

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, January 10, 2017 - 2:00 PM**

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

**Regular Meeting**

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LONDON BREED, PRESIDENT

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

<b>Budget and Finance Committee</b> Supervisors Farrell, Tang, Yee	Wednesday 10:00 AM
<b>Government Audit and Oversight Committee</b> Supervisors Peskin, Yee, Breed	1st and 3rd Thursday 10:00 AM
<b>Land Use and Transportation Committee</b> Supervisors Cohen, Peskin	Monday 1:30 PM
<b>Public Safety and Neighborhood Services Committee</b> Supervisors Kim	2nd Thursday 10:30 AM
<b>Rules Committee</b> Supervisors Tang, Cohen	2nd and 4th Thursday 1:00 PM

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, January 10, 2017, with President London Breed presiding.*

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

*President Breed called the meeting to order at 2:06 p.m. On the call of the roll, Supervisor Kim was noted not present. There was a quorum.*

*Supervisor Kim was noted present at 2:07 p.m.*

## **COMMUNICATIONS**

*There were no communications.*

## **APPROVAL OF MEETING MINUTES**

*President Breed inquired whether any Board Member had any corrections to the Regular Board Meeting Minutes of November 15, 2016, or the Special Board Joint Meeting with the Police Commission Minutes of November 15, 2016. There were no corrections.*

**Supervisor Farrell, seconded by Supervisor Tang, moved to approve the Regular Board Meeting Minutes of November 15, 2016, and the Special Board Joint Meeting with the Police Commission Minutes of November 15, 2016. The motion carried by the following vote, following general public comment:**

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

## **AGENDA CHANGES**

*There were no agenda changes.*

## REGULAR AGENDA

### UNFINISHED BUSINESS

#### Referred Without Recommendation from the Budget and Finance Committee

**161015 [Appropriation - Real Property Transfer Tax for Funding Community College Fund - FY2016-2017 - \$9,000,000]**

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

Ordinance appropriating a total of \$9,000,000 of Real Property Transfer Tax in FY2016-2017 for funding the Community College Fund to support students attending the City College of San Francisco and placing funds on Controller's Reserve pending the outcome of General Fund tax revenue measures in the November 8, 2016, Election.

(Fiscal Impact)

**Ordinance No. 003-17**

**FINALLY PASSED** by the following vote:

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

Noes: 1 - Farrell

#### Recommendations of the Budget and Finance Committee

**161094 [Contract Amendment - Dominion Voting Systems, Inc. - Voting System - Not to Exceed \$21,980,691.25]**

Ordinance authorizing the Department of Elections to enter into the Fourth Amendment to an agreement with Dominion Voting Systems, Inc., to extend the term of the agreement through December 31, 2018, and increase the total not-to-exceed amount by \$2,289,758 from \$19,690,933.25 to \$21,980,691.25. (Elections Department)

(Fiscal Impact)

**Ordinance No. 005-17**

**FINALLY PASSED** by the following vote:

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

**161108 [Administrative Code - Library Fines and Fees]**

**Sponsors: Mayor; Mar**

Ordinance amending the Administrative Code to modify the fines and fees of the Public Library.

**Ordinance No. 002-17**

**FINALLY PASSED** by the following vote:

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

**Recommendation of the Government Audit and Oversight Committee****160478 [Campaign and Governmental Conduct Code - Requiring Commissioners to File Behested Payment Reports]****Sponsor: Peskin**

Ordinance amending the Campaign and Governmental Conduct Code to require members of City boards and commissions to file behested payment reports regarding the solicitation of charitable contributions.

