

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, January 23, 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, Tang, Peskin

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

2nd and 4th Wednesday

2:00 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 23, 2018, 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.

President Breed acknowledged former Member of the Board of Supervisors, Reverend Amos Brown, who was in attendance at today's meeting.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the December 5, 2017, or December 12, 2017, Board Meeting Minutes. There were no corrections.

Supervisor Farrell, seconded by Supervisor Kim, moved to approve the December 5, 2017, and December 12, 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.

CONSENT AGENDA

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)

FINALLY PASSED

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.

FINALLY PASSED**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)

FINALLY PASSED**Recommendations of the Government Audit and Oversight Committee****171132 [Settlement of Lawsuit - Greg Blatman - \$225,000]**

Ordinance authorizing settlement of the lawsuit filed by Greg Blatman against the City and County of San Francisco for \$225,000; the lawsuit was filed on August 19, 2014, in San Francisco Superior Court, Case No. CGC 14-541248; entitled Greg Blatman v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

PASSED ON FIRST READING**171276 [Settlement of Lawsuit - Lai King Tam - \$142,500]**

Ordinance authorizing settlement of the lawsuit filed by Lai King Tam against the City and County of San Francisco for \$142,500; the lawsuit was filed on June 13, 2016, in San Francisco Superior Court, Case No. CGC-16-552527; entitled Lai King Tam v. City and County of San Francisco; the lawsuit involves personal injury allegedly caused by the dangerous condition of a City sidewalk. (City Attorney)

(City Attorney)

PASSED ON FIRST READING**171277 [Settlement of Lawsuit - Patricia Burley - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by Patricia Burley against the City and County of San Francisco for \$100,000; the lawsuit was filed on October 18, 2016, in San Francisco Superior Court, Case No. CGC-16-554887, and removed on November 22, 2016, to United States District Court, Case No. 16-cv-06762 JCS; entitled Patricia Burley vs. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

PASSED ON FIRST READING

171211 [Settlement of Unlitigated Claim - Robin Paul Roderick - \$50,000]

Resolution approving the settlement of the unlitigated claim filed by Robin Paul Roderick against the City and County of San Francisco for \$50,000; claim was filed on February 10, 2017; the claim involves an alleged employment dispute. (City Attorney)

ADOPTED

Recommendation 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)

FINALLY PASSED

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**UNFINISHED BUSINESS****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)

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

171245 [Appropriation - State Grant, Private Funds, Tax Credits, and City Funds from CAST Powerhouse QALICB, LLC - Geneva Car Barn and Powerhouse Capital Improvements - \$11,048,767 - FY2017-2018]

Sponsor: Safai

Ordinance appropriating \$11,048,767 to the Recreation and Park Department for funding received from CAST Powerhouse QALICB, LLC (QALICB) consisting of a state grant, tax credit investments, private funding from Community Arts Stabilization Trust (CAST), and existing city appropriations for Geneva Car Barn and Powerhouse capital improvements in FY2017-2018; and placing \$11,048,767 on Controller's reserve pending receipt of a grant award from the state by the Recreation and Park Department, and written documentation of receipt of CAST equity and tax credit investments by QALICB.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

171248 [Appropriation - Proceeds from General Obligation Bonds - San Francisco Municipal Transportation Agency's Street and Transit Projects - \$177,000,000 - FY2017-2018]

Sponsor: Mayor

Ordinance appropriating \$177,000,000 of proceeds from General Obligation Bonds Transportation and Road Improvements, 2014 - Series 2018B to fund the San Francisco Municipal Transportation Agency's street and transit projects in FY2017-2018; and placing \$177,000,000 of appropriations on Controller's Reserve pending receipt of proceeds of indebtedness.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

171249 [Appropriation - Proceeds from General Obligation Bonds - Recreation and Park Department - Renovation, Repair, and Construction of Parks and Open Spaces - \$76,710,000 - FY2017-2018]

Sponsor: Mayor

Ordinance appropriating \$76,710,000 consisting of proceeds from the third issuance of the 2012 Clean and Safe Neighborhood Parks General Obligation Bond, Series 2018A, to the Recreation and Park Department to support the renovation, repair, and construction of parks and open spaces; and placing \$76,710,000 on Controller's Reserve pending receipt of proceeds of indebtedness 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

171282 [Appropriation - Cigarette Litter Abatement Fees - Public Works Street Cleaning Program - \$300,000 - FY2017-2018]**Sponsors: Mayor; Peskin**

Ordinance appropriating \$300,000 of cigarette litter abatement fees to Public Works for street cleaning program 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

171311 [Health Code - License Fee for Cannabis Smoking Consumption Permit]**Sponsor: Mayor**

Ordinance amending the Health Code to impose an annual license fee of \$1,200 for a Cannabis Smoking Consumption permit.

