

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, February 28, 2017 - 2:00 PM

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

Regular Meeting

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LONDON BREED, PRESIDENT

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

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

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**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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, February 28, 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 Cohen was noted not present. There was a quorum.*

*Supervisor Cohen was noted present at 2:02 p.m.*

## COMMUNICATIONS

*There were no communications.*

## APPROVAL OF MEETING MINUTES

*President Breed inquired whether any Board Member had any corrections to the Board Inaugural Meeting Minutes of January 9, 2017, or the Board Meeting Minutes of January 10, 2017. There were no corrections.*

**Supervisor Kim, seconded by Supervisor Safai, moved to approve the Board Inaugural Meeting Minutes of January 9, 2017, and the Board Meeting Minutes of January 10, 2017. The motion carried by the following vote, following general public comment:**

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

## AGENDA CHANGES

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendations of the Government Audit and Oversight Committee

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**Recommendation of the Land Use and Transportation Committee****161064 [Administrative, Planning Codes - New Hotels and Motels Near Places of Entertainment]**

**Sponsors: Breed; Farrell**

Ordinance amending the Administrative and Planning Codes to authorize the Entertainment Commission to hold a hearing on noise issues related to proposed projects for construction of new hotels and motels, or conversions of existing structures to hotel or motel uses, to be located within 300 feet of a Place of Entertainment, and to provide recommendations to the Planning Department and/or Department of Building Inspection regarding such projects, and require the Planning Department and Planning Commission to consider noise issues when reviewing proposed hotel and motel projects; 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.

**FINALLY PASSED**

**Recommendation of the Public Safety and Neighborhood Services Committee****161352 [Health Code - Sale of Domestic Dogs and Cats]**

**Sponsors: Tang; Farrell and Cohen**

Ordinance amending the Health Code to prohibit pet stores from selling dogs or cats not obtained from animal rescue organizations or shelters, and prohibiting the sale of puppies or kittens under eight weeks old.

**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

#### **161354 [Apply for Grants - 2017 Emergency Preparedness Grants]**

**Sponsor: Mayor**

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco any actions necessary for the purpose of obtaining State and Federal financial assistance under various grant programs, including: the Federal Fiscal Year 2017 Urban Areas Security Initiative Grant, the Federal Fiscal Year 2017 State Homeland Security Grant Program, the 2017 Emergency Management Performance Grant, and the 2017 Local Government Oil Spill Contingency Plan Grant Program.

**ADOPTED by the following vote:**

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

Noes: 1 - Yee

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*President Breed requested File Nos. 161320, 170032, 170033, and 170108 be called together.*

#### **161320 [Accept and Expend Grant - Prospect Silicon Valley - MarketZero Project - \$150,000]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Department of the Environment to accept and expend grant funds from Prospect Silicon Valley in the amount of \$150,000 to perform stakeholder engagement and knowledge transfer for the MarketZero project to bring an existing local grocery store to near net-zero energy over the term of May 17, 2016, through March 31, 2020.

**ADOPTED by the following vote:**

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

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

**Sponsor: Mayor**

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

**ADOPTED by the following vote:**

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

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

**Sponsor: Mayor**

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

**ADOPTED by the following vote:**

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

*President Breed requested File Nos. 170052 and 170053 be called together.*

**170052 [Real Property Purchase and Sale Agreement - Sale of 401 and 403 Old Bernal Avenue, Pleasanton, California - City of Pleasanton - \$4,200,000]**

Resolution approving and authorizing the execution of a Purchase and Sale Agreement with the City of Pleasanton, for the conveyance by the City and County of San Francisco, acting through the San Francisco Public Utilities Commission (SFPUC), to the City of Pleasanton, consisting of approximately 3.18 acres of real property located at 401 and 403 Old Bernal Avenue, Pleasanton, California for \$4,200,000; adopting findings under the California Environmental Quality Act; 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 and/or the SFPUC's General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Public Utilities Commission)

**ADOPTED by the following vote:**

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

**170053 [Real Property Purchase and Sale Agreement - Sale of Three Parcels in Millbrae, California - Pradeep Gandhi and Gabriel Gonzalez - \$2,340,000]**

