BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, February 7, 2017 - 2:00 PM

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

Regular Meeting

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

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

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, February 7, 2017, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:01 p.m. On the call of the roll, Supervisor Fewer was noted not present. There was a quorum.

COMMUNICATIONS

There were no communications.

AGENDA CHANGES

There were no agenda changes.

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

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

161225 **[Business and Tax Regulations Code - Business Registration with Tax Collector]**
Ordinance amending the Business and Tax Regulations Code to remove the $100 minimum penalty from one of the penalties for failing to register with the Tax Collector; and to remove the fee and administrative requirements for obtaining a duplicate registration certificate. (Treasurer-Tax Collector)
(Fiscal Impact)

FINALLY PASSED

161311 **[Waiving Fiscal Feasibility Study and Determination Requirements - Airport Development Plan, Except for Individual Projects as Required by Administrative Code, Chapter 29]**
Ordinance exempting the proposed Airport Development Plan from Administrative Code, Chapter 29, including from the requirements for a fiscal feasibility study and a Board of Supervisors fiscal feasibility determination prior to initiating environmental review, but retaining requirements for possible future individual projects under the Recommended Airport Development Plan which would otherwise be subject to Administrative Code, Chapter 29. (Airport Commission)
(Fiscal Impact)

FINALLY PASSED

161343 **[Appropriation - Proceeds from Lease Financing - Public Safety Radio System Project - FY2016-2017 - $34,184,136]**
Sponsor: Mayor
Ordinance appropriating $34,184,136 of lease financing to the Department of Emergency Management for Public Safety Radio System Project in FY2016-2017, and placing the total appropriation of $34,184,136 on Controller's Reserve pending proceeds from the lease financing. (Fiscal Impact)

FINALLY PASSED

Recommendations of the 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)

FINALLY PASSED

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)

FINALLY PASSED

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)

FINALLY PASSED

Recommendation of the Land Use and Transportation Committee

161165 **[Subdivision Code - Requirements for Communications Services Facilities]**
Sponsor: Farrell
Ordinance amending the Subdivision Code to require that the design of a subdivision for a tentative map or parcel map provide for communications services facilities to each parcel; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

Severed from the Consent Agenda

Supervisor Yee requested that File No. 161316 be severed so that it may be considered separately.

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.

Supervisor Yee, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 15, Line 17, by adding 'Second Hand Dealer 0.' The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED 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

161345 **[Lease Disposition and Development Agreement and Ground Lease - Regents of the University of California, San Francisco - New Research Building at Zuckerberg San Francisco General Hospital - Initial Base Rent of $180,000 per Year]**
Sponsor: Mayor
Ordinance approving a Lease Disposition and Development Agreement and 75 year Ground Lease (with option to extend to 99 years) with the Regents of the University of California, San Francisco ("UCSF") for a new research building at the Priscilla Chan and Mark Zuckerberg San Francisco General Hospital and Trauma Center, with an initial base rent to be paid by UCSF of $180,000 per year; authorizing the Department of Public Health to accept a $10,000,000 parking reimbursement contribution upon delivery of the Ground Lease to UCSF; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); waiving certain provisions of the Administrative Code and Environment Code; and ratifying certain actions taken in connection therewith, as defined herein.

Supervisor Sheehy informed the Board that he was previously employed with the University of California, San Francisco (UCSF), and has been advised by the City Attorney that he has no conflict of interest on this matter; however, due to receiving a pension from UCSF, a full disclosure was made before the vote was taken on File No. 161345.

FINALLY PASSED 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. 161270 and 170005 be called together.

161270 **[Settlement of Lawsuit - Bradley Bishop - $750,000]**
Ordinance authorizing settlement of the lawsuit filed by Bradley Bishop against the City and County of San Francisco for $750,000; the lawsuit was filed on February 9, 2015, in San Francisco Superior Court, Case No. CGC-15-544028; entitled Bradley Bishop v. City and County of San Francisco, et al.; the lawsuit involves a medical malpractice claim; other material terms of the settlement are: City and County of San Francisco to waive offset of $13,891.80 for unpaid services, and Regents of the University of California to pay $1,750,000. (City Attorney)

Supervisor Sheehy informed the Board that he was previously employed with the University of California, San Francisco (UCSF), and has been advised by the City Attorney that he has no conflict of interest on this matter; however, due to receiving a pension from UCSF, a full disclosure was made before the vote was taken on File No. 161270.

