

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, January 9, 2018 - 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

Meeting Days

Budget and Finance Committee

Supervisors Cohen, Yee, Tang

Thursday

10:00 AM

Budget and Finance Federal Select Committee

Supervisors Cohen, Sheehy, Fewer

Thursday

1:00 PM

Government Audit and Oversight Committee

Supervisors Kim, Peskin, Breed

1st and 3rd Wednesday

10:00 AM

Land Use and Transportation Committee

Supervisors Farrell, Peskin, Tang

Monday

1:30 PM

Public Safety and Neighborhood Services Committee

Supervisors Ronen, Sheehy, Fewer

2nd and 4th Wednesday

10:00 AM

Rules Committee

Supervisors Safai, Fewer, Yee

1st and 3rd 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, January 9, 2018, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:02 p.m. On the call of the roll, Supervisor Sheehy was noted not present. There was a quorum.

COMMUNICATIONS

There were no communications.

Supervisor Sheehy was noted present at 2:03 p.m.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the November 14, 2017, or November 28, 2017, Board Meeting Minutes. There were no corrections.

Supervisor Kim, seconded by Supervisor Farrell, moved to approve the November 14, 2017, and November 28, 2017, Board Meeting Minutes. 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.

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

There were no questions submitted from Supervisors representing the odd districts. Acting Mayor London Breed addressed the Board of Supervisors regarding continuing efforts to combat homelessness and reiterated legislative approvals that authorize the development of affordable housing, creates services, and establishes programs towards those efforts. Following public comment this matter was filed. No further action was taken.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

170943 [Accept Gift - Alta Laguna, LLC - 55 Laguna Street; In-Kind Agreement]

Sponsor: Sheehy

Ordinance accepting as a gift to the City from Alta Laguna, LLC certain costs of constructing public open space and community facility improvements at 55 Laguna Street, pursuant to an In-Kind Agreement with the City; accepting as a gift the costs associated with maintaining the improvements; and making findings under the California Environmental Quality Act.

FINALLY PASSED by the following vote:

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

171250 [Appropriation - State and Federal Contingency Reserve - Backfill the Loss of Funding of Various Programs - \$9,559,117 - FY2017-2018]

Sponsors: Mayor; Cohen

Ordinance appropriating \$9,559,117 from State and Federal Contingency Reserve to the Human Service Agency to backfill the loss of State In-Home Supportive Services (IHSS) revenue at \$4,450,000 and fund unanticipated payment liability to the State for the IHSS Maintenance of Effort due to unanticipated changes at the State level at \$4,350,000; to the Department of Public Health to fund the Center of Disease Control's HIV/AIDS program due to loss of funding at \$686,503; and to the Department of Administrative Services to support recipients of the Deferred Action for Childhood Arrival program at \$72,614 for FY2017-2018.

(Fiscal Impact)

FINALLY PASSED by the following vote:

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

Referred Without Recommendation from the Budget and Finance Committee

171157 [Emergency Declaration - Design and Construction of Department of Homelessness and Supportive Housing's Administrative Offices and Access Point - 440 Turk Street]

Sponsor: Mayor

Resolution declaring an emergency, and authorizing and directing the Director of Public Works, or designee thereof, to construct an access point to front-door services, case management, medical attention, and mental health counseling to individuals affected by homelessness at the Department of Homelessness and Supportive Housing property at 440 Turk Street, pursuant to Administrative Code, Section 6.60(a).
(Fiscal Impact)

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

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

Recommendations of the Land Use and Transportation Committee

170830 [Transportation Code - Motorized Scooter and Moped Parking Restrictions]

Ordinance amending the Transportation Code to permit motorized scooters and mopeds to park in designated motorcycle parking spaces; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

FINALLY PASSED by the following vote:

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

170931 [Transportation Code - Shared Vehicle Parking Restrictions]

Ordinance amending the Transportation Code to change the term "Car Share Vehicle" to "Shared Vehicle" and permit Shared Vehicles to park in designated parking spaces; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

FINALLY PASSED by the following vote:

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

Recommendations of the Rules Committee

170937 [Administrative Code - Tenant Assistance Fund for Hazardous Housing]

Sponsors: Mayor; Safai and Ronen

Ordinance amending the Administrative Code to establish the Tenant Assistance Fund for Hazardous Housing and to allow certain eligible tenants displaced due to administrative orders to vacate issued by the Department of Building Inspection or the Fire Department to receive financial assistance from the Fund for up to two years.