**Ordinance No. 001-17****FINALLY PASSED by the following vote:**

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

**Recommendations of the Land Use and Transportation Committee****161067 [Planning Code, Zoning Map - Mission and 9th Street Special Use District]****Sponsors: Kim; Peskin**

Ordinance amending the Planning Code to add Section 249.15 to create the Mission and 9th Street Special Use District in the area generally bounded by Mission Street on the south, Laskie Street on the east, Assessor's Parcel Block No. 3701, Lot Nos. 22, 23, and 24 on the west, and Assessor's Parcel Block No. 3701, Lot No. 66 to the north; amending the Zoning Map Sheet SU07 to create the Mission and 9th Street Special Use District; amending Zoning Map Sheet HT07 to change the height limit on Assessor's Parcel Block No. 3701, Lot Nos. 20 and 21, from 120-X to 200-X; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Ordinance No. 004-17****FINALLY PASSED by the following vote:**

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

**161157 [Planning Code - Inclusionary Housing Small Sites Program]****Sponsors: Mayor; Campos and Mar**

Ordinance amending the Planning Code to create an alternative for project sponsors of smaller market rate projects to direct the Affordable Housing Fee to Small Sites Projects; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare under Planning Code, Section 302.

**Ordinance No. 007-17****FINALLY PASSED by the following vote:**

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

**Recommendations of the Public Safety and Neighborhood Services Committee****161195 [Alex Nieto Memorial]****Sponsors: Avalos; Campos, Cohen and Mar**

Ordinance directing the Recreation and Park Department to install in Bernal Heights Park a memorial in honor of Alex Nieto; directing official acts in furtherance of this Ordinance; waiving permit and inspection fees for the installation; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Ordinance No. 008-17****FINALLY PASSED by the following vote:**

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

Noes: 1 - Farrell

**161290 [Environment Code - Bottled Water and Packaged Free Ordinance]****Sponsors: Mar; Cohen, Farrell and Breed**

Ordinance amending the Environment Code to modify restrictions on the sale or distribution on City property of drinking water, to educate City departments regarding the restrictions, and making environmental findings.

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

**Ordinance No. 009-17****FINALLY PASSED by the following vote:**

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

**Recommendation of the Rules Committee****161081 [Various Codes - Nonsubstantive Clean-Up Ordinance]**

Ordinance amending the Administrative, Campaign and Governmental Conduct, Environment, Health, Municipal Elections, Police, and Public Works Codes to make nonsubstantive changes. (City Attorney)

**Ordinance No. 006-17****FINALLY PASSED by the following vote:**

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

## NEW BUSINESS

### Recommendations of the Land Use and Transportation Committee

**161051 [Amending Ordinance No. 1061 - Sidewalk Width Change - Portion of 30th Avenue Between Clement Street and Geary Boulevard]**

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to reduce the official sidewalk width along a portion of the easterly side of 30th Avenue between Clement Street to the north, and Geary Boulevard to the south; adopting 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. (Public Works)

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

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

**161068 [Planning Code - Terrace Infill for Noncomplying Structure Designated as a Significant Building in C-3 Zoning District]**

**Sponsor: Peskin**

Ordinance amending the Planning Code to permit Terrace Infill on a noncomplying structure that is designated as a Significant Building under Planning Code, Article 11, and located on Assessor's Block No. 0316; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

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

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

*There were no commendations.*

**SPECIAL ORDER 3:00 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 informed the Board that the appellant and project sponsor have agreed to a continuance. President Breed inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.*

**Supervisor Ronen, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of March 21, 2017. The motion carried by the following vote:**

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

*President Breed CONTINUED the Hearing open to March 21, 2017.*

**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 March 21, 2017. The motion carried by the following vote:**

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

**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 March 21, 2017. The motion carried by the following vote:**

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

**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 March 21, 2017. The motion carried by the following vote:**

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

**SPECIAL ORDER 3:00 P.M.****161150 [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 2675 Folsom Street]**

Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Sections 209.1 and 303, and Planning Commission Resolution No. 19548, for a proposed project at 2675 Folsom Street, Assessor's Parcel Block No. 3639, Lot Nos. 006, 007, and 024, identified in Case No. 2014-000601CUA, issued by the Planning Commission by Motion No. 19745 dated September 22, 2016, to allow dwelling unit density at a ratio of one dwelling unit per 1,000 square feet of lot area in the RH-3 (Residential Housing, Three Family) Zoning District, and allow the new construction of more than 75 dwelling units per the Mission 2016 Interim Zoning Controls, 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 24, 2016) (Clerk of the Board)