FINALLY PASSED by the following vote:

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

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)

Supervisor Sheehy informed the Board that he was previously employed with the University of California, San Francisco (UCSF), and has been advised by the City Attorney that he has no conflict of interest on this matter; however, due to receiving a pension from UCSF, a full disclosure was made before the vote was taken on File No. 170005.

FINALLY PASSED 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

160925 **[Planning Code - Transportation Demand Management Program Requirement]**

Sponsors: Cohen; Sheehy, Farrell, Breed and Safai

Ordinance amending the Planning Code to establish a citywide Transportation Demand Management (TDM) Program, to require Development Projects to incorporate design features, incentives, and tools that support sustainable forms of transportation; create a new administrative fee to process TDM Plan applications and compliance reports; make conforming amendments to various sections of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

FINALLY PASSED by the following vote:

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

161291 **[Administrative Code - Update Hotel Conversion Ordinance]**

Sponsors: Peskin; Kim, Safai, Sheehy, Cohen, Ronen, Yee and Breed

Ordinance amending Administrative Code, Chapter 41, to update the Hotel Conversion Ordinance, including: adding or refining definitions of tourist and transit use, comparable unit, conversion, and low-income household; revising procedures for permits to convert residential units; harmonizing fees and penalty provisions with the Building Code; eliminating seasonal short-term rentals for residential hotels that have violated provisions of the Hotel Conversion Ordinance in the previous year; authorizing the Department of Building Inspection to issue administrative subpoenas; adding an operative date; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Rules Committee

161350 **[Administrative Code - Dignity Fund Oversight and Advisory Committee]**
Sponsors: Cohen; Yee
Ordinance amending the Administrative Code to set the structure, functions, terms, and administrative support for the Dignity Fund Oversight and Advisory Committee, as required by Charter, Section 16.128-11, adopted as part of Proposition I at the November 8, 2016, general municipal election.

PASSED, ON FIRST READING by the following vote:

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

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)

ADOPTED by the following vote:

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

President Breed requested File Nos. 170057 and 170060 be called together.

Supervisor Yee Excused from Voting

Supervisor Peskin, seconded by Supervisor Kim, moved that Supervisor Yee be excused from voting on File Nos. 170057 and 170060. The motion carried by the following vote:

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

170057 **[Appointment, Association of Bay Area Governments Executive Board - Supervisor Norman Yee]**
Motion appointing Supervisor Norman Yee, for a two-year term, to the Association of Bay Area Governments Executive Board. (Rules Committee)

Motion No. M17-008

APPROVED by the following vote:

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

President Breed requested File Nos. 170058 and 170059 be called together.

Supervisor Ronen Excused from Voting

Supervisor Yee, seconded by Supervisor Kim, moved that Supervisor Ronen be excused from voting on File Nos. 170058 and 170059. The motion carried by the following vote:

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

170058 **[Appointment, Bay Area Air Quality Management District Board of Directors - Supervisor Hillary Ronen]**
Motion appointing Supervisor Hillary Ronen, for a four-year term, to the Bay Area Air Quality Management District Board of Directors. (Rules Committee)

Motion No. M17-010

APPROVED by the following vote:

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

170059 **[Appointment, Local Agency Formation Commission - Supervisor Hillary Ronen]**
Motion appointing Supervisor Hillary Ronen, for a four-year term, to the Local Agency Formation Commission. (Rules Committee)

Motion No. M17-011

APPROVED by the following vote:

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

170060 **[Appointment, Golden Gate Bridge, Highway and Transportation District Board of Directors - Supervisor Norman Yee]**
Motion appointing Supervisor Norman Yee, for a two-year term, to the Golden Gate Bridge, Highway and Transportation District Board of Directors. (Rules Committee)

Motion No. M17-009

APPROVED by the following vote:

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

Supervisor Peskin Excused from Voting

Supervisor Ronen, seconded by Supervisor Kim, moved that Supervisor Peskin be excused from voting on File No. 170142. The motion carried by the following vote:

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

170142 **[Appointment, Golden Gate Bridge, Highway and Transportation District Board of Directors - Supervisor Aaron Peskin]**
Motion appointing Supervisor Aaron Peskin, for a two-year term, to the Golden Gate Bridge, Highway and Transportation District Board of Directors. (Rules Committee)

Motion No. M17-012

APPROVED by the following vote:

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

Supervisor Breed Excused from Voting

Supervisor Ronen, seconded by Supervisor Cohen, moved that Supervisor Breed be excused from voting on File No. 170143. The motion carried by the following vote:

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

170143 **[Appointment, Golden Gate Bridge, Highway and Transportation District Board of Directors - Supervisor London Breed]**
Motion appointing Supervisor London Breed, for a two-year term, to the Golden Gate Bridge, Highway and Transportation District Board of Directors. (Rules Committee)

Motion No. M17-013

APPROVED by the following vote:

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

Supervisor Sheehy Excused from Voting

Supervisor Fewer, seconded by Supervisor Yee, moved that Supervisor Sheehy be excused from voting on File No. 170144. The motion carried by the following vote:

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

170144 **[Appointment, Golden Gate Bridge, Highway and Transportation District Board of Directors - Supervisor Jeff Sheehy]**
Motion appointing Supervisor Jeff Sheehy, for a two-year term, to the Golden Gate Bridge, Highway and Transportation District Board of Directors. (Rules Committee)

Motion No. M17-014

APPROVED by the following vote:

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

Supervisor Kim Excused from Voting

Supervisor Yee, seconded by Supervisor Ronen, moved that Supervisor Kim be excused from voting on File No. 170061. The motion carried by the following vote:

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

170061 **[Appointment, Metropolitan Transportation Commission - Supervisor Jane Kim]**
Motion appointing Supervisor Jane Kim, for a four-year term, to the Metropolitan Transportation Commission. (Rules Committee)

Motion No. M17-015

APPROVED by the following vote:

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

Supervisor Fewer Excused from Voting

Supervisor Peskin, seconded by Supervisor Safai, moved that Supervisor Fewer be excused from voting on File No. 170062. The motion carried by the following vote:

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

170062 **[Appointment, Reentry Council - Supervisor Sandra Lee Fewer]**
Motion appointing Supervisor Sandra Lee Fewer, for a two-year term, to the Reentry Council. (Rules Committee)

Motion No. M17-016

APPROVED by the following vote:

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

170063 **[Appointment, Park, Recreation and Open Space Advisory Committee - Katherine Mindel Jones]**
Motion appointing Katherine Mindel Jones, for the unexpired portion of a two-year term, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Motion No. M17-017

APPROVED by the following vote:

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

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

Supervisor Peskin, seconded by Supervisor Cohen, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to the numerous public safety officers, City staff, and non-profit workers, including Engine 2 Captain Kevin Pardini and Battallion Chief Nicol Juratovac (Fire Department); Eleanor Najjar (Red Cross); Ben Amyes (Human Services Agency); John McKnight (Salvation Army); Director Tom Hui, Bernie Curran, Sean Birmingham, William Walsh, and Michael Chan (Department of Building Inspection); Victor Lim and Francis Chan (Mayor's Office); the Community Development Center; Ann Chung (Self Help for the Elderly); Vanessa Wellman and Carlos (Lava Mae); and Eillen Hirst and Deputy Sheriff Kenny Ng (Sheriff's Department), in recognition of the remarkable support provided to the victims of the Chinatown fire that occurred on February 3, 2017.

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Mary Jefferson, Luis Rivera, Vanessa Jackson, and Kimberly Sawyer (From A Better Way), and Darling Siqueira and Christina Hernandez (From Homeless Prenatal Program), on the occasion of National Parent Leadership Month, in recognition of their many accomplishments and continued community support. Trent Rhorer, Director (Human Services Agency), shared in this commendation.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to the organizers for Free City College, including Alisa Messer and Athena Waid (American Federation of Teachers, Local 2121), the San Francisco Labor Council, and Community Housing Partnerships/Jobs With Justice, in recognition of their hard work and efforts making college education free to all residents through City College of San Francisco. Supervisors Cohen, Ronen, Yee, Fewer, Peskin, Safai, and Tang shared in this commendation.

President Breed recessed the meeting at 3:15 p.m. and reconvened at 3:17 p.m.

Supervisor Peskin acknowledged and introduced Miss Chinatown U.S.A. 2017, Karen Yang, and all the runners-up of the pageant, who were in attendance during today's meeting.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

170113 **[Hearing - Committee of the Whole - Findings and Recommendations Regarding Law Enforcement Practices - Update - February 7, 2017]**
Sponsors: Cohen; Ronen
Hearing of the Board of Supervisors sitting as a Committee of the Whole on February 7, 2017, to hear and receive updates on the final reports, findings, and recommendations of the Blue Ribbon Panel on Transparency, Accountability, and Fairness in Law Enforcement; the Department of Justice Initial Assessment Report of the San Francisco Police Department; the President's Task Force on 21st Century Policing; and the Civil Grand Jury's Report, entitled "Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings;" and requesting the Police Department, the Department of Human Resources, the Department of Police Accountability, and the Police Commission to report; scheduled pursuant to Motion No. M16-164, adopted November 15, 2016.