PASSED ON FIRST READING by the following vote:

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

171114 [Accept and Expend Grant - San Francisco Parks Alliance - Let'sPlaySF! Playground Renovation Initiative - \$15,000,000]**Sponsor: Mayor**

Resolution authorizing the Recreation and Park Department to accept and expend a grant from the San Francisco Parks Alliance for the renovation of San Francisco playgrounds, to partner on the Let'sPlaySF! Playground Renovation Initiative, for \$15,000,000 for the period of January 2018, through January 2026. (Recreation and Park Department)

ADOPTED by the following vote:

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

171161 [Assignment and Assumption Agreement - California Housing Finance Agency - Department of Public Health and Rosa Parks II, L.P. - 1239 Turk Street ("Willie B. Kennedy Senior Housing Development") - \$300,000 - FY2017-2018]**Sponsor: Mayor**

Resolution accepting the Mental Health Services Act (MHSA) Assignment and Assumption Agreement Loan and related loan documents between the California Housing Finance Agency, a public instrumentality and political subdivision of the State of California (Assignor), and the San Francisco Department of Public Health (Assignee) for the benefit of the Willie B. Kennedy senior housing development, located at 1239 Turk Street (Project), with Rosa Parks II, L.P., a California limited partnership as owner; and authorizing the Mayor on behalf of the City and County of San Francisco, to accept the Assignment and Assumption Agreement from Assignor so that Assignee may monitor all ongoing oversight and service obligations for the Project under the MHSA Permanent Loan Documents and the MHSA Housing Program in accordance with the San Francisco Mental Health Services Act Integrated Plan in the loan amount of \$300,000 for FY2017-2018.

ADOPTED by the following vote:

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

171163 [Accept and Expend Grant - San Francisco General Hospital Foundation - Department of Public Health - Zuckerberg Patient Care Quality Improvement Fund - \$7,346,756]

Sponsor: Cohen

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$7,346,756 from the San Francisco General Hospital Foundation to participate in a program entitled Zuckerberg Patient Care Quality Improvement Fund for the period of October 23, 2017, through June 30, 2020, and waiving indirect costs. (Public Health Department)

ADOPTED by the following vote:

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

171177 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for 1) workers performing work under City contracts for public work and improvement; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; 6) workers performing moving services under City contracts at facilities owned or leased by the City; 7) workers engaged in exhibit, display, or trade show work at special events on property owned by the City; 8) workers engaged in broadcast services on property owned by the City; 9) workers engaged in loading or unloading into or from a commercial vehicle on City property of materials, goods, or products in connection with a show or special event, or engaged in driving a commercial vehicle into which or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event, or engaged in driving a commercial vehicle into which or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event; 10) workers engaged in security guard services under City contracts or at facilities or on property owned or leased by the City; and 11) motor bus service contracts. (Civil Service Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

171195 [Second Amendment to Ground Lease - Mission Bay Affordable Housing, L.P. - 150 Berry Street, 201, 207, 213, 215, 217, 219, 221, 223, 225, and 227 King Streets - Rich Sorro Commons]

Sponsors: Mayor; Kim

Resolution authorizing the execution and performance of a Second Amendment to the Ground Lease between the City and County of San Francisco and Mission Bay Affordable Housing, L.P., for real property located at 150 Berry Street, 201, 207, 213, 215, 217, 219, 221, 223, 225 and 227 King Streets, in connection with the loan refinancing and minor rehabilitation of community space at Rich Sorro Commons, a 100-unit affordable housing development for very low income individuals and families, with no change to the length of term or amount.

ADOPTED by the following vote:

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

171253 [Sale of General Obligation Bonds - Transportation and Road Improvement Bonds, 2014 - Not to Exceed \$177,000,000]**Sponsor: Mayor**

Resolution authorizing and directing the sale of not to exceed \$177,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Transportation and Road Improvement Bonds, 2014), Series 2018B; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by either competitive or negotiated sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents, as defined herein; declaring the City's official intent to reimburse certain expenditures; waiving the deadline for submission of Bond Accountability Reports; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Chapter 31 of the Administrative Code; ratifying certain actions previously taken as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein.

(Controller)

(Fiscal Impact)

ADOPTED by the following vote:

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

171254 [Sale of General Obligation Bonds - Clean and Safe Neighborhood Parks Bonds - Not to Exceed \$76,710,000]**Sponsor: Mayor**

Resolution authorizing and directing the sale of not to exceed \$76,710,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks Bonds, 2012), Series 2018A; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive or negotiated sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said Bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents, as defined herein; declaring the City's official intent to reimburse certain expenditures; waiving the deadline for submission of Bond Accountability Reports; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Chapter 31 of the Administrative Code; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein.

(Controller)

(Fiscal Impact)

ADOPTED by the following vote:

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

171278 [Emergency Declaration - Repair and Servicing of the Tesla Treatment Facility Flywheel Uninterruptible Power Supply Units - Hetch Hetchy Regional Water System - Not to Exceed Cost of \$322,548]

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, for the repair and servicing of the Tesla Treatment Facility Flywheel Uninterruptible Power Supply Units of the Hetch Hetchy Regional Water System, with an estimated total cost not to exceed \$322,548. (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

171319 [Real Property Acquisition - 700-730 Stanyan Street - McDonald's Corporation - \$15,500,000]

Sponsor: Mayor

Resolution approving and authorizing the Real Estate Division, on behalf of the Mayor's Office of Housing and Community Development, to acquire Real Property, located at 700-730 Stanyan Street from McDonald's Corporation, for purchase at \$15,500,000; placing the property under the jurisdiction of the Mayor's Office of Housing and Community Development for use in constructing affordable housing for San Franciscans; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the purchase agreement and this Resolution, as defined herein. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)

ADOPTED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee

President Breed requested File Nos. 170660 and 170662 be called together.