FINALLY PASSED by the following vote:

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

171106 [Administrative Code - Reauthorizing Sentencing Commission]**Sponsor: Cohen**

Ordinance amending the Administrative Code to reauthorize the San Francisco Sentencing Commission; and suspend the provisions of Board Rule 2.21 to extend the sunset date to June 30, 2023.

(Board Rule 5.2, Suspension of Rules provides that any rule may be suspended by the affirmative vote of eight Supervisors unless there are fewer than eight Supervisors present, in which case the unanimous consent of the Supervisors present, but not less than six, shall be required.)

FINALLY PASSED by the following vote:

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

171107 [Administrative Code - Appraisals for Jurisdictional Transfers of Real Property for Affordable Housing]**Sponsor: Peskin**

Ordinance amending the Administrative Code to exempt certain City jurisdictional transfers for affordable housing from appraisal requirement.

FINALLY PASSED by the following vote:

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

NEW BUSINESS**Recommendations of the Budget and Finance Committee****171133 [Business and Tax Regulations Code - Minimum Filing Thresholds for Gross Receipts Tax and Payroll Expense Tax]**

Ordinance amending the Business and Tax Regulations Code to raise the thresholds above which persons are required to file gross receipts tax and payroll expense tax returns, so that persons who qualify for the small business exemption from either tax are exempt from filing returns for that tax, other than persons taking certain tax exclusions. (Treasurer-Tax Collector)

PASSED ON FIRST READING by the following vote:

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

171155 [Business and Tax Regulations Code - Sugary Drinks Distributor Tax Administration]**Sponsor: Cohen**

Ordinance amending the Business and Tax Regulations Code to administer the Sugary Drinks Distributor Tax.

PASSED ON FIRST READING by the following vote:

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

171172 [Authorizing Agreements - Purchase of Electricity and Related Products and Services for CleanPowerSF - Public Utilities Commission]**Sponsors: Peskin; Fewer**

Ordinance delegating authority under Charter, Section 9.118, to the General Manager of the Public Utilities Commission to enter into agreements with terms in excess of ten years or requiring expenditures of \$10,000,000 or more for power and related products and services required to supply San Francisco's community choice aggregation program, CleanPowerSF, subject to specified conditions, as defined herein; and authorizing deviations from certain otherwise applicable contract requirements in the Administrative Code and the Environment Code. (Public Utilities Commission)

(Fiscal Impact)

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

PASSED ON FIRST READING by the following vote:

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

171136 [Agreement Amendment - San Francisco AIDS Foundation - Department of Public Health - HIV Prevention Services - Not to Exceed \$26,182,364]

Resolution approving a fifth amendment to the agreement between the Department of Public Health and the San Francisco AIDS Foundation to provide HIV Prevention Services, and to extend the contract by two years for a total contract term of September 1, 2011, through June 30, 2020, and increase the agreement amount by \$5,950,952 for a total amount not to exceed \$26,182,364.

(Public Health Department)

(Fiscal Impact)

ADOPTED by the following vote:

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

171174 [Contract Amendment No. 2 - Richmond Area Multi-Services, Inc. - Department of Public Health - Vocational Rehabilitation Program - Not to Exceed \$20,739,037]

Resolution approving Amendment No. 2 to the Department of Public Health contract for behavioral health services with Richmond Area Multi-Services, Inc., for Vocational Rehabilitation Program, to extend the contract by two years and ten months, for a total term of January 1, 2016, through October 31, 2020, with a corresponding increase of \$11,180,749 for a total amount not to exceed \$20,739,037. (Public Health Department)

(Fiscal Impact)

ADOPTED by the following vote:

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

171175 [Contract Amendment No. 1 - Richmond Area Multi-Services, Inc. - Department of Public Health - Behavioral Health Services - Not to Exceed \$19,047,465]

Resolution approving Amendment No. 1 to the Department of Public Health contract for behavioral health services with Richmond Area Multi-Services, Inc., for Peer to Peer Employment Program, to extend the contract by two years and six months, for a total term of July 1, 2015, through June 30, 2020, with a corresponding increase of \$9,829,126 for a total amount not to exceed \$19,047,465.