*President Breed opened the public hearing and Supervisor Ronen informed the Board that the appellant has withdrawn the appeal. President Breed inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.*

**HEARD AND FILED**

**161151 [Approving Conditional Use Authorization - Proposed Project at 2675 Folsom Street]**

Motion approving the decision of the Planning Commission by its Motion No. 19745, approving a Conditional Use Authorization identified as Planning Case No. 2014-000601CUA for a proposed project at 2675 Folsom Street, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

**Motion No. M17-001**

**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, Tang, Yee, Sheehy



**161152 [Disapproving Conditional Use Authorization - Proposed Project at 2675 Folsom Street]**

Motion disapproving the decision of the Planning Commission by its Motion No. 19745, approving a Conditional Use Authorization identified as Planning Case No. 2014-000601CUA for a proposed project at 2675 Folsom Street. (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, Tang, Yee, Sheehy

**161153 [Preparation of Findings Related to Conditional Use Authorization Appeal - Proposed Project at 2675 Folsom Street]**

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization identified as Planning Case No. 2014-000601CUA for a proposed project at 2675 Folsom Street. (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, Tang, Yee, Sheehy

**SPECIAL ORDER 3:00 P.M.****Board of Supervisors Sitting as a Committee of the Whole****161364 [Hearing - San Francisco Public Utilities Commission Public Service Easement Vacation Order - Parkmerced Development Project]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on January 10, 2017, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance (File No. 161240) 1) ordering the conditional vacation of certain San Francisco Public Utilities Commission (SFPUC) public service easements that exist within Subphases 1A and 1B of the Parkmerced Development Project area, an approximately 152 acre site located in the Lake Merced District in the southwest corner of San Francisco and generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue, and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; 2) reserving easement rights in favor of the SFPUC, subject to conditions specified in this Ordinance; 3) delegating authority to the Director of Real Estate to execute certain quit claim deeds; 4) adopting findings under the California Environmental Quality Act; 5) adopting findings that the vacations are consistent with the Parkmerced Development Agreement, the General Plan, and the eight priority policies of Planning Code, Section 101.1; 6) directing the Clerk of the Board of Supervisors to make certain transmittals; and 7) authorizing actions by City officials in furtherance of this Ordinance; scheduled pursuant to Resolution No. 525-16. (Clerk of the Board)

*President Breed opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 161240, the San Francisco Public Utilities Commission public service easements that exist within the Parkmerced Development project area. There were no speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## Committee of the Whole Adjourn and Report

### Referred Without Recommendation from the Land Use and Transportation Committee

#### **161240 [San Francisco Public Utilities Commission Public Service Easement Vacation Order - Parkmerced Development Project]**

**Sponsor: Yee**

Ordinance 1) ordering the conditional vacation of certain San Francisco Public Utilities Commission (SFPUC) public service easements that exist within Subphases 1A and 1B of the Parkmerced Development Project area, an approximately 152 acre site located in the Lake Merced District in the southwest corner of San Francisco and generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue, and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; 2) reserving easement rights in favor of the SFPUC, subject to conditions specified in this Ordinance; 3) delegating authority to the Director of Real Estate to execute certain quit claim deeds; 4) adopting findings under the California Environmental Quality Act; 5) adopting findings that the vacations are consistent with the Parkmerced Development Agreement, the General Plan, and the eight priority policies of Planning Code, Section 101.1; 6) directing the Clerk of the Board of Supervisors to make certain transmittals; and 7) authorizing actions by City officials in furtherance of this Ordinance.

