Board. Iris Biblowitz; Eddie Steal; Tom Gilberty; spoke in support of the appeal. Danny Campbell; Corey Smith; spoke in support of the project and in opposition to the appeal. There were no other speakers. President Breed closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

161002 [Affirming the Community Plan Exemption Determination for a Proposed Project at 1515 South Van Ness Avenue]

Motion affirming the determination by the Planning Department that a proposed project at 1515 South Van Ness Avenue is exempt from further environmental review under a Community Plan Exemption. (Clerk of the Board)

Motion No. M17-064

Supervisor Ronen, seconded by Supervisor Peskin, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

161003 [Reversing the Community Plan Exemption Determination for a Proposed Project at 1515 South Van Ness Avenue]

Motion reversing the determination by the Planning Department that a proposed project at 1515 South Van Ness Avenue is exempt from further environmental review under a Community Plan Exemption. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

COMMITTEE REPORTS

Recommendation of the Budget and Finance Sub-Committee

170352 [Apply for Grant - California Department of Forestry and Fire Protection - State Greenhouse Gas Reduction Funding - Urban Forestry Project - \$245,000] Sponsor: Mayor

Resolution authorizing the Recreation and Park Department to apply for a grant in the amount of \$245,000 from the California State Department of Forestry and Fire Protection, for State Greenhouse Gas Reduction Funding to carry out an urban forestry project.

Resolution No. 137-17

ADOPTED by the following vote:

Recommendation of the Land Use and Transportation Committee

170202 [Green Building and Environment Codes - Requirements for Installation of Electric Vehicle Chargers]

Sponsors: Mayor; Tang

Ordinance amending the Green Building Code and the Environment Code to establish requirements for installation of electric vehicle charger infrastructure in new buildings or buildings undergoing major alterations, and requirements for notification to building owners, residents, and lessees; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed concerns regarding a specific Request for Proposals. Andrew Yip; shared his various thoughts and experiences with the Board.

Joseph Bryant (SEIU 1021); expressed support of the Resolution regarding the upcoming May Day protests.

David Canham (SEIU 1021); expressed support of the Resolution regarding the upcoming May Day protests.

Peter Maziak; expressed support of the Resolution regarding the upcoming May Day protests. Michael Baier; expressed support of the Resolution condemning anti-LGBT actions in the Chechen Republic (File No. 170426).

Marcos Aranda; expressed support of the Resolution regarding the upcoming May Day protests. Olga Miranda; expressed support of the Resolution regarding the upcoming May Day protests. Bill Shields (AFT Local 2121); expressed support of the Resolution regarding the upcoming May Day protests.

Otto Fitzinger; expressed support of the Resolution regarding the upcoming May Day protests. Monique Perez; expressed support of the Resolution regarding the upcoming May Day protests. Rafael Picazo; expressed support of the Resolution regarding the upcoming May Day protests. Ace Washington; shared an apology for a prior outburst and expressed support of the Resolution regarding the upcoming May Day protests.

Haley; shared services being provided by the street cleaning program.

George Green; shared services being provided by the street cleaning program.

Otto Dufty; expressed support of the Resolution regarding the upcoming May Day protests and concerns on transportation.

Tom Gilberty; shared concerns regarding the 45th President, the 8 Washington project, and political reforms.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

170425 [Public Works Week - April 24, 2017, through April 28, 2017] Sponsor: Sheehy

Resolution commending the men and women of San Francisco Public Works and declaring April 24, 2017, through April 28, 2017, as Public Works Week in the City and County of San Francisco.

Resolution No. 138-17 ADOPTED

170426 [Condemning Anti-LGBT Actions in the Chechen Republic] Sponsors: Sheehy; Ronen

Resolution condemning anti-LGBT actions in the Chechen Republic and joining in solidarity with all LGBT Russians in their fight for lives, dignity and respect.

Supervisor Ronen requested to be added as a co-sponsor.

Resolution No. 139-17 ADOPTED

170412 [Committee of the Whole - Amendments to the Hunters Point Shipyard Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan - June 6, 2017]

Sponsor: Cohen

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 6, 2017, at 3:00 p.m., to hold a public hearing to consider the conforming amendments to the Bayview Hunters Point Redevelopment Project Area (File No. 170414), and the Hunters Point Shipyard Redevelopment Project Area (File No. 170415), to implement Proposition O, enacted by voters on November 8, 2016.