170660 [Follow-Up Board Response - Civil Grand Jury Report - Accelerating SF Government Performance - Taking Accountability and Transparency to the Next Level]

Motion responding to the Civil Grand Jury's request to provide a status update on the Board of Supervisor's response to Recommendation Nos. R2.2, R3.1, R4.1, R6, and R8 contained in the 2016-2017 Civil Grand Jury Report, entitled "Accelerating SF Government Performance - Taking Accountability and Transparency to the Next Level." (Government Audit and Oversight Committee)

Motion No. M18-004

APPROVED by the following vote:

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

170662 [Follow-Up Board Response - Civil Grand Jury Report - The San Francisco Retirement System - Increasing Understanding and Adding Voter Oversight]

Motion responding to the Civil Grand Jury's request to provide a status update on the Board of Supervisor's response to Recommendation No. R2.2 contained in the 2016-2017 Civil Grand Jury Report, entitled "The San Francisco Retirement System - Increasing Understanding and Adding Voter Oversight." (Government Audit and Oversight Committee)

Motion No. M18-005

APPROVED 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**171096 [Planning Code - Definition of Gross Floor Area]**

Ordinance amending the Planning Code to revise the definition of Gross Floor Area to delete the reference to accessory buildings, exempt required car-share spaces, remove redundant off-street loading provisions, and modify provisions regarding accessory and non-accessory parking; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302. (Planning Commission)

PASSED ON FIRST READING by the following vote:

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

171097 [Planning Code - Article 8 Corrections]

Ordinance amending the Planning Code to correct typographical errors, clarify nighttime entertainment restrictions, and update inclusionary affordable housing requirements; 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 findings as required by Planning Code, Section 302. (Planning Commission)

PASSED ON FIRST READING by the following vote:

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

171173 [Planning Code - Mission Street Neighborhood Commercial Transit District]

Sponsor: Ronen

Ordinance amending the Planning Code to prohibit Non-Retail Professional Services uses, limit lot mergers, and allow Arts Activities and Catering uses within the Mission Street Neighborhood Commercial Transit District; affirming the Planning Commission's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Planning Commission)

PASSED ON FIRST READING by the following vote:

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

171122 [Interim Zoning Controls - Supervisorial District 11 - Institutional Uses, Certain Personal Service Uses, and Conversion of Commercial to Residential Use]**Sponsor: Safai**

Resolution imposing interim zoning controls for an 18-month period in the Excelsior Outer Mission Neighborhood Commercial District and areas in Supervisorial District 11 zoned Small-Scale Neighborhood Commercial District (NC-2), Moderate-Scale Neighborhood Commercial District (NC-3), Neighborhood Commercial Shopping Center District (NC-S), Small-Scale Neighborhood Commercial Transit District (NCT-2), and Moderate-Scale Neighborhood Commercial Transit District (NCT-3), to require a Conditional Use authorization for the following new Uses (or existing Uses operating without proper approvals and permits) in areas where such Uses currently are permitted: all Institutional Uses located on the First Story, certain categories of Institutional Uses located on any Story, and a Personal Service Use operating as a salon and/or providing cosmetic services and located on the First Story; to require a Conditional Use authorization for the conversion of any Commercial Use to a Residential Use; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and priority policies in Planning Code, Section 101.1.

ADOPTED by the following vote:

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

Recommendations of the Public Safety and Neighborhood Services Committee

President Breed requested File Nos. 170906 and 171058 be called together.

170906 [Liquor License - 2919-16th Street - City Club]

Resolution determining that the transfer of a Type-48 on-sale general public premises liquor license to La Ciudad Club, dba City Club, located at 2919-16th Street (District 9), 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)

ADOPTED by the following vote:

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

171058 [Liquor License - 1148-1150 Mission Street - City Beer Store]

Resolution determining that the premise-to-premise transfer of a Type-42 on-sale beer and wine public premises liquor license to City Beer Store, LLC, located at 1148-1150 Mission 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)

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

171138 [Administrative Code - Indigenous Peoples Day]

Sponsor: Cohen

Ordinance amending the Administrative Code to declare the second Monday in October to be Indigenous Peoples Day.

Supervisor Peskin, seconded by Supervisor Tang, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of January 30, 2018. The motion FAILED by the following vote:

Ayes: 4 - Farrell, Peskin, Ronen, Tang

Noes: 7 - Breed, Cohen, Fewer, Kim, Safai, Sheehy, Yee

PASSED ON FIRST READING by the following vote:

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

Noes: 1 - Peskin

President Breed requested File Nos. 171306 and 171307 be called together.

171306 [Charter Amendment - Appointed Board Members and Commissioners Seeking Elective Office]

Sponsors: Peskin; Kim, Safai and Yee

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide that appointed members of boards and commissions under the Charter forfeit their offices upon filing a declaration of candidacy for state or local elective office; at an election to be held on June 5, 2018.

Supervisor Peskin, seconded by Supervisor Ronen, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of January 30, 2018. The motion carried by the following vote:

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

171307 [Charter Amendment - Retirement Board]

Sponsor: Peskin

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to reduce the Mayoral appointments to the Retirement Board from three to two members and to require that the City Attorney appoint one member; to require that the appointments of the Mayor and City Attorney be subject to a hearing and Board of Supervisors' approval within 60 days, but that if not acted upon become effective on the 61st day; to require that the term of any member appointed by the Mayor between December 1, 2014, and January 1, 2018, expire on September 1, 2018, with the City Attorney appointing a member to fill such a vacancy; and to require that the Retirement Board disclose certain investment information on a biannual basis; at an election to be held on June 5, 2018.