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

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

## COMMITTEE REPORT

### Recommendation of the Land Use and Transportation Committee

#### **161178 [General Plan Amendments - Implementing the City's Vision Zero Policy Regarding Pedestrian Safety]**

Ordinance amending the Transportation and Urban Design Elements of the General Plan to implement the City's Vision Zero policy regarding pedestrian safety; making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act. (Planning Commission)

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

**NOT PASSED ON FIRST READING by the following vote:**

Ayes: 1 - Cohen

Noes: 10 - Breed, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Tang, Yee, Sheehy

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Andrew Yip; shared his various thoughts and experiences with the Board.*

*Herbert Weiner; shared concerns regarding public transportation and the Municipal Transportation Agency.*

*Francisco Da Costa; shared issues related to the Muwekma Ohlone Tribe.*

*Christopher Dahl; shared concerns regarding the City's Vision Zero Policy and pedestrian safety.*

*Male Speaker; shared concerns regarding the immigrant legal defense fund appropriations.*

*Male Speaker; shared various religious concerns.*

*Iris Merriom; shared her aunt's experience being evicted from her residence.*

*Ms. Robyn; shared the advocate activities related to the United States Senate confirmation hearings.*

*Peter Warfield; shared concerns regarding privacy and the San Francisco Public Library.*

*Jack Davis; thanked the Board for their service and shared concerns related to being a sanctuary city.*

*Otto Duffy; congratulated the newly elected and appointed Board Members and shared other various concerns.*

## 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.*

### Ordinances

#### **170028 [Planning Code, Zoning Map - Calle 24 Special Use District]**

**Sponsors: Mayor; Ronen**

Ordinance amending the Planning Code to create the Calle 24 Special Use District, and revising the Zoning Map to reflect the Calle 24 Special Use District generally bounded by 22nd Street, Potrero Avenue, Cesar Chavez Street, and Capp Street, as well as 24th Street to Bartlett Street, and as more specifically defined in this Ordinance; 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.

01/10/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/9/2017.

**170029 [Campaign and Governmental Conduct Code - Disclosure Requirements for Campaign Fundraising and Prohibiting Campaign Contributions from Persons with Land Use Matters]****Sponsors: Peskin; Ronen**

Ordinance amending the Campaign and Governmental Conduct Code to require disclosure of contributions solicited by City elective officers for ballot measure and independent expenditure committees; require disclosure of bundled campaign contributions; and prohibit campaign contributions to members of the Board of Supervisors, candidates for the Board, the Mayor, candidates for Mayor, and their controlled committees, from any person with pending or recently resolved land use matters.

01/10/17; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/9/2017.

**170030 [Police Code - Penalties for Violations of Peddling License Requirement]****Sponsor: Peskin**

Ordinance amending the Police Code to modify the penalties for unlawfully peddling goods.

01/10/17; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/9/2017.

**170031 [Administrative Code - Retention of Department of Building Inspection Records]****Sponsor: Peskin**

Ordinance amending the Administrative Code to require the Department of Building Inspection to retain certain records permanently.

01/10/17; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 2/9/2017.

**161316 [Administrative, Business and Tax Regulations, Police Codes - Elimination of Fees]****Sponsors: Yee; Ronen and Cohen**

Ordinance amending the Administrative, Business and Tax Regulations, and Police Codes to eliminate various fees imposed by the City.

12/06/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/5/2017.

12/28/16; REFERRED TO DEPARTMENT.

12/28/16; REFERRED TO DEPARTMENT.