President Breed opened the public hearing, informed the Board that she would be entertaining a motion to continue the hearing to March 7, 2017. Supervisor Cohen provided additional information on the hearing and the proposed continuance. The President inquired as to whether any member of the public wished to address the Board relating to the hearing on the findings and recommendations regarding law enforcement practices (File No. 170113) and the proposed continuance. There were no speakers. President Breed closed public comment, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

Supervisor Cohen, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of March 7, 2017. 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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Giselle Roohparvar; shared concerns regarding SRO residential
Sala Chandler; shared concerns regarding a memorial for her son who was a victim of a triple homicide.
Ace Washington; shared concerns about the out migration of the African American community in San Francisco.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

170133 **[Supporting California State Senate Bill 54 (De León) - California Values Act]**
Sponsors: Ronen; Fewer, Kim, Peskin, Yee, Safai, Breed, Tang and Cohen
Resolution supporting California State Senate Bill 54, authored by Senator De León, the California Values Act, to limit state and local law enforcement's entanglement with federal immigration enforcement.

Supervisors Breed, Tang, and Cohen requested to be added as co-sponsors.

Supervisor Ronen, seconded by Supervisor Peskin, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 9, by striking 'prevent the use of' and adding 'disentangle', Lines 9-10, by striking 'to aid Immigration and Customs Enforcement (ICE) in carrying out deportations' and adding 'from federal immigration enforcement', Line 14, by adding 'would', Lines 14-15, by striking 'is an omnibus immigrant rights legislation, that', Line 15, by striking 'would', Line 16, by adding 'and disentagle scarce', Lines 16-17, by adding 'federal immigration enforcement', and Line 17, by striking 'engaging in deportations'; and Page 2, Line 10, by adding 'trust and', and Lines 13-19, by adding 'WHEREAS, Community trust and confidence in local law enforcement and related City public health and safety agencies, including the Public Health and Fire Department, helps keep our communities safe by making sure that all residents, regardless of immigration status, feel comfortable calling the Police and Fire Departments during emergencies and cooperating with City agencies during public safety situations. It helps keep our communities healthy by making sure that all residents, regardless of immigration status, feel comfortable accessing City public health services and benefit programs; and'. The motion carried by the following vote:

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

ADOPTED AS AMENDED by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

161287 **[Environment Code - Green Building Requirements for Municipal Buildings]**
Sponsors: Mayor; Breed
Ordinance amending the Environment Code to update the green building requirements for the design, construction, and operation of municipal buildings; and affirming the Planning Department's determination under the California Environmental Quality Act.

11/29/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/29/2016.

12/13/16; REFERRED TO DEPARTMENT.

12/15/16; RESPONSE RECEIVED.

02/07/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

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

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

01/17/17; REFERRED TO DEPARTMENT.

02/07/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

170156 **[Planning Code, Zoning Map - Production, Distribution, and Repair Controls; Eliminating the Transit-Oriented Retail Special Use District, and Correcting Height Limits in the UMU District]**
Sponsors: Mayor; Ronen
Ordinance amending the Planning Code and Zoning Map to prohibit Gym and Massage uses in the Production, Distribution, and Repair (PDR) zoning districts, eliminate the Transit-Oriented Retail Special Use District, which includes all parcels in PDR districts along 16th Street from Mission Street to Potrero Avenue, and correct the height limits on certain parcels in the Urban Mixed Use (UMU) District to allow for groundfloor PDR uses; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

02/07/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/9/2017.

170157 **[Appropriation - General Obligation Bonds - San Francisco General Hospital and Trauma Center Bond Interest Earnings - FY2016-2017- $12,807,266]**
Sponsor: Mayor
Ordinance appropriating $12,807,266 of General Obligation Bond Interest Earnings for the San Francisco General Hospital and Trauma Center in FY2016-2017 and placing $392,406 on Controller's Reserve pending interest accrual and review of arbitrage costs.

02/07/17; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/9/2017.

170158 [Administrative Code - Short-Term Residential Rentals]
Sponsors: Peskin; Breed
Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to require Hosting Platforms to exercise reasonable care in verifying that a Residential Unit is on the City Registry prior to accepting a fee for booking a short-term rental transaction; and affirming the Planning Department's determination under the California Environmental Quality Act.