Supervisor Peskin, seconded by Supervisor Ronen, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of January 30, 2018. The motion carried 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 Tang, 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 Tang introduced, welcomed, and presented Certificates of Honor to the many organ and tissue donors during the month of January 2018, particularly the late Mayor Edwin Lee, Louis Joseph Boss, Charles Alexander McLeran, and Lisa M. Coleman.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Jose Pepe Gonzalez in recognition of his accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

President Breed requested File Nos. 171247, 171314, 171315, 171312 and 171280 be called together.

Supervisor Farrell was previously sequestered during the Committee of the Whole (File No. 180061) and noted present at 7:27 p.m.

171247 [Hearing - Committee of the Whole - Project Area I (Mission Rock), and Sub-Project Areas I-1 Through I-13, Infrastructure Financing District No. 2 - January 23, 2018]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on January 23, 2018, at 3:00 p.m., to hold a public hearing to consider the following to establish Project Area I (Mission Rock), and Sub-Project Areas I-1 through I-13 therein, of Infrastructure Financing District No. 2 (Port of San Francisco): an Ordinance establishing Project Area I, and Sub-Project Areas I-1 through I-13 therein, of Infrastructure Financing District No. 2, affirming the Planning Department's determination and making findings under the California Environmental Quality Act, and approving other matters in connection therewith (File No. 171314); and a Resolution approving issuance of Bonds in an amount not to exceed \$1,378,000,000 for Project Area I, and Sub-Project Areas I-1 through I-13 therein, of Infrastructure Financing District No. 2, approving Indenture of Trust and Pledge Agreement, and approving other matters in connection therewith (File No. 171315); scheduled pursuant to Resolution Nos. 426-17 and 427-17, approved on November 30, 2017. (Clerk of the Board)

President Breed opened the public hearing on the continuance and Supervisor Kim informed the Board that she will be making a motion to continue the hearings and associated legislation to a later date. 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 Yee, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of February 13, 2018. The motion carried by the following vote:

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

Committee of the Whole Adjourn and Report

171314 [Establishing Project Area I (Mission Rock), and Sub-Project Areas I-1 Through I-13 Therein - Adopting Appendix I to Infrastructure Financing Plan (Port of San Francisco)]

Sponsors: Mayor; Kim

Ordinance establishing Project Area I (Mission Rock), and Sub-Project Areas I-1 through I-13 therein, of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco); affirming the Planning Department's determination and making findings under the California Environmental Quality Act; and approving other matters in connection therewith. (Fiscal Impact; No Budget and Legislative Analyst Report)

Supervisor Kim, seconded by Supervisor Yee, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of February 13, 2018. The motion carried by the following vote:

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

171315 [Bond Issuance - Port Infrastructure Financing District - Project Area I (Mission Rock) and Sub-Project Areas I-1 Through I-13 Therein - Not to Exceed \$1,378,000,000]

Sponsors: Mayor; Kim

Resolution approving issuance of Bonds in an amount not to exceed \$1,378,000,000 for Project Area I (Mission Rock), and Sub-Project Areas I-1 through I-13 therein, of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco); approving Indenture of Trust and Pledge Agreement; and approving other matters in connection therewith. (Fiscal Impact; No Budget and Legislative Analyst Report)

Supervisor Kim, seconded by Supervisor Yee, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of February 13, 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.

Board of Supervisors Sitting as a Committee of the Whole

171312 [Hearing - Committee of the Whole - Amendments to the Mission Bay South Redevelopment Plan - January 23, 2018]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on January 23, 2018, at 3:00 p.m., to hold a public hearing to consider the following amendments to the Mission Bay South Redevelopment Plan (the legal description for the existing Redevelopment Plan Area boundaries was recorded with the San Francisco Office of the Assessor-Recorder on November 18, 1998, as Document No. 98-G470337- 00) as authorized by Assembly Bill 2796 (Chapter 529, Statutes 2016): an Ordinance approving amendments to the Mission Bay South Redevelopment Plan to remove a 0.3 acre parcel known as P20 from the Mission Bay South Redevelopment Plan Area, making findings 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 (File No. 171280); scheduled pursuant to Motion No. M17-206, approved on December 12, 2017. (Clerk of the Board)

President Breed opened the public hearing on the continuance and Supervisor Kim informed the Board that she will be making a motion to continue the hearings and associated legislation to a later date. 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 Yee, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of February 13, 2018. The motion carried by the following vote:

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

Committee of the Whole Adjourn and Report

171280 [Redevelopment Plan Amendments - Mission Bay South] Sponsors: Mayor; Kim

Ordinance approving amendments to the Mission Bay South Redevelopment Plan to remove a 0.3 acre parcel known as P20 from the Mission Bay South Redevelopment Plan Area; making findings 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.

Supervisor Kim, seconded by Supervisor Yee, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of February 13, 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.

Board of Supervisors Sitting as a Committee of the Whole

President Breed requested File Nos. 180061 and 180063 be called together.