Motion No. M17-065

APPROVED

The foregoing items were acted upon by the following vote:

IMPERATIVE AGENDA

[Purely Commendatory Finding]

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

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

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, 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 Yee, seconded by Supervisor Farrell, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

170440 [Philip P. Choy Day - April 23, 2017]

Sponsors: Yee; Peskin, Tang, Fewer and Kim

Resolution declaring April 23, 2017, to be Philip P. Choy Day in the City and County of San Francisco in appreciation of his contributions to the Chinese-American community, both locally and nationally, and increasing the public's knowledge of the Chinese-American community's significant contributions to our country's development.

President Breed inquired as to whether any member of the public wished to address the Board relating to the Resolution declaring April 23, 2017, as Philip P. Choy Day as referenced in File No. 170440. There were no speakers. The President declared public comment closed.

Resolution No. 140-17

ADOPTED by the following vote:

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

 170441 [Health Code - Banning the Sale of Flavored Tobacco Products] Sponsors: Cohen; Safai, Breed, Farrell, Sheehy and Tang Ordinance amending the Health Code to prohibit tobacco retailers from selling flavored tobacco products, including menthol cigarettes.
04/18/17; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on

04/18/17; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 5/18/2017.

170442 [Public Works Code - Requirements for Surface-Mounted Facility Site Permits] Sponsor: Cohen

Ordinance amending the Public Works Code to modify the exceptions to the Surface-Mounted Facility Site Permit requirement; to allow a permittee to choose to pay an "in-lieu" fee instead of installing a street tree; to allow a permittee to choose to pay an "in-lieu" fee instead of permitting the installation of a mural on its Surface-Mounted Facility; to repeal the requirements that a permittee install landscaping or pay an "in-lieu" fee and maintain the required landscaping; to repeal the requirement that an applicant for a Surface-Mounted Facility Site Permit make reasonable efforts to locate the facility on private property before submitting an application; and to amend the requirement that a permittee maintain any required street tree.

04/18/17; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 5/18/2017.

161014 [Planning Code - Exempting Certain Historic Landmarks from Requirement to Obtain Conditional Use and Replace Production, Distribution, and Repair, Institutional Community, and Arts Activities Uses] Sponsor: Kim

Ordinance amending Planning Code, Section 202.8 to exempt certain designated historic landmarks from obtaining conditional use authorization to remove certain Production, Distribution, and Repair, Institutional Community, and Arts Activities Uses, and providing replacement space for such uses; 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.

09/20/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/20/2016.

09/27/16; REFERRED TO DEPARTMENT.

10/20/16; RESPONSE RECEIVED.

01/19/17; RESPONSE RECEIVED.

02/14/17; RESPONSE RECEIVED.

04/18/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

161351 [Planning Code - Inclusionary Affordable Housing Fee and Requirements] Sponsors: Kim; Peskin

Ordinance amending the Planning Code to revise the amount of the Inclusionary Affordable Housing Fee and the On-Site and Off-Site Affordable Housing Alternatives and other Inclusionary Housing requirements; adding reporting requirements for density bonus projects; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/13/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/12/2016.

12/20/16; REFERRED TO DEPARTMENT.

12/20/16; RESPONSE RECEIVED.

02/28/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

03/01/17; REFERRED TO DEPARTMENT.

03/23/17; RESPONSE RECEIVED.

04/18/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

170443 [Police Code - Outdoor Amplified Sound Permits]

Sponsor: Sheehy

Ordinance amending the Police Code to recodify and revamp permit procedures for outdoor amplified sound by providing for distinct permits for Fixed Place Outdoor Amplified Sound, One Time Outdoor Amplified Sound, and Sound Trucks, and establishing fees for those permits, while also providing amplified sound requirements for Place of Entertainment and Limited Live Performance permits; to impose a fee for Sound Monitoring; to increase the fee for One Time Event permits; to declare operation of a business without these various permits (when required) to be a public nuisance; and to strengthen penalties for permit-related violations and noise violations; and making environmental findings.

04/18/17; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 5/18/2017.

170444 [Administrative Code - Kindergarten to College Fund]

Sponsor: Sheehy

Ordinance amending the Administrative Code to create the Kindergarten to College Fund. 04/18/17; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 5/18/2017.