02/07/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/9/2017.

170159 [Housing Code - Timers and Devices Restricting Showerhead Water Flow]
Sponsor: Peskin
Ordinance amending the Housing Code to prohibit the installation of timers or devices, other than required water conservation fixtures, that restrict or interrupt the water flow from showerheads in dwellings, apartment houses, dormitories, lodging houses, and hotels, subject to an exception for owner-occupied dwelling units; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage as required by State law.

02/07/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/9/2017.

170160 [Transportation, Public Works Codes - Unauthorized Bicycle Violations, Stationless Bicycle Share Program]
Sponsor: Peskin
Ordinance amending Division I of the Transportation Code to establish a violation for bicycles that are a part of a Stationless Bicycle Share Program, to be parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of the Municipal Transportation Agency (MTA) or Department of Public Works (DPW) without a permit issued by the MTA authorizing the bicycle to be parked, left standing, or left unattended at that location, and amending the Public Works Code to authorize DPW to take any necessary enforcement action to abate or remove unauthorized bicycles that are part of an unpermitted Stationless Bicycle Share Program, that are parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of DPW or the MTA in violation of the Transportation Code; and affirming the Planning Department's determination under the California Environmental Quality Act.

02/07/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/9/2017.

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Resolutions

170161 [Urging the California State Legislature to Amend the Revenue and Taxation Code to Enable California Local Jurisdictions to Levy a Personal Income Tax and a Corporate Income Tax]

Sponsors: Peskin; Fewer, Ronen, Kim, Yee and Safai

Resolution urging the California state legislature to amend the Revenue and Taxation Code to enable local California jurisdictions to levy personal and corporate income taxes, which the City and County of San Francisco could utilize as a sustained source of funding for transportation and public health priorities.

02/07/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

170162 [Urging the Planning Commission to Adopt General Plan Amendments Defining Family-Friendly Housing]

Sponsors: Yee, Ronen, Safai, Sheehy, Kim, Breed, Peskin, Fewer, Cohen and Farrell

Resolution urging the Planning Commission to initiate amendments to the General Plan's Housing and Urban Design Elements regarding family-friendly housing.

02/07/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

170164 [Setting the 2017 Budget and Legislative Analyst Services Work Plan]

Sponsor: Kim

Motion approving the Budget and Legislative Analyst Services work plan for 2017, which allocates hours for calendar year 2017, authorizes the Budget and Legislative Analyst to reallocate up to 20% of the hours between service categories based on Board of Supervisors service needs, and requires Board of Supervisors approval of hours re-allocation greater than 20%; and establishes performance goals and sets a date for the 2017 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

02/07/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Motions

170165 [Appointment, Entertainment Commission - Ben Bleiman]

Motion approving/rejecting the Mayor's appointment of Ben Bleiman to the Entertainment Commission, term ending July 1, 2019. (Clerk of the Board)

02/07/17; RECEIVED AND ASSIGNED to Rules Committee.

170166 [Reappointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Leah Pimentel, Miguel Bustos, and Darshan Singh]

Motion confirming/rejecting the Mayor's reappointments of Leah Pimentel, Miguel Bustos, and Darshan Singh to the Successor Agency Commission (commonly known as the Commission on Community Investment and Infrastructure), for a term ending November 3, 2020. (Clerk of the Board)

02/07/17; RECEIVED AND ASSIGNED to Rules Committee.

170176 [Reappointment, Historic Preservation Commission - Aaron Hyland]
Motion approving/rejecting the Mayor's nomination for reappointment of Aaron Hyland to the Historic Preservation Commission, Seat No. 1, for the unexpired portion of a four-year term ending December 31, 2020. (Clerk of the Board)
(Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: February 7, 2017.)

02/07/17; RECEIVED AND ASSIGNED to Rules Committee.

170177 [Reappointment, Historic Preservation Commission - Jonathan Pearlman]
Motion approving/rejecting the Mayor's nomination for reappointment of Jonathan Pearlman to the Historic Preservation Commission, Seat No. 3, for the unexpired portion of a four-year term ending December 31, 2020. (Clerk of the Board)
(Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: February 7, 2017.)

02/07/17; RECEIVED AND ASSIGNED to Rules Committee.

170178 [Reappointment, Historic Preservation Commission - Ellen Johnck]
Motion approving/rejecting the Mayor's nomination for reappointment of Ellen Johnck to the Historic Preservation Commission, Seat No. 5, for the unexpired portion of a four-year term ending December 31, 2020. (Clerk of the Board)
(Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: February 7, 2017.)