180061 [Hearing - Committee of the Whole - Public Hearing to Take Nominations and Appoint a Successor Mayor Due to a Vacancy in the Office of the Mayor]

Hearing of the Board of Supervisors convening as a Committee of the Whole to discuss the proposed Motions to take nominations and appoint a successor Mayor to fill a vacancy in the Office of the Mayor (File Nos. 180063 and 180064). (Clerk of the Board)

President Breed opened the public hearing and inquired as to whether any individual wished to address the Board. Jon Givner (Office of the City Attorney) presented information and answered questions raised throughout the discussion. Ace Washington; Reverend Amos Brown; Speaker; Virginia Marshall; Speaker; Tiazi; Speaker; Hattie Brie; Linda Yoakum; Speaker; Falluah Sentinia; LaVonne McIntosh; Sala-Haquekyah Chandler; Shawn Richards; Jordan Davis; Rebecca King Morrow; Ken Johnson; Patrick Ryan; Jacqueline Flin; Amos Young; Angela Mann; Speaker; Speaker; Richard Dao; Speaker; Fred Jordan; Speaker; spoke in support of nominating President London Breed. Speaker; spoke in support of nominating Rod Conway. Speaker; spoke in support of nominating either Art Agnos, Tom Ammiano or Naomi Kelly. Speaker; Speaker; Shannon Moy; Joshua; Richard Greenberg; Rene Currin; Lisa Aubrey; spoke in support of nominating Naomi Kelly. Cynthia Pollock; Speaker; spoke in support of nominating Nadia Sesay, Naomi Kelly, Angela Calvillo, Micki Callahan or Monique Zmuda. Speaker; Speaker; Speaker; Jennifer; spoke in support of nominating a caretaker successor Mayor. Otto Duffy; Mr. Wright; Mr. Bowman; Magick Altman; Tom Gilberty; Marlon Herrera; spoke on various concerns regarding nominating a successor Mayor. There were no other speakers. President Breed closed public comment.

NOMINATIONS

Supervisor Cohen nominated President London Breed; on the record President Breed publicly accepted the nomination. Upon the acceptance of her nomination, President Breed was sequestered and - at the request of President Breed - Supervisor Tang resumed the meeting as President Pro Tempore.

Supervisor Yee nominated Supervisor Mark Farrell; on the record Supervisor Farrell publicly accepted the nomination. Upon the acceptance of his nomination, Supervisor Farrell was sequestered.

Supervisor Fewer nominated Supervisor Jane Kim; on the record Supervisor Kim publicly declined the nomination.

Presiding Officer Tang asked if there were any further nominations. There being no response, the nominations for Successor Mayor were then closed.

SELECTION OF THE SUCCESSOR MAYOR

The roll was called on the nominations of President Breed and Supervisor Farrell.

ROUND 1

Motion to select President London Breed as Successor Mayor failed by the following vote:

Ayes: 4 - Cohen, Safai, Sheehy, Tang

Noes: 5 - Fewer, Kim, Peskin, Ronen, Yee

Excused: 2 - Breed, Farrell

Motion to select Supervisor Mark Farrell as Successor Mayor carried by the following vote:

Ayes: 7 - Fewer, Kim, Peskin, Ronen, Sheehy, Tang, Yee

Noes: 2 - Cohen, Safai

Excused: 2 - Breed, Farrell

Presiding Officer Tang declared the hearing heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

Presiding Officer Tang recessed the meeting at 7:10 p.m., due to the disorderly conduct in the public gallery, and reconvened at 7:20 p.m.

Supervisor Cohen, seconded by Supervisor Peskin, moved to reconvene as the Committee of the Whole to allow further discussions. The motion carried without objection.

Supervisor Cohen, seconded by Supervisor Peskin, moved to rescind the motion to select Supervisor Mark Farrell as Successor Mayor. The motion carried by the following vote:

Ayes: 9 - Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Breed, Farrell

Motion to select Supervisor Mark Farrell as Successor Mayor carried by the following vote:

Ayes: 6 - Fewer, Kim, Peskin, Ronen, Sheehy, Yee

Noes: 3 - Cohen, Safai, Tang

Excused: 2 - Breed, Farrell

The recommended nomination of Supervisor Mark Farrell was forwarded to the full Board for consideration.

Presiding Officer Tang declared the hearing heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Kim assumed the chair at 5:50 p.m. The President resumed the chair at 5:59 p.m.

At the request of President Breed, Supervisor Farrell assumed the chair at 6:46 p.m. The President resumed the chair at 6:50 p.m.

Committee of the Whole Adjourn and Report

180063 [Nomination Process and Appointment of a Successor Mayor]

Sponsor: Peskin

Motion to take nominations and appoint a successor Mayor to fill a vacancy in the Office of the Mayor, during a Committee of the Whole hearing of the Board of Supervisors of the City and County of San Francisco on January 23, 2018.

Motion No. M18-009

Supervisor Cohen, 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

180064 [Confirming the Appointment of the Successor Mayor - Mark Farrell]**Sponsor: Peskin**

Motion confirming the appointment of the successor Mayor due to the vacancy in the Office of the Mayor, for a term that will expire when the winner of the special Mayoral election on June 5, 2018, takes office.

The following motions were made during the Committee of the Whole (File No. 180061).

Supervisor Peskin, seconded by Supervisor Yee, moved that this Motion be AMENDED to confirm Mark Farrell as the successor Mayor of the City and County of San Francisco. The motion carried by the following vote:

Ayes: 9 - Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Breed, Farrell

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

Ayes: 9 - Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Breed, Farrell

Supervisor Peskin, seconded by Supervisor Yee, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to confirm Mark Farrell as the successor Mayor of the City and County of San Francisco. The motion carried by the following vote:

Ayes: 7 - Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Yee

Noes: 2 - Cohen, Tang

Excused: 2 - Breed, Farrell

Motion confirming the appointment of Mark Farrell as the successor Mayor due to the vacancy in the Office of the Mayor, for a term that will expire when the winner of the special Mayoral election on June 5, 2018, takes office.

During the Committee of the Whole (File No. 180061) Presiding Officer Tang declared the hearing heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

President Breed was previously sequestered during the Committee of the Whole (File No. 180061) and noted present at 7:24 p.m.