01/10/17; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

**Resolutions****170032 [Accept and Expend Grant - Association of Bay Area Governments - Implementation of the Lower Cherry Aqueduct Emergency Rehabilitation Project - Up to \$3,000,000]****Sponsor: Mayor**

Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) General Manager to accept an award of up to \$3,000,000 through the SFPUC's Memorandum of Understanding with the Association of Bay Area Governments for implementation of the Lower Cherry Aqueduct Emergency Rehabilitation Project funded in part by grant funds from the California Department of Water Resources. (Public Utilities Commission)  
(Fiscal Impact)

01/10/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170033 [Accept and Expend Grant - California Governor's Office of Emergency Services - Hazard Mitigation Grant Program - \$404,208]****Sponsor: Mayor**

Resolution authorizing the San Francisco Public Utilities Commission General Manager to accept and expend a grant in the amount of \$404,208 from the Federal Emergency Management Agency through the California Governor's Office of Emergency Services for the Hazard Mitigation Grant Program. (Public Utilities Commission)  
(Fiscal Impact)

01/10/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170034 [Urging the City and County to Join the Stepping Up Initiative]****Sponsors: Cohen; Breed, Kim, Sheehy, Fewer, Yee, Ronen and Safai**

Resolution urging the City and County of San Francisco to join the Stepping Up Initiative, to reduce the number of people with mental illnesses in jails.

01/10/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**170035 [Urging the United States Congress Not to Repeal the Patient Protection and Affordable Care Act]****Sponsors: Sheehy; Tang and Fewer**

Resolution urging the United States Congress not to repeal the Patient Protection and Affordable Care Act without a clearly-defined replacement plan, and to maintain the current funding structure of the Medicaid program.

01/10/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing****170036 [Hearing - Cannabis State Legalization Task Force Update]****Sponsor: Cohen**

Hearing on the local impact of the Adult Use of Marijuana Act, including areas of legislative and administrative need; and requesting the Cannabis State Legalization Task Force to report.

01/10/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**170037 [Hearing - Five-Year Monitoring Report for the Eastern Neighborhoods Plans]****Sponsor: Cohen**

Hearing on the Five-Year Monitoring Reports of the Eastern Neighborhoods Plan; and requesting the Planning Department and the Eastern Neighborhoods Citizen Advisory Committee to report.

01/10/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**170038 [Hearing - Hydrogen Sulfide Flaring from Chevron's Richmond Refinery]****Sponsor: Farrell**

Hearing on the recent hydrogen sulfide flaring events at the Chevron Corporation's Richmond, California refinery; and requesting the Chevron Corporation and the Bay Area Air Quality Management District to report.

01/10/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**170039 [Hearing - Update on Street Resurfacing Program and Analysis of the 2016 TRIP Report]****Sponsors: Peskin; Fewer**

Hearing on San Francisco's poor road conditions as outlined in the November 2016 TRIP report, including analysis and mitigation strategies, and an update on Public Work's Street Resurfacing Program; and requesting Public Works, the Municipal Transportation Agency, the Planning Department, and the San Francisco Public Utilities Commission to report.

01/10/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**170040 [Hearing - Childcare in District 11]****Sponsor: Safai**

Hearing to evaluate access to quality, affordable childcare in District 11, including an analysis of the number of children aged five and under living in the district, and the available spots in both privately-operated and City-funded facilities; and requesting the Department of Children, Youth and Their Families, the Office of Early Care and Education, the First 5 San Francisco Children and Families Commission, and the San Francisco Unified School District to report.

01/10/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**170041 [Hearing - Federal Budget Cuts to Health Care, Immigration Services, Homeless Services, and Services for the LGBTQ Community]****Sponsor: Sheehy**

Hearing on the federal budget cuts to health care, immigration services for undocumented San Franciscans, services for the LGBTQ community, homeless services, and cuts to services that have traditionally encouraged the stabilization and progress of protected classes that will be affected by new federal policies from the Trump administration; and requesting the Mayor's Budget Office, the Department of Public Health, the Human Services Agency, the Human Rights Commission, and the Department of Homelessness and Supportive Housing to report.

01/10/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170042 [Hearing - Neighborhood Crime Prevention Strategy for San Francisco]****Sponsors: Sheehy; Ronen**

Hearing to determine a comprehensive, coordinated, and compassionate neighborhood crime prevention strategy for San Francisco, addressing issues including but not limited to robberies, auto break-ins, bike thefts, and vandalism; and requesting the Police Department and District Attorney's Office to report.