(Public Health Department)

(Fiscal Impact)

ADOPTED by the following vote:

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

171216 [Agreement Amendment - Kennedy Jenks Consultants, Inc./Bahman Sheikh Water Reuse Consulting/Water Resources Engineering, Inc. - Westside Recycled Water Project - Not to Exceed \$8,000,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 2 to Agreement No. CS-109, Specialized Engineering Services, Recycled Water Projects with Kennedy Jenks Consultants, Inc./Bahman Sheikh Water Reuse Consulting/Water Resources Engineering, Inc. a Joint Venture, to continue providing additional engineering services in support of the Westside Recycled Water Project, increasing the agreement by \$2,500,000 for a total not to exceed agreement amount of \$8,000,000 and with a time extension of three years, for a total agreement duration of 12 years, subject to the Board of Supervisors approval pursuant to Charter, Section 9.118. (Public Utilities Commission) (Fiscal Impact)

ADOPTED by the following vote:

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

Referred Without Recommendation from the Budget and Finance Committee

171154 [Re-Appropriation - Lease and Tenant Improvement Costs at 170-9th Street - Department of Homelessness and Supportive Housing - \$4,093,100 - FY2017-2018] Sponsor: Mayor

Ordinance re-appropriating \$4,093,100 of lease and tenant improvement cost at 170-9th Street for the renovation of the building at 440 Turk Street for Department of Homelessness and Supportive Housing in FY2017-2018. (Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Land Use and Transportation Committee

171018 [Street Name Change - From the 600 Block of Stevenson Street to "Odd Fellows Way"]

Sponsor: Kim

Resolution to rename the 600 block of Stevenson Street to "Odd Fellows Way," in recognition to the historical significance of the architectural and cultural contributions the Odd Fellows have made to the City and County of San Francisco.

ADOPTED by the following vote:

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

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

Supervisor Peskin, seconded by Supervisor Kim, 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 Peskin introduced, welcomed, and presented a Certificate of Honor to Becky Evans in recognition of the many accomplishments during her decades as an environmental advocate. Supervisor Kim shared in this commendation.

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 171267, 171268, 171269, and 171270 be called together.

171267 [Hearing - Appeal of Determination of Exemption From Environmental Review - 2417 Green 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 May 16, 2017, for the proposed project at 2417 Green Street, to make alterations to an existing four-story-over-basement single-family residence with one vehicle parking space; excavate to add two vehicle parking spaces, construct a three-story rear addition, facade alterations and foundation replacement, and lowering the existing building. (District 2) (Appellant: Richard Drury and Rebecca Davis of Lozeau Drury, LLP, on behalf of Philip Kaufman) (Filed November 22, 2017) (Clerk of the Board)

President Breed opened the public hearing and Supervisor Farrell provided opening remarks. President Breed then inquired as to whether any individual wished to address the Board. Richard Toshiyuki Drury, Lozeau Drury, LLP (on behalf of Appellant), provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Judge Carlos Bea; Philip Kaufman; Lawrence Karp; Speaker; Debra Holly; Barbara Heffernan; Dan Heffernan; Jessica McGregor; Wayne Garcia; Louise Bear; Paul Wermer; Susannah Robbins; Christine Pelosi; Paul Bernice; Barbara Mechum; Margaret Jacobson; Tony Robles; Ace Washington; Joe Kelly; spoke in support of the appeal. Lisa Gibson, Jeanie Poling, and Christopher May (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Thomas Tunny, Reuben, Junius & Rose, LLP (on behalf of Project Sponsor), provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Court Epstarr; spoke in support of the project and in opposition to the appeal. Richard Toshiyuki Drury, Lozeau Drury, LLP (on behalf of Appellant), provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Breed closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