President Breed irrevocably withdrew the acceptance of her nomination, and subsequently resumed the chair.

Motion No. M18-010

APPROVED AS AMENDED by the following vote:

Ayes: 8 - Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Noes: 2 - Breed, Cohen

Excused: 1 - Farrell

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.

Speaker; expressed concerns regarding the District Attorney and threats by a certain police officer.

Larissa; expressed support of the newly introduced legislation regarding immigration related legal services.

Marisa; expressed support of the newly introduced legislation regarding immigration related legal services.

Debbie Thomas; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Annette Wong; expressed support of the newly introduced legislation regarding immigration related legal services.

Speaker; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Rachel Ryan; expressed support of appointing a caretaker successor Mayor.

Gabriel Markoff; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Abdul; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Jason Kruda; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Magick Altman; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Fayad Raza; expressed support of appointing a caretaker successor Mayor.

Jamil Patterson; spoke in support of various proposed legislation, and the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Mark; expressed support of appointing a caretaker successor Mayor.

Norman Daygalman; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Speaker; expressed support of appointing a caretaker successor Mayor.

Rufus Watkins; expressed support of appointing a caretaker successor Mayor.

Raphael; expressed concerns regarding Tasers for police officers.

Speakers; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Speaker; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Ben Becker; expressed support of appointing a caretaker successor Mayor.

Trevor Martin; expressed support of appointing a caretaker successor Mayor.

Speaker; expressed support of appointing a caretaker successor Mayor.

Ellen Price; expressed support of appointing a caretaker successor Mayor.

Reverend Amos Brown; spoke in opposition to appointing a caretaker successor Mayor.

Debbie Winslow; spoke in opposition to appointing a caretaker successor Mayor.

Speaker; spoke in opposition to appointing a caretaker successor Mayor.

Shawn Richards; spoke in opposition to appointing a caretaker successor Mayor.

Olga Olsen; spoke on various concerns regarding appointing a successor Mayor.

Speaker; spoke in opposition to appointing a caretaker successor Mayor.

Sala-Haquekyah Chandler; spoke in opposition to appointing a caretaker successor Mayor.

Jacqueline Flin; spoke in opposition to appointing a caretaker successor Mayor.

Virginia Marsh; spoke in opposition to appointing a caretaker successor Mayor.

Anna Flores; expressed support of the newly introduced legislation regarding immigration related legal services.

Speaker; expressed support of appointing a caretaker successor Mayor.

Speaker; expressed support of appointing a caretaker successor Mayor.

Speaker; expressed support of appointing a caretaker successor Mayor.

Mr. Bowman; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

LaVonne McIntosh; spoke in opposition to appointing a caretaker successor Mayor.

Linda Yoakum; spoke in opposition to appointing a caretaker successor Mayor.

Speaker; spoke in opposition to appointing a caretaker successor Mayor.

Leva Shephard; spoke in opposition to appointing a caretaker successor Mayor.

Clint Reese; spoke in opposition to appointing a caretaker successor Mayor.

Jordan Davis; spoke in opposition to appointing a caretaker successor Mayor, and in support of the newly introduced legislation regarding immigration related legal services.

Speaker; expressed support of appointing a caretaker successor Mayor.

Speaker; expressed support of appointing a caretaker successor Mayor.

Speaker; spoke in support of the newly introduced legislation regarding immigration related legal services.

Eduarda; spoke in support of the newly introduced legislation regarding immigration related legal services.

Andrea Shorter; spoke in opposition to appointing a caretaker successor Mayor.

Ace Washington; spoke in opposition to appointing a caretaker successor Mayor.

Kurt Grimes; spoke in opposition to appointing a caretaker successor Mayor.

Rebecca King Morrow; spoke in opposition to appointing a caretaker successor Mayor.

John W. Smith; spoke in opposition to appointing a caretaker successor Mayor.

Curtis Woo; expressed support of appointing a caretaker successor Mayor.

Michael; expressed support of appointing a caretaker successor Mayor.

Christian Hinefelt; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Lisa Zaner; spoke in opposition to appointing a caretaker successor Mayor.

Minyon McGriff; spoke in opposition to appointing a caretaker successor Mayor.

Maggie Scott; spoke in opposition to appointing a caretaker successor Mayor.

Valerie Matthews; spoke in opposition to appointing a caretaker successor Mayor.

Speaker; spoke in opposition to appointing a caretaker successor Mayor.

Josea Perez; spoke in opposition to appointing a caretaker successor Mayor.

Tom O'Connor; spoke in opposition to appointing a caretaker successor Mayor.

Cynthia Pollock; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Patrick Ryan; spoke in opposition to appointing a caretaker successor Mayor.

Jermaine Honey; spoke in opposition to appointing a caretaker successor Mayor.

Angela Mann; spoke in opposition to appointing a caretaker successor Mayor.

Cynthia Leyna; spoke in opposition to appointing a caretaker successor Mayor.

Lorraine Petty; shared concerns regarding the needs for District 5.

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

Otto Duffy; expressed support of appointing a caretaker successor Mayor.

Ellen Lee Zhou; spoke on concerns regarding immigration.

Amy Fairweisen; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Fatima Cohen; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Allison Brockman; spoke on various concerns regarding the treatment of the disenfranchised.

Speaker; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Lisa Aubrey; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Denise Sequol; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Speaker; spoke in support of the Motion to sit as a Committee of the Whole to discuss the appointment of a successor Mayor (File No. 180060).