160019 [Administrative Code, Planning Code - Designated Child Care Units] Sponsors: Yee; Peskin

Ordinance amending the Administrative Code and the Planning Code to provide that if a developer of a project with 10 or more affordable units elects to provide one or more Designated Child Care Units in lieu of paying the Residential Child Care Impact Fee, Designated Child Care Unit(s) may be affordable unit(s); and 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 a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

01/12/16; DUPLICATED.

01/12/16; REFERRED to Land Use and Transportation Committee.

01/19/16; REFERRED TO DEPARTMENT.

10/25/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

11/01/16; REFERRED TO DEPARTMENT.

11/02/16; RESPONSE RECEIVED.

11/10/16; RESPONSE RECEIVED.

11/23/16; RESPONSE RECEIVED.

04/18/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

170430 [Planning Code - Landmark Designation - 1970 Ocean Avenue (aka El Rey Theater)] Sponsor: Yee

Ordinance amending the Planning Code to designate 1970 Ocean Avenue (aka El Rey Theater), in Assessor's Parcel Block No. 3280, Lot 018, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

04/12/17; RECEIVED FROM DEPARTMENT.

04/18/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/18/2017.

Resolutions

170445 [Emergency Declaration - Camp Mather Tree Removals - Estimated Cost of Repairs Exceeds \$250,000]

Sponsor: Mayor

Resolution approving the Recreation and Park Department General Manager's declaration of an emergency based on catastrophic tree mortality at Camp Mather, estimated of cost more than \$250,000 to repair, pursuant to Administrative Code, Section 6.60(b). (Fiscal Impact)

04/18/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170446 [Accept and Expend Grant - National Endowment for the Arts - Chinatown Alleyways Project - \$75,000]

Sponsor: Mayor

Resolution retroactively authorizing the Arts Commission to accept and expend a grant in the amount of \$75,000 from the National Endowment for the Arts for the Chinatown Alleyways Project with a grant cycle from August 1, 2016, through July 31, 2018. (Arts Commission)

04/18/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170447 [Approval of an Additional 180-Day Extension for Planning Commission Review of Inclusionary Affordable Housing Program (File No. 150911)] Sponsors: Mayor; Farrell and Tang

Resolution extending by an additional 180 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; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1.

04/18/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

170448 [Urging the Office of the Treasurer and Tax Collector to Convene a Municipal Public Bank Task Force]

Sponsors: Cohen; Fewer, Sheehy and Ronen

Resolution urging the Office of the Treasurer and Tax Collector to convene a Municipal Public Bank Task Force to increase transparency and equity across the City's financial functions.

04/18/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

170449 [Supporting Gender Dysphoria Healthcare Benefits - Urging Healthy San Francisco to Continue Offering Coverage]

Sponsors: Farrell; Sheehy

Resolution supporting gender dysphoria healthcare and benefits for San Francisco's Health Service System and urging the Healthy San Francisco program to continue offering gender dysphoria coverage.

04/18/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

170450 [Multifamily Housing Revenue Bonds - 1150-3rd Street (also known as Mission Bay South Block 3 East) - Not to Exceed \$90,000,000]

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$90,000,000 for 1150-3rd Street (Assessor's Parcel Block No. 8711, Lot No. 026); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$90,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein. (Mayor's Office of Housing and Community Development)

04/18/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170451 [Supporting International Worker's Day and "A Day Without an Immigrant" - May 1, 2017]

Sponsors: Ronen; Fewer, Kim, Peskin, Tang, Cohen, Safai, Yee, Sheehy, Farrell and Breed Resolution calling for the City and County of San Francisco to support International Worker's Day and "A Day Without an Immigrant" on May 1, 2017.

04/18/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

170452 [Supporting Organizing Efforts by Workers Employed by Commuter Shuttle Services]

Sponsors: Safai; Cohen, Peskin and Ronen

Resolution supporting organizing efforts by workers employed by commuter shuttle services, such as Chariot, in the City and County of San Francisco.