171268 [Affirming the Categorical Exemption Determination - 2417 Green Street]

Motion affirming the determination by the Planning Department that a proposed project at 2417 Green Street is categorically exempt from further environmental review. (Clerk of the Board)

Supervisor Farrell, 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

171269 [Conditionally Reversing the Categorical Exemption Determination - 2417 Green Street]

Motion conditionally reversing the determination by the Planning Department that the proposed project at 2417 Green 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)

Motion No. M18-001

Supervisor Farrell, 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

171270 [Preparation of Findings to Reverse the Categorical Exemption Determination - 2417 Green Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 2417 Green Street is categorically exempt from further environmental review. (Clerk of the Board)

Motion No. M18-002

Supervisor Farrell, 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

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Sheehy assumed the chair at 3:35 p.m. The President resumed the chair at 3:40 p.m.

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 171299, 171301, 171302, and 171303 be called together.

171299 [Hearing - Appeal of Determination of Exemption From Environmental Review - 401 Main 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 October 24, 2017, approved on November 23, 2017, for the proposed project for ExtenNet Systems Inc. - T-Mobile Cell Sites to install wireless service facilities on an existing Joint Pole Association-owned wooden pole at the approximate address of 401 Main Street. (District 6) (Appellant: Stephen Williams of the Law Offices of Stephen M. Williams, on behalf of Portside Homeowners Association) (Filed November 30, 2017) (Clerk of the Board)

President Breed opened the public hearing and Supervisor Kim informed the Board that a continuance was requested by the appellant and project sponsor. President Breed then inquired as to whether any member of the public wished to address the Board regarding the proposed continuance. There were no speakers. President Breed closed public comment on the continuance.

Supervisor Kim, seconded by Supervisor Ronen, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of February 27, 2018. The motion carried by the following vote:

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

171301 [Affirming the Categorical Exemption Determination - 401 Main Street]

Motion affirming the determination by the Planning Department that a proposed project at 401 Main Street is categorically exempt from further environmental review. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 27, 2018. The motion carried by the following vote:

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

171302 [Conditionally Reversing the Categorical Exemption Determination - 401 Main Street]

Motion conditionally reversing the determination by the Planning Department that the proposed project at 401 Main 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)

Supervisor Kim, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 27, 2018. The motion carried by the following vote:

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

171303 [Preparation of Findings to Reverse the Categorical Exemption Determination - 401 Main Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 401 Main Street is categorically exempt from further environmental review. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 27, 2018. 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. - CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

171169 [Closed Session - Labor Negotiations - January 9, 2018]

Closed Session for the Board of Supervisors to convene on January 9, 2018, at 3:00 p.m., with the Department of Human Resources under Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding labor negotiations of the City's open labor contracts; scheduled pursuant to Motion No. M17-172, approved October 31, 2017. (Clerk of the Board)

Although it was not required, Supervisor Peskin, seconded by Supervisor Ronen, moved to convene in closed session. The motion carried by the following vote, following general public comment:

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

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 5:28 p.m. to convene in closed session pursuant to Motion No. M17-172 (File No. 171146), approved on October 31, 2017.

The following Supervisors were noted present: Supervisors Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Persons in attendance: Jon Givner, Deputy City Attorney; Melissa Whitehouse (Mayor's Office); Lawanna Preston and Carol Isen (Department of Human Resources); and Angela Calvillo, Clerk of the Board, and Alisa Somera (Office of the Clerk of the Board).

Supervisor Kim was noted absent at 6:36 p.m. and for the remainder of the meeting.

The matter was heard in closed session, no action was taken, and the hearing was filed.

RECONVENED AS THE BOARD OF SUPERVISORS

The Board reconvened at the hour of 6:38 p.m.