Shannon Moy; expressed support of appointing a caretaker successor Mayor.

Tom Gilberty; expressed support of appointing a caretaker successor Mayor, and the need for affordable housing.

*Frisco; spoke on concerns regarding homicides by police officers.
Raul; shared concerns regarding the indigenous people of America.
Joshua Herbert; expressed support of appointing a caretaker successor Mayor.
Natalia Crestridge; expressed support of appointing a caretaker successor Mayor.
Olga Miranda; spoke in opposition to appointing a caretaker successor Mayor.
Francisco Da Costa; spoke on concerns regarding financing political campaigns.*

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Safai assumed the chair at 4:42 p.m. The President resumed the chair at 5:06 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Supervisor Farrell requested that File No. 180056 be severed so that it may be considered separately.

180056 [Urging Congress and the Federal Communications Commission to Uphold Net Neutrality]

Sponsors: Farrell; Safai, Kim, Fewer, Cohen, Tang, Sheehy, Peskin and Ronen

Resolution urging Congress and the Federal Communications Commission to uphold net neutrality and Title II protections.

Supervisors Peskin and Ronen requested to be added as co-sponsors.

ADOPTED by the following vote:

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

Supervisor Peskin requested that File Nos. 180059, 180062 and 180060 be severed so that they may be considered separately.

180059 [Process for Nominating and Selecting a Successor Mayor]

Sponsor: Peskin

Motion directing the Clerk of the Board of Supervisors to propose a process for nominating and selecting a successor Mayor.

Motion No. M18-006

APPROVED by the following vote:

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

180062 [Approving Process for Nominating and Selecting a Successor Mayor]

Motion to consider and approve a special process to nominate and appoint a successor Mayor of the City and County of San Francisco. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Safai, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 23, through Page 2, Line 3, by adding 'WHEREAS, The Clerk of the Board of Supervisors has duly offered up a nomination and appointment process for review and approval by the Board of Supervisors at the January 23 Special meeting in the form of a memorandum dated January 19, 2018; and WHEREAS, The Clerk of the Board of Supervisors has raised a consideration from the 2010 process that, while never acted on is relevant to the 2018 process, under "New Consideration" on Page 2 of 4 of said memorandum; and'; and on Page 2, Lines 14-18, by adding 'That to be considered as a nominee for the position of Successor/Interim Mayor, the nominee shall be present in the Board Chamber at the time of the nomination and state for the record their acceptance or rejection of the nomination, as considered by the Clerk of the Board in her January 19, 2018 memorandum; and, be it FURTHER MOVED,'. The motion carried by the following vote:

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

Motion No. M18-007

APPROVED AS AMENDED by the following vote:

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

180060 [Committee of the Whole - Public Hearing to Take Nominations and Appoint a Successor Mayor Due to a Vacancy in the Office of the Mayor - January 23, 2018]
Sponsor: Peskin

Motion that the Board of Supervisors convene as a Committee of the Whole on January 23, 2018, at 3:00 p.m. to discuss the proposed Motion to take nominations and appoint a successor Mayor to fill a vacancy in the Office of the Mayor.

Motion No. M18-008

APPROVED by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda**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

180023 [Settlement of Lawsuit - Mikaela Anna Merchant - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Mikaela Anna Merchant against the City and County of San Francisco for \$50,000; the lawsuit was filed on November 29, 2016, in San Francisco Superior Court, Case No. CGC-16-555561; entitled Mikaela Anna Merchant v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

01/08/18; RECEIVED FROM DEPARTMENT.

01/23/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180024 [Partial Settlement of Lawsuit - Cesar and Fe Ponferrada - \$34,000]

Ordinance authorizing settlement of the lawsuit filed by Cesar and Fe Ponferrada against the City and County of San Francisco for \$34,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiffs Cesar and Fe Ponferrada, by the payment of \$34,000 and excluding the claim by these plaintiffs for diminution of value for plaintiffs' real property and the claim by plaintiffs for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney)

01/08/18; RECEIVED FROM DEPARTMENT.

01/23/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180025 [Partial Settlement of Lawsuit - Rizaldi Gache - \$65,000]

Ordinance authorizing settlement of the lawsuit filed by Rizaldi Gache against the City and County of San Francisco for \$65,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiff Rizaldi Gache, by the payment of \$65,000, and excluding the claim by this plaintiff for diminution of value for plaintiff's real property and the claim by plaintiff for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney)

01/08/18; RECEIVED FROM DEPARTMENT.

01/23/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180026 [Settlement of Lawsuit - Donald Spadini - \$120,600]

Ordinance authorizing settlement of the lawsuit filed by Donald Spadini against the City and County of San Francisco for \$120,600; the lawsuit was filed on September 13, 2016, in San Francisco Superior Court, Case No. CGC-16-554218; entitled Donald Spadini v. City and County of San Francisco, et al.; the lawsuit involves alleged negligence of doctors, nurses and staff; other material terms of the settlement are Co-Defendant The Regents of the University of California is paying \$59,400. (City Attorney)

01/08/18; RECEIVED FROM DEPARTMENT.