Resolution approving and authorizing the execution of a Purchase and Sale Agreement with Pradeep Gandhi and Gabriel Gonzalez (together "Buyer") or Buyer's nominee, for the conveyance by the City and County of San Francisco, acting through the San Francisco Public Utilities Commission (SFPUC), to Buyer of three parcels, consisting of approximately 15,341 square feet of real property located between Helen Drive and Dexter Place, Millbrae, California for \$2,340,000; adopting findings under the California Environmental Quality Act; 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 and/or the SFPUC's General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Public Utilities Commission)

**ADOPTED by the following vote:**

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

**170108 [Accept and Expend Grant - California Governor's Office of Emergency Services - Victim Witness Assistance Program - \$982,348]**

**Sponsor: Tang**

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$982,348 from the California Governor's Office of Emergency Services for the Victim Witness Assistance Program for the grant period July 1, 2016, through June 30, 2017. (District Attorney)

**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****161179 [Environment Code - Revisions to the Solar Energy Incentive Program]**

**Sponsor: Breed**

Ordinance amending the Environment Code to adjust the incentives in the Solar Energy Incentive Program and revise certain program requirements; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Utilities Commission)

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

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

President Breed requested File Nos. 170066, 170067, 170068, 170069, 170070, 170071, 170072, 170073, 170074, 170075, 170076, 170077, 170078, 170079, 170080, 170081, 170082, 170083, 170084, 170085, 170086, 170087, 170088, 170089, and 170090 be called together.

### **170066 [Memorandum of Understanding - Machinists Union, Local 1414]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the Machinists Union, Local 1414, International Association of Machinists & Aerospace Workers Machinists Automotive Trades District Lodge 190, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

### **170067 [Memorandum of Understanding - Crafts Coalition]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the Crafts Coalition: Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of the Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridges, Structural Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; and Teamsters, Local 853, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

### **170068 [Memorandum of Understanding - San Francisco Deputy Probation Officers' Association]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

### **170069 [Memorandum of Understanding - San Francisco Deputy Sheriffs' Association]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170070 [Memorandum of Understanding - International Brotherhood of Electrical Workers, Local 6]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170071 [Memorandum of Understanding - International Federation of Professional and Technical Engineers, Local 21]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 2 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170072 [Memorandum of Understanding - San Francisco Institutional Police Officers' Association]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association, to extend the term of the agreement through June 30, 2019.

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

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

**170073 [Memorandum of Understanding - Municipal Attorneys Association]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys Association, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170074 [Memorandum of Understanding - Municipal Executives Association]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association, to implement base wage increases for FYs 2017-2018 and 2018-2019 and other specified terms and conditions of employment, and extend the term of the agreement through June 30, 2019.

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

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



**170075 [Memorandum of Understanding - Operating Engineers, Local Union 3 - International Union of Operating Engineers]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union 3 of the International Union of Operating Engineers, AFL-CIO, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170076 [Memorandum of Understanding - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170077 [Memorandum of Understanding - San Francisco City Workers United (Painters)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the San Francisco City Workers United (Painters), to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170078 [Memorandum of Understanding - San Francisco Sheriffs' Managers and Supervisors Association]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Sheriffs' Managers and Supervisors Association, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170079 [Memorandum of Understanding - Teamsters, Local 856, Multi-Unit]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856, Multi-Unit, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170080 [Compensation for Unrepresented Employees]****Sponsor: Mayor**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensation is subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing wages, working schedules and other terms and conditions of employment, effective July 1, 2017.

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

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

**170081 [Memorandum of Understanding - San Francisco Building Inspectors' Association]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and Building Inspectors' Association, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170082 [Memorandum of Understanding - San Francisco District Attorney Investigators' Association]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigators' Association, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170083 [Memorandum of Understanding - Laborers International Union, Local 261]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 2 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, to implement base wage increases for FYs 2017-2018 and 2018-2019, other specified terms and conditions of employment, and extend the term of the agreement through June 30, 2019.

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

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

**170084 [Memorandum of Understanding - Service Employees International Union, Local 1021]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 2 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170085 [Memorandum of Understanding - Service Employees International Union, Local 1021: Staff & Per Diem Nurses]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2016-2017 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021: Staff & Per Diem Nurses, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170086 [Memorandum of Understanding - International Union of Operating Engineers Stationary Engineers, Local 39]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170087 [Memorandum of Understanding - Operating Engineers, Local Union 3 - Supervising Probation Officers]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170088 [Memorandum of Understanding - Transport Workers Union, Local 200]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, AFL-CIO, Local 200, to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170089 [Memorandum of Understanding - Transport Workers' Union, Local 250-A - Automotive Service Workers (7410)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers' Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410), to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170090 [Memorandum of Understanding - Transport Workers' Union, Local 250-A, Multi-Unit (Unit 28)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2017 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers' Union, Local 250-A, Multi-Unit (Unit 28), to implement base wage increases for FYs 2017-2018 and 2018-2019, and extend the term of the agreement through June 30, 2019.