01/10/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**170043 [Hearing - Budget and Legislative Analyst's Performance Audit - Senior Services]****Sponsors: Yee; Sheehy, Cohen, Safai, Kim and Ronen**

Hearing on the Performance Audit of Senior Services in San Francisco, prepared for the Board of Supervisors by the Budget and Legislative Analyst on July 13, 2016; and requesting the Department of Aging and Adult Services, Human Services Agency, Department of Public Health, Municipal Transportation Agency, the Recreation and Park Department, and the Mayor's Office of Housing and Community Development to report.

01/10/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**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****170002 [General Plan Amendment - Commerce and Industry Element; Guidelines for Eating and Drinking Establishments]**

Ordinance amending the Commerce and Industry Element of the General Plan to update the guidelines regarding overconcentration of Eating and Drinking Establishments in a single area; 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)

12/22/16; RECEIVED FROM DEPARTMENT.

01/10/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/9/2017.

**170003 [Planning Code, Zoning Map - Upper Market Street Districts]****Sponsor: Sheehy**

Ordinance amending the Planning Code to revise Sectional Map ZN07 of the Zoning Map to delete the Upper Market Street Neighborhood Commercial (NC) District and reclassify Assessor's Parcel Block No. 2623, Lot No. 006, at 376 Castro Street and Assessor's Parcel Block No. 2623, Lot No. 091, at 2416-2420 Market Street, from the Upper Market NC District to the Upper Market Street Neighborhood Commercial Transit (NCT) District; revising several sections of Article 4 to include the entirety of the Upper Market Street NCT District including portions outside of the Market and Octavia Plan Area; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302. (Planning Commission)

12/22/16; RECEIVED FROM DEPARTMENT.

01/10/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/9/2017.

**170004 [Administrative Code - Amending Local Hiring Policy to Set Percentages]****Sponsor: Fewer**

Ordinance amending the Administrative Code to move the Local Hiring Policy from Chapter 6 to a new Chapter 82, set mandatory participation levels for project work hours permanently at 30% for all projects covered by the policy, clarify language regarding application of the policy to projects outside of San Francisco, change the due date for annual reports regarding the policy from March 1 to April 1, and make other clarifications to the policy. (City Administrator)

12/30/16; RECEIVED FROM DEPARTMENT.

01/10/17; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/9/2017.

**170005 [Settlement of Lawsuit - The Regents of the University of California - \$473,530.02 Credit]**

Ordinance authorizing settlement of the lawsuit filed by The Regents of the University of California against the City and County of San Francisco for \$473,530.02; the lawsuit was filed on September 22, 2015, in San Francisco Superior Court, Case No. CGC-15-548090; entitled The Regents of the University of California v. City and County of San Francisco; the lawsuit involves a refund for overbilling; other material terms of the settlement are that the refund will be in the form of a credit against future charges for water service. (City Attorney)

12/29/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170006 [Settlement of Lawsuit - Decorative Plant Services Inc. - \$110,000]**

Ordinance authorizing settlement of the unlawful detainer lawsuit filed by the City and County of San Francisco against Decorative Plant Services Inc. (Decorative Plant), by Decorative Plant's agreement to surrender possession no later than March 31, 2017, Decorative Plant's execution of a Stipulation for Entry of Judgment and a Writ of Possession, and San Francisco Public Utilities Commission (SFPUC) agreement to provide Decorative Plant a payment not to exceed \$110,000 for reimbursement of expenses related to relocation; the lawsuit was filed on November 28, 2016, in San Francisco Superior Court, Case No. CUD-16-657190; entitled City and County of San Francisco, through the Public Utilities Commission (PUC) v. Decorative Plant Services Inc., ACS Marketing Inc. dba S.F. Foliage, Inc., Goldman Enterprises dba Sunborne Nursery Inc., related to the termination of the lease agreement entered into June 1, 2004, between the SFPUC and Decorative Plant Services Inc., for 127,300 square feet at the Southeast Community Facility at 1150 Phelps Avenue. (City Attorney)