The following Supervisors were noted present: Supervisors Breed, Cohen, Farrell, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

HEARD IN CLOSED SESSION

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Peskin, seconded by Supervisor Yee, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

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

Absent: 1 - Kim

COMMITTEE REPORTS

Recommendations of the Land Use and Transportation Committee

171095 [General Plan Amendment - Western Shoreline Area Plan (Local Coastal Plan)]

Sponsors: Tang; Peskin

Ordinance amending the Western Shoreline Area Plan of the General Plan, San Francisco's Local Coastal Program Land Use Plan, to add an objective to preserve, enhance, and restore the Ocean Beach shoreline while protecting public access, scenic quality, natural resources, critical public infrastructure, and existing development from coastal hazards; 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. (Planning Commission)

PASSED ON FIRST READING by the following vote:

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

171290 [Interim Zoning Controls - Conditional Use for Restaurants and Storefront Mergers]

Sponsor: Ronen

Resolution imposing interim zoning controls to require that for a 15-month period a Conditional Use authorization is required for a proposed restaurant use and for a commercial storefront merger resulting in a non-residential use size of 2,000 gross square feet or larger in the area generally defined by the following boundaries: 13th, Duboce, and Division Streets to the north, Mission Street to the west (including any parcel with a property line on either side of Mission Street), Cesar Chavez Street to the south, and Potrero Avenue to the east; 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.

ADOPTED 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

Wynship W. Hillier; requested that the members of the Board resign due to concerns regarding Citywide Case Management.

Mr. Wright; expressed concerns regarding affordable housing.

John Fitch; expressed concerns regarding the appointment of a successor Mayor.

Speaker; expressed concerns regarding the treatment of homeless in San Francisco.

Speaker; expressed support of Acting Mayor London Breed remaining in the position until the next election.

Speaker; expressed support of Acting Mayor London Breed remaining in the position until the next election.

Pastor Josiah Bell; expressed support of Acting Mayor London Breed remaining in the position until the next election.

Mark Detona; expressed concern regarding representation for District 5 and the need for a caretaker Mayor.

David Woo; expressed concern regarding representation for District 5 and the need for a caretaker Mayor.

Lisa Aubrey; expressed concern regarding representation for District 5 and the need for a caretaker Mayor.

Denise Segal; expressed concern regarding representation for District 5 and the need for a caretaker Mayor.

Norman Dangelman; expressed concern regarding representation for District 5 and the need for a caretaker Mayor.

Speaker; shared various religious concerns.

Trevor Martin; expressed the need for a caretaker Mayor.

Steven Jeffey; expressed the need for a caretaker Mayor.

Curtis Woo; expressed the need for a caretaker Mayor.

Speaker; expressed the need for a caretaker Mayor.

Everett Bright; expressed the need for a caretaker Mayor.

Ann Jo Woo; expressed the need for a caretaker Mayor.

Sue Bushnell; expressed the need for a caretaker Mayor.

Deepah Marna; expressed the need for a caretaker Mayor.

Brennan Mirami; expressed the need for a caretaker Mayor.

Speaker; invited the Board to a rally for the Fillmore Heritage Center and requested support for a housing project.

Steve Jones; expressed support of the Resolution urging protection for ocean and coastal regions from offshore drilling and fracking (File No. 171323).

Ben Becker; expressed the need for a caretaker Mayor.

Art Persico; expressed the need for a fair process to appoint a successor Mayor.

Wendy Park; expressed support of the Resolution urging protection for ocean and coastal regions from offshore drilling and fracking (File No. 171323).

Winnie Porter; expressed concerns regarding the attentiveness of the Board.

Sala-Haquekyah Chandler; shared concerns regarding homicides of African-American men in San Francisco and support of Acting Mayor London Breed remaining in the position until the next election.

Otto Duffy; expressed support of the Resolution urging protection for ocean and coastal regions from offshore drilling and fracking (File No. 171323).

Charles Pitts; expressed support of the Acting Mayor's participation with the Board and concerns regarding the Department of Homelessness and Supportive Housing.

Kevin Ortiz; expressed the need for a fair process to appoint a successor Mayor.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

171323 [Urging Protection for Ocean and Coastal Regions from Offshore Drilling and Fracking]

Sponsors: Peskin; Ronen

Resolution urging a ban on new offshore drilling and fracking in federal and state waters in the Pacific Ocean and a ban on new federal oil and gas leases in the Pacific, Atlantic, and Arctic Oceans and the Gulf of Mexico.