02/07/17; RECEIVED AND ASSIGNED to Rules Committee.

170179 [Reappointment, Historic Preservation Commission - Diane Matsuda]
Motion approving/rejecting the Mayor's nomination for reappointment of Diane Matsuda to the Historic Preservation Commission, Seat No. 7, for the unexpired portion of a four-year term ending December 31, 2020. (Clerk of the Board)
(Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: February 7, 2017.)

02/07/17; RECEIVED AND ASSIGNED to Rules Committee.

Requests for Hearing

170168 [Hearing - San Francisco Municipal Transportation Agency's Extended Delay in Using the 2014 Proposition A Transportation Bond Funds]
Sponsor: Breed
Hearing for the San Francisco Municipal Transportation Agency (SFMTA) to explain why, after 27 months, it has only spent 2% of the Transportation Infrastructure bonds approved by voters in 2014's Proposition A, and to detail what the relevant departments are doing to implement critical transportation projects in a more timely manner; and requesting the SFMTA, the Controller's Office, Public Works, and the San Francisco Public Utilities Commission to report.

02/07/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

170169 [Hearing - Controller's Six-Month Budget Status Report]
Sponsor: Cohen
Hearing on the Controller's Six-Month Budget Status Report for FY2016-2017; and requesting the Controller's Office, and the Mayor's Budget Office to report.

02/07/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

170170 [Hearing - Litter and Waste]
Sponsor: Fewer
Hearing on the status of litter and waste management strategies to handle neighborhood litter and packaging from packaged deliveries, and an update on anti-litter education and outreach efforts; and requesting the Department on the Environment, and Public Works to report.

02/07/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

170171 [Hearing - Emergency Medical Service Response Times]
Sponsor: Peskin
Hearing on the City's Emergency Medical Service response times and 9-1-1 call center response times; and requesting the Controller's Office, the Fire Department, and the Department of Emergency Services to present and report.

02/07/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

170146 [Appointment, California State Association of Counties - Supervisor Malia Cohen]
Motion appointing Supervisor Malia Cohen, for a one-year term, to the California State Association of Counties. (Rules Committee)

02/03/17; RECEIVED AND ASSIGNED to Rules Committee.

170147 [Appointment, Bay Area Air Quality Management District Board of Directors - Supervisor Jeff Sheehy]
Motion appointing Supervisor Jeff Sheehy, for a four-year term, to the Bay Area Air Quality Management District Board of Directors. (Rules Committee)

02/03/17; RECEIVED AND ASSIGNED to Rules Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

170121 **[Settlement of Lawsuit - Luyen Phan and Gai Thi Phan Nguyen - $2,875,000]**
Ordinance authorizing settlement of the lawsuit filed by Luyen Phan and Gai Thi Phan Nguyen against the City and County of San Francisco for $2,875,000; the lawsuit was filed on May 23, 2016, in San Francisco Superior Court, Case No. CGC-16-552178; entitled Luyen Phan, et al. v. City and County of San Francisco, et al.; the lawsuit involves wrongful death of plaintiffs' daughter. (City Attorney)

01/26/17; RECEIVED FROM DEPARTMENT.

02/07/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

170122 **[Settlement of Lawsuit - Willie Crawford - $100,281]**
Ordinance authorizing settlement of the lawsuit filed by Willie Crawford against the City and County of San Francisco for payment by City of $100,281; the lawsuit was filed on March 2, 2015, in the Superior Court, and removed on March 16, 2016, to the Federal District Court, Northern District of California, Case No. 16-cv-01301-CW; entitled Willie Crawford v. City and County of San Francisco; the lawsuit involves a dispute arising from employment; other material terms of the settlement are that plaintiff will resign, and that the City agrees to restore vacation pay, pay severance in accordance with the Municipal Executives' Association collective bargaining agreement, pay the fee for mediation of the dispute, and forgo certain attorney's fees and costs awarded by court. (Public Health Department)

01/30/17; RECEIVED FROM DEPARTMENT.

02/07/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

170123 **[Public Works Code - Construction Site Runoff on Port Property - Enforcement]**
Ordinance amending the Public Works Code to authorize the Port Executive Director to impose penalties for failure to comply with requirements relating to construction site runoff on property within Port Commission jurisdiction. (Port)

01/30/17; RECEIVED FROM DEPARTMENT.

02/07/17; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 3/9/2017.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 3:34 p.m.