01/23/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180027 [Settlement of Lawsuit - David Zeller (Deceased) - \$290,000]

Ordinance authorizing settlement of the lawsuit filed by David Zeller against the City and County of San Francisco for \$290,000; the lawsuit was filed on March 14, 2013, in San Francisco Superior Court, Case No. CGC-13-529554; entitled David Zeller v. San Francisco General Hospital, et al.; the lawsuit involves alleged medical malpractice; other terms of the settlement are UC Regents to pay \$200,245 and upon approval by the probate court and Plaintiff's acceptance of the probate court's allocation of funds, California Department of Health Care Services to disgorge \$65,300 paid for MediCal lien to be paid to plaintiff. (City Attorney)

01/08/18; RECEIVED FROM DEPARTMENT.

01/23/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180028 [Partial Settlement of Lawsuit - David Alfaro and Jessica Alfaro - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by David Alfaro and Jessica Alfaro against the City and County of San Francisco for \$75,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiffs David Alfaro and Jessica Alfaro, by the payment of \$75,000 and excluding the claim by these plaintiffs for diminution of value for plaintiffs' real property and the claim by plaintiffs for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney)

01/08/18; RECEIVED FROM DEPARTMENT.

01/23/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180029 [Partial Settlement of Lawsuit - Baikonur 1701 LLC - \$34,284.59]

Ordinance authorizing settlement of the lawsuit filed by Baikonur 1701 LLC against the City and County of San Francisco for \$34,284.59; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiff Baikonur 1701 LLC, by the payment of \$34,284.59 and excluding the claim by this plaintiff for diminution of value for plaintiff's real property and the claim by plaintiff for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney)

01/08/18; RECEIVED FROM DEPARTMENT.

01/23/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180030 [Settlement of Lawsuit - Elyse Duckett - \$250,000]

Ordinance authorizing settlement of the lawsuit filed by Elyse Duckett against the City and County of San Francisco for \$250,000; the lawsuit was filed on May 9, 2014, in San Francisco Superior Court, Case No. CGC-14-539201; entitled Elyse Duckett vs. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

01/08/18; RECEIVED FROM DEPARTMENT.

01/23/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180031 [Summary Street Vacation - Portion of Panama Street; Sidewalk Acceptance - Niantic Street]

Ordinance ordering the summary street vacation of a portion of Panama Street tangent to Niantic Street and Interstate Highway 280, in the Oceanview neighborhood; conveying the City's interest in the street vacation area to the owner of 10 Niantic Street (Assessor's Parcel Block No. 7178, Lot No. 014); accepting an irrevocable offer for a public sidewalk on Niantic Street between Panama Street and Saint Charles Avenue; dedicating the public sidewalk for pedestrian use, designating it for public right-of-way and roadway purposes, and accepting it for City maintenance and liability; establishing a new official sidewalk on Niantic Street by amending Ordinance No. 1061 entitled, "Regulating the Width of Sidewalks;" 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. (Public Works)

01/04/18; RECEIVED FROM DEPARTMENT.

01/23/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/22/2018.

180068 [Settlement of Lawsuit - MBIA Inc., MBIA Insurance Corp., MBIA Insurance Corp. of Illinois, and Jason Kissane - City to Receive \$388,591]

Ordinance authorizing a settlement of the lawsuit filed by the City and County of San Francisco against MBIA Inc., its affiliates, MBIA Insurance Corp. and MBIA Insurance Corp. of Illinois, and its former employee, Jason Kissane, for \$388,591; the lawsuit was filed on October 8, 2008, in San Francisco Superior Court, Case No. CGC-08-480708; entitled City and County of San Francisco v. Ambac Financial Group Inc., et al.; the lawsuit involves breach of contract, fraud and antitrust claims against bond insurance companies; this settlement applies to claims against the last remaining defendants in the case, the MBIA entities. (City Attorney)

01/09/18; RECEIVED FROM DEPARTMENT.

01/23/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

180069 [Contract Amendment - Allied Universal Security - Security Services - Total Contract Amount \$26,062,288]

Resolution approving Amendment No. 2 of the contract between the City and County of San Francisco and Allied Universal Security for the provision of Security Services, extending the term for five months for the total period of February 1, 2014, to June 30, 2018, and an increase in the amount of \$3,534,242 resulting in a revised total contract amount not to exceed \$26,062,288. (Human Services Agency)

01/02/18; RECEIVED FROM DEPARTMENT.

01/23/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180070 [Real Property Lease Renewal and Amendment - BRCP 1390 Market, LLC - 1390 Market Street - Initial Annual Base Rent of \$1,801,119.96]

Resolution authorizing the potential three year renewal and amendment of a lease of approximately 27,826 square feet of space at 1390 Market Street with BRCP 1390 Market, LLC, as Landlord, for use by the Department of Public Health at the initial annual cost of \$1,801,119.96 (or \$150,093.33 monthly) and 3% annual increases thereafter, for a three year term from December 1, 2018, through November 30, 2021, subject to City's right to terminate early, and two five-year options to extend. (Real Estate Department)

01/05/18; RECEIVED FROM DEPARTMENT.

01/23/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180071 [Site License Agreement Amendment - TriStar Investors LLC - Communications Services Facilities in Modesto, California - Total Annual License Fee \$25,758]

Resolution retroactively authorizing the General Manager of the San Francisco Public Utilities Commission to execute a second amendment to a site license agreement with TriStar Investors LLC, as Licensor for the installation of an additional microwave communications antenna at a telecommunications facility located on a portion of Stanislaus County Assessor's Parcel No 081-012-004-000, with an increase of \$6,600 in the annual rent from \$19,158 to \$25,758 effective June 1, 2017, and making findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code, Chapter 31. (Public Utilities Commission)

01/12/18; RECEIVED FROM DEPARTMENT.

01/23/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 7:34 p.m.