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

ADOPTED

180017 [Adoption of Findings Related to Conditional Use Authorization - Proposed Project at 2161-2165 Irving Street]

Motion adopting findings in support of the Board of Supervisors' disapproval of the decision of the Planning Commission by its Motion No. 20027, approving a Conditional Use Authorization identified as Planning Case No. 2016-002424CUA for a proposed project located at 2161-2165 Irving Street, and the Board's approval of a Conditional Use Authorization for the same Planning Case and property with additional conditions. (Clerk of the Board)

Motion No. M18-003

APPROVED

The foregoing items were acted upon by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

180001 [Campaign and Governmental Conduct Code - Campaign Finance and Conflict of Interest]

Ordinance amending the Campaign and Governmental Conduct Code to 1) prohibit earmarking of contributions and false identification of contributors; 2) modify contributor card requirements; 3) require disclosure of contributions solicited by City elective officers for ballot measure and independent expenditure committees; 4) require additional disclosures for campaign contributions from business entities to political committees; 5) require disclosure of bundled campaign contributions; 6) extend the prohibition on campaign contributions to candidates for City elective offices and City elective officers who must approve certain City contracts; 7) prohibit campaign contributions to members of the Board of Supervisors, candidates for the Board, the Mayor, candidates for Mayor, City Attorney, candidates for City Attorney, and their controlled committees, from any person with pending or recently resolved land use matters; 8) require committees to file a third pre-election statement prior to an election; 9) remove the prohibition against distribution of campaign advertisements containing false endorsements; 10) allow members of the public to receive a portion of penalties collected in certain enforcement actions; 11) permit the Ethics Commission to recommend contract debarment as a penalty for campaign finance violations; 12) create new conflict of interest and political activity rules for elected officials and members of boards and commissions; 13) specify recusal procedures for members of boards and commissions; and 14) establish local behested payment reporting requirements for donors and City officers. (Ethics Commission)

12/06/17; RECEIVED FROM DEPARTMENT.

01/09/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/8/2018.

180002 [Various Codes - Nonsubstantive Clean-Up Ordinance]

Ordinance amending the Administrative, Business and Tax Regulations, Environment, Fire, Health, Police, and Transportation Codes to make nonsubstantive changes that correct errors, such as incorrect citations, typographical errors, incorrect numbering or lettering, and omitted headings or references. (City Attorney)

12/21/17; RECEIVED FROM DEPARTMENT.

01/09/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/8/2018.

180003 [Planning Code - Landmark Designation - 460 Arguello Boulevard (aka Theodore Roosevelt Middle School)]

Ordinance amending the Planning Code to designate 460 Arguello Boulevard (aka Theodore Roosevelt Middle School), in Assessor's Parcel Block No. 1061, Lot No. 049, 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)

12/20/17; RECEIVED FROM DEPARTMENT.

01/09/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/8/2018.

180004 [Planning Code - Landmark Designation - 600-32nd Avenue (aka George Washington High School)]

Ordinance amending the Planning Code to designate 600-32nd Avenue (aka George Washington High School), in Assessor's Parcel Block No. 1574, Lot No. 001, 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)

12/20/17; RECEIVED FROM DEPARTMENT.

01/09/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/8/2018.

180005 [Planning Code - Landmark Designation - 2728 Bryant Street (aka Sunshine School)]

Ordinance amending the Planning Code to designate 2728 Bryant Street (aka Sunshine School), Assessor's Parcel Block No. 4273, Lot No. 008, 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)

12/20/17; RECEIVED FROM DEPARTMENT.

01/09/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/8/2018.

PROPOSED RESOLUTIONS

180006 [Lease Agreement - SSP America, Inc. - International Terminal "A" Food Hall and Café Concession - \$495,000 Minimum Annual Guarantee]

Resolution approving the International Terminal "A" Food Hall and Café Concession Lease No. 17-0238 between SSP America, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years to commence with Board approval, with two one-year options to extend, and a minimum annual guarantee of \$495,000 for the first year of the Lease. (Airport Commission)

12/11/17; RECEIVED FROM DEPARTMENT.