12/29/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170007 [Settlement of Lawsuit - Goldman Enterprises dba Sunborne Nursery Inc. - \$110,000]**

Ordinance authorizing settlement of the unlawful detainer lawsuit filed by the City and County of San Francisco against Goldman Enterprises, dba Sunborne Nursery Inc. (Sunborne), by Sunborne's agreement to surrender possession no later than March 31, 2017, Sunborne's execution of a Stipulation for Entry of Judgment and a Writ of Possession, and San Francisco Public Utilities Commission (SFPUC) agreement to provide Sunborne a payment not to exceed \$110,000 for reimbursement of expenses related to relocation; the lawsuit was filed on November 28, 2016, in San Francisco Superior Court, Case No. CUD-16-657190; entitled City and County of San Francisco, through the Public Utilities Commission (PUC) v. Decorative Plant Services Inc., ACS Marketing Inc. dba S.F. Foliage, Inc., Goldman Enterprises dba Sunborne Nursery Inc., related to the termination of the lease agreement entered into June 1, 2004, between the SFPUC and Decorative Plant Services Inc. and the sublease to Goldman Enterprises, dba Sunborne Nursery Inc., for 127,300 square feet at the Southeast Community Facility at 1150 Phelps Avenue. (City Attorney)

12/29/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.



**170008 [Settlement of Lawsuit - ACS Marketing Inc., dba S.F. Foliage Inc. - \$110,000]**

Ordinance authorizing settlement of the unlawful detainer lawsuit filed by the City and County of San Francisco against ACS Marketing Inc., dba S.F. Foliage Inc. (S.F. Foliage), by S.F. Foliage's agreement to surrender possession no later than March 31, 2017, S.F. Foliage's execution of a Stipulation for Entry of Judgment and a Writ of Possession, and San Francisco Public Utilities Commission (SFPUC) agreement to provide S.F. Foliage a payment not to exceed \$110,000 for reimbursement of expenses related to relocation; the lawsuit was filed on November 28, 2016, in San Francisco Superior Court, Case No. CUD-16-657190; entitled City and County of San Francisco, through the Public Utilities Commission (PUC) v. Decorative Plant Services Inc., ACS Marketing Inc. dba S.F. Foliage, Inc., Goldman Enterprises dba Sunborne Nursery Inc., related to the termination of the lease agreement entered into June 1, 2004, between the SFPUC and Decorative Plant Services Inc., and sublease to ACS Marketing, dba S.F. Foliage, for 127,300 square feet at the Southeast Community Facility at 1150 Phelps Avenue. (City Attorney)

12/29/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**161363 [Real Property Sublease - Harrison Assets, LLC - 1440 Harrison Street - \$3,577,644 Total Rent in the First Year]**

Resolution authorizing a Sublease for the term of July 1, 2017, through September 30, 2025, at 1440 Harrison Street, with Harrison Assets, LLC, a California limited liability company, for approximately 56,788 square feet at \$298,137 monthly for a total first year rent of \$3,577,644 which amount shall increase annually on each July 1 beginning in 2018 by 3% and two five-year options to extend for use by the Human Services Agency. (Real Estate Department)  
(Fiscal Impact)

12/12/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170009 [Public Auction - Tax-Defaulted Real Property]**

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property, as defined herein. (Treasurer-Tax Collector)

12/12/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170010 [Contract Amendment - AdvanTel Networks - \$15,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Fourth Amendment of the contract agreement between the City and County of San Francisco and AdvanTel Networks, to increase the contract limit from \$9,900,000 to \$15,000,000 for the period of October 13, 2011, through September 30, 2018. (Office of Contract Administration)  
(Fiscal Impact)