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

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

**170050 [Contract Agreement - Global Tel\*Link - Inmate Telephone Services - Anticipated Revenue of More Than \$1,000,000]**

Resolution retroactively authorizing the Sheriff's Department to contract with Global Tel\*Link to provide Inmate Telephone Services, which will memorialize inmate phone call rates that reduce the cost of the average local call by 34%, and will result in an anticipated revenue to the Inmate Welfare Fund of more than \$1,000,000 over the three-year contract term of December 1, 2016, through November 30, 2019, and authorizing the Sheriff to exercise the agreement's two one-year options to extend the term for a total term not to exceed five years. (Sheriff)

**ADOPTED 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****160748 [Planning Code - Amusement Arcades in the South of Market Service/Light Industrial District]****Sponsor: Kim**

Ordinance amending the Planning Code to allow amusement arcades in the South of Market Service/Light Industrial District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

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

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

**161287 [Environment Code - Green Building Requirements for Municipal Buildings]****Sponsors: Mayor; Breed, Ronen, Sheehy and Farrell**

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.

*Supervisors Sheehy and Farrell requested to be added as co-sponsors.*

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

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

President Breed requested File Nos. 161066 and 161249 be called together.

**161066 [Planning, Administrative, and Health Codes - Waiving Fees and Exempting Requirements, Authorizing Land Dedication, Establishing 180 Jones Street Affordable Housing Fund, Accepting Gifts, Authorizing Payment - 950-974 Market Street Project]**

**Sponsor: Kim**

Ordinance waiving the Jobs-Housing Linkage Fee set forth in Planning Code, Section 413 et seq., the Inclusionary Affordable Housing requirements set forth in Planning Code, Section 415 et seq., and the alternative water supply requirements set forth in Health Code, Article 12C; exempting 26,572 square feet from the calculation of gross floor area pursuant to Planning Code, Section 124, to allow the additional floor area, and exempting 26,572 square feet from Planning Code, Sections 123 and 128, to reduce any required transferable development rights by such amount, for a project located at 950-974 Market Street in San Francisco, in exchange for the dedication of real property at 180 Jones Street to the San Francisco Mayor's Office of Housing and Community Development at no cost and payment of approximately \$11,250,000 to the 180 Jones Street Affordable Housing Fund; establishing the 180 Jones Street Affordable Housing Fund; accepting a \$2,700,000 gift to the 180 Jones Street Affordable Housing Fund; accepting a \$300,000 gift to the City, to create the Compton's District Transgender, Lesbian, Gay and Bisexual (TLGB) Stabilization Fund, to support the City's efforts to recognize and support historic and present-day TLGB communities in the Tenderloin neighborhood; authorizing actions in furtherance of this Ordinance; adopting findings regarding the Final Mitigated Negative Declaration under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

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

**161249 [Conveyance of Real Property - 180 Jones Street - Mayor's Office of Housing and Community Development - \$10]**

**Sponsor: Kim**

Resolution approving and authorizing an agreement for the conveyance of a parcel of real estate for \$10, consisting of approximately 4,744 square feet in land area for the Mayor's Office of Housing and Community Development, pursuant to the land dedication permitted under a separate Ordinance (File No. 161066); adopting findings under the California Environmental Quality Act; 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 this Resolution, as defined herein.