04/18/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

170453 [National Donate Life Month - April]

Sponsors: Tang and Sheehy

Resolution recognizing April as National Donate Life Month in the City and County of San Francisco and urging all San Franciscans to register as organ and tissue donors; committing to providing education to City and County of San Francisco employees about the need for and benefits of organ and tissue donation; and recognizing the partnership between the San Francisco Unified School District, Department of Public Health, and Donor Network West to implement California State Assembly Bill 1967, authored by former Speaker of the California Assembly, John A. Pérez, to provide education to students and staff about the need for and benefits of organ and tissue donation.

04/18/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

170454 [Hearing - Youth Homelessness in San Francisco]

Sponsor: Sheehy

Hearing to consider the state of, and understand the efforts of City departments regarding, youth homelessness in San Francisco; and requesting the Department of Homelessness and Supportive Housing, Department of Children, Youth, and their Families, Department of Public Health, Human Services Agency, and Youth Commission to report.

04/18/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

170455 [Hearing - LGBTQ Cultural Heritage Strategy]

Sponsor: Sheehy

Hearing to receive and update from the LGBTQ Nightlife and Culture Working Group as required through Resolution No. 446-16; and requesting the Planning Department to report.

04/18/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

170456 [Hearing - San Francisco Groundwater Supply Project] Sponsors: Yee; Sheehy, Safai and Farrell

Hearing on the San Francisco Groundwater Supply Project, the safety of the drinking water, and testing standards; and requesting the San Francisco Public Utilities Commission to report.

04/18/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

170413 [Hearing - Committee of the Whole - Amendments to the Hunters Point Shipyard Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan - June 6, 2017]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on June 6, 2017, at 3:00 p.m., to hold a public hearing to consider the conforming amendments to the Bayview Hunters Point Redevelopment Project Area (File No. 170414), and the Hunters Point Shipyard Redevelopment Plan (File No. 170415), to implement Proposition O, enacted by voters on November 8, 2016, scheduled pursuant to Motion No. M17-065, approved by the Board on April 18, 2017. (Clerk of the Board)

04/18/17; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

170389 [Settlement of Lawsuit - Maryam Mozafari - \$70,000]

Ordinance authorizing settlement of the lawsuit filed by Maryam Mozafari against the City and County of San Francisco for \$70,000; the lawsuit was filed on June 16, 2015, in San Francisco Superior Court, Case No. CGC-15-546389; entitled Maryam Mozafari v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City sidewalk adjacent to Alta Plaza Park. (City Attorney)

04/07/17; RECEIVED FROM DEPARTMENT.

04/18/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

170408 [General Plan Amendments - 1500 Mission Street Project]

Ordinance amending the General Plan by revising the height and bulk designations for the 1500 Mission Street project, Assessor's Parcel Block No. 3506, Lot Nos. 006 and 007, on Map 3 of the Market and Octavia Area Plan and on Map 5 of the Downtown Area Plan; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan as proposed for amendment, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

04/04/17; RECEIVED FROM DEPARTMENT.

04/18/17; ASSIGNED to Land Use and Transportation Committee.

PROPOSED RESOLUTION

170409 [Professional Services Agreement Modification - New South Parking-California -Management and Operation of the Airport's Public and Employee Parking Facilities - Not to Exceed \$116,925,468]

Resolution approving Modification No. 2 to the Professional Services Agreement, Contract No. 9121, between New South Parking-California and the City and County of San Francisco, acting by and through its Airport Commission, extending the term for an additional 12 months to commence on July 1, 2017, through June 30, 2018, for the management and operation of the Airport's public and employee parking, in an amount not to exceed \$20,955,485 during the extension term, for a new total amount not to exceed \$116,925,468. (Airport Commission) (Fiscal Impact; No Budget and Legislative Analyst Report.)

04/07/17; RECEIVED FROM DEPARTMENT.

04/18/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Request Granted

From: Supervisor Sheehy

To: DHSH, DCYF, DPH, HSA, Juvenile Probation, Our Children Our Families Council, Youth Commission

Requesting/Inquiring: Requesting a report from DHSH, DCYF, DPH, HSA, Juvenile Probation, Our Children Our Families Council, and the Youth Commission on each Department/Agency's policies and services specific to homeless youth in San Francisco. Please also provide an outline of any existing work in the area.

In Memoriam

Joan McCormick - Supervisor Peskin

ADJOURNMENT

There being no further business, the Board adjourned at the hour 3:42 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 June 6, 2017.

Angela Calvillo, Clerk of the Board