12/30/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170011 [Contract Amendment - ComputerLand of Silicon Valley - Technology Marketplace, Tier 1A - \$58,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment to the contract agreement between the City and County of San Francisco and ComputerLand of Silicon Valley, a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from \$44,000,000 to \$58,000,000 for the period of October 1, 2014, through September 30, 2018. (Office of Contract Administration)  
(Fiscal Impact)

12/30/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170012 [Contract Amendment - En Pointe Technologies Sales, Inc. - Technology Marketplace, Tier 1A - \$77,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment to the contract agreement between the City and County of San Francisco and En Pointe Technologies Sales, Inc., a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from \$50,000,000 to \$77,000,000 for the period of October 1, 2014, through September 30, 2018. (Office of Contract Administration)  
(Fiscal Impact)

12/30/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170013 [Contract Amendment - Xtech JV - Technology Marketplace, Tier 1A - \$94,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment to the contract agreement between the City and County of San Francisco and Xtech JV, a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from \$56,000,000 to \$94,000,000 for the period of October 1, 2014, through September 30, 2018. (Office of Contract Administration)  
(Fiscal Impact)

12/30/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170014 [Contract Amendment - InterVision Systems Technologies, Inc. - Technology Marketplace, Tier 1B - \$30,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment of the contract agreement between the City and County of San Francisco and InterVision Systems Technologies, Inc., a Technology Marketplace, Tier 1B Specialist contractor, to increase the contract limit from \$15,499,000 to \$30,000,000 for the period of October 1, 2014, through September 30, 2018. (Office of Contract Administration)  
(Fiscal Impact)

12/30/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170015 [Prevailing Wage Rates - Loading, Unloading, and Driving Commercial Vehicles on City Property]**

Resolution fixing prevailing wage rates for individuals engaged in loading or unloading on City property of materials, goods, or products into or from a commercial vehicle in connection with a show or special event, and individuals engaged in driving a commercial vehicle into or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event. (Civil Service Commission)  
(Fiscal Impact)

12/21/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170016 [Emergency Declaration - Temporary Replacement and Repair of Dewatering Equipment - Oceanside Wastewater Treatment Plant - Total Estimated Cost of Work and Contract \$435,450]**

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission (SFPUC) pursuant to Administrative Code, Section 21.15(c), for the temporary replacement and repair of the dewatering equipment at the Oceanside Wastewater Treatment Plant; estimated cost of approximately \$500,000. (Public Utilities Commission)  
(Fiscal Impact; No Budget and Legislative Analyst Report.)

12/29/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170017 [Settlement of Unlitigated Claim - Mignon Dunbar - \$70,000]**

Resolution approving the settlement of unlitigated claim filed by Mignon Dunbar against the City and County of San Francisco for \$70,000; including two charges that were filed with the Department of Fair Employment and Housing, one on November 24, 2014, the other on February 4, 2015; the claim involves an employment dispute; additional material terms of the settlement are that Dunbar resigns employment effective August 19, 2016, and that she agrees not to seek or accept future employment with the Police Department. (City Attorney)

12/19/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170018 [Nomination of County Veterans Service Officer - Sergeant Dorian J. Carr, United States Air Force, Retired]**

Resolution confirming the nomination of Sergeant Dorian J. Carr, United States Air Force, Retired, as County Veterans Service Officer. (City Administrator)

12/30/16; RECEIVED FROM DEPARTMENT.

01/10/17; RECEIVED AND ASSIGNED to Rules Committee.

**Request Granted**

*From: Supervisor Sheehy*

*To: Sheriff's Department*

*Requesting/Inquiring: Inquires about the progress of properly classifying transgender individuals in Sheriff's custody and departmental policies to ensure respectful treatment.*

**In Memoriams**

*Mary Beth Marks - Supervisor Peskin  
Todd Lewis - Entire Board of Supervisors*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 3:59 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 February 28, 2017.*

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Angela Calvillo, Clerk of the Board