01/09/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180007 [Lease Agreement - Black Point Coffee SFO, LLC - International Terminal "A" Coffee Kiosk Concession - \$165,000 Minimum Annual Guarantee]

Resolution approving the International Terminal "A" Coffee Kiosk Concession Lease No. 17-0254 between Black Point Coffee SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of eight years to commence upon approval by the Board of Supervisors, with two one-year options to extend, and a minimum annual guarantee of \$165,000 for the first year of the Lease. (Airport Commission)

12/11/17; RECEIVED FROM DEPARTMENT.

01/09/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180008 [Lease Agreement - Andre-Boudin Bakeries, Inc. - \$330,000 Minimum Annual Guarantee]

Resolution approving the International Terminal "A" Historic Restaurant Concession Lease No. 17-0239 between Andre-Boudin Bakeries, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years to commence upon approval by the Board of Supervisors, with two one-year options to extend, and a minimum annual guarantee of \$330,000 for the first year of the Lease. (Airport Commission)

12/11/17; RECEIVED FROM DEPARTMENT.

01/09/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180009 [Airport Lease Modification - American Airlines, Inc. - Recapture of Certain Land at Plot 40 of the SuperBay Hangar - Total Reduced Annual Rent of \$4,621,912.79]

Resolution approving Modification No. 2 of Lease No. L13-0071 between American Airlines, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for the recapture of certain land at Plot 40 of the SuperBay Hangar to accommodate the demand for the Airport's construction contractors' parking at the San Francisco International Airport ("Airport"), adjusting the annual rent by \$120,470.88 from \$4,742,383.67 to \$4,621,912.79, with no change to the length of term, to be effective on the first day of the month following approval by the Board of Supervisors. (Airport Commission)

12/08/17; RECEIVED FROM DEPARTMENT.

01/09/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180010 [Airport Lease Modification - United Airlines, Inc. - Exchange of Certain Land at Plot 40 of the Superbay Hangar - Total Reduced Annual Rent of \$3,860,232.58]

Resolution approving Modification No. 2 of Lease No. L04-0058 between United Airlines Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for the exchange of certain land at Plot 40 of the SuperBay Hangar to accommodate the demand for the Airport's construction contractors' parking at the San Francisco International Airport ("Airport"), and the reduction in annual rent of approximately \$25,918.29 from \$3,886,150.87 to an adjusted annual rent of \$3,860,232.58, with no change to the length of term, to commence on the first day of the month following approval of the Board of Supervisors. (Airport Commission)

12/08/17; RECEIVED FROM DEPARTMENT.

01/09/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180011 [Airport Professional Services Agreement Modification - Bombardier Transportation (Holdings) USA, Inc.- AirTrain System Operation and Maintenance Services - Not to Exceed \$130,299,196]

Resolution approving Modification No. 4 to Contract No. 8838, AirTrain Operations and Maintenance, with Bombardier Transportation (Holdings) USA, Inc., exercising the last one-year option to commence on March 1, 2018, for a total term of March 1, 2009, through February 28, 2019, and increasing the contract amount by \$14,854,228 for a new total contract amount not to exceed \$130,299,196, pursuant to Charter, Section 9.118(b). (Airport Commission)

12/08/17; RECEIVED FROM DEPARTMENT.

01/09/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180012 [Real Property Sublease - HealthRIGHT 360 - 1563 Mission Street - Central City Older Adults Program - \$93,242 Initial Annual Base Rent]

Resolution authorizing the sublease of approximately 1,668 square feet at 1563 Mission Street with HealthRIGHT 360, a California nonprofit corporation, for a five year initial term to commence March 1, 2018, through February 28, 2023, with one three-year optional term, at the monthly base rent of \$7,770.10 for a total initial base rent of \$93,242 with 3% annual increase, reimbursement up to \$38,000 to landlord for tenant improvements, additional charge for utilities and services per month and First Right of Refusal to purchase the building. (Real Estate Department)

12/29/17; RECEIVED FROM DEPARTMENT.

01/09/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 6:40 p.m.