**ADOPTED by the following vote:**

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

**161317 [Transfer of Affordable Housing Property Assets - Office of Community Investment and Infrastructure - Mayor's Office of Housing and Community Development]****Sponsor: Mayor**

Resolution authorizing and approving the acceptance of certain real property assets from the Office of Community Investment and Infrastructure to the Mayor's Office of Housing and Community Development (as housing successor to the San Francisco Redevelopment Agency); and making findings that such acceptance is in accordance with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**ADOPTED by the following vote:**

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

**Recommendations of the Public Safety and Neighborhood Services Committee****161353 [Various Codes - Baby Diaper-Changing Accommodations]****Sponsors: Tang; Yee, Ronen, Sheehy and Farrell**

Ordinance replacing a provision of the Planning Code with a new provision of the Administrative Code requiring all City buildings that are available for use by the public to install and maintain at least one baby diaper-changing accommodation that is available for use by women and one that is available for use by men, or a single diaper-changing accommodation that is available for use by all genders; amending the Police Code to require businesses that make a baby diaper-changing accommodation available in a restroom available for use by women to also install and maintain a baby diaper-changing accommodation in a restroom available for use by men or available for use by all genders; and amending the Building Code to require that new public-serving establishments, and public-serving establishments with substantially renovated toilet rooms, install baby diaper-changing accommodations; making findings, including environmental findings, findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings under the California Health and Safety Code regarding building standards; and directing the Clerk to forward this Ordinance to the California Building Standards Commission upon final passage.

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

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

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

**170092 [Administrative Code - Non-Cooperation with Identity-Based Registry]****Sponsors: Mayor; Cohen, Safai, Farrell, Kim, Ronen, Sheehy, Fewer, Tang, Yee and Breed**

Ordinance amending the Administrative Code to prohibit the City from using resources to create, implement, provide investigation or information for, enforce, or otherwise assist or support any government program requiring the registration of individuals on the basis of religion, national origin, or ethnicity, or creating a database of individuals on the basis of religion, national origin, or ethnicity.

*Supervisors Yee and Breed requested to be added as co-sponsors.*

**Supervisor Cohen, seconded by Supervisor Safai, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 7, Line 24, by adding ' , or for purposes of ensuring City programs adequately serve the City's diverse communities, or where the City collects this information to ensure equal access to City programs, services, benefits, and contracts.' 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

**170051 [Approving County Refugee Services Plan]**

Resolution retroactively approving the City and County of San Francisco's Refugee Services Plan for Federal FYs 2015-2016 and 2016-2017. (Human Services Agency)

**ADOPTED by the following vote:**

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

**Referred Without Recommendation from the Rules Committee****170165 [Appointment, Entertainment Commission - Ben Bleiman]**

Motion approving the Mayor's appointment of Ben Bleiman to the Entertainment Commission, for the unexpired portion of a four-year term. (Rules Committee)  
(Charter, Section 4.117, 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 3, 2017.)

(Supervisor Safai dissented in committee.)

**Motion No.** M17-024

**APPROVED by the following vote:**

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

**Recommendations of the Rules Committee**

*President Breed requested File Nos. 170176, 170177, 170178, and 170179 be called together.*

**170176 [Reappointment, Historic Preservation Commission - Aaron Hyland]**

Motion approving the Mayor's nomination for reappointment of Aaron Hyland to the Historic Preservation Commission, for the unexpired portion of a four-year term. (Rules Committee)  
(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.)

**Motion No.** M17-025

**APPROVED by the following vote:**

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



**170177 [Reappointment, Historic Preservation Commission - Jonathan Pearlman]**

Motion approving the Mayor's nomination for reappointment of Jonathan Pearlman to the Historic Preservation Commission, for the unexpired portion of a four-year term. (Rules Committee) (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.)

**Motion No.** M17-026

**APPROVED by the following vote:**

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

**170178 [Reappointment, Historic Preservation Commission - Ellen Johnck]**

Motion approving the Mayor's nomination for reappointment of Ellen Johnck to the Historic Preservation Commission, for the unexpired portion of a four-year term. (Rules Committee) (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.)

**Motion No.** M17-027

**APPROVED by the following vote:**

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

**170179 [Reappointment, Historic Preservation Commission - Diane Matsuda]**

Motion approving the Mayor's nomination for reappointment of Diane Matsuda to the Historic Preservation Commission, for the unexpired portion of a four-year term. (Rules Committee) (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.)

**Motion No.** M17-028

**APPROVED by the following vote:**

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

## **Supervisor Fewer Excused from Voting**

Supervisor Yee, seconded by Supervisor Farrell, moved that Supervisor Fewer be excused from voting on File No. 170189. The motion carried by the following vote:

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

### **170189 [Appointment, Local Agency Formation Commission - Supervisor Sandra Lee Fewer]**

Motion appointing Supervisor Sandra Lee Fewer, for the unexpired portion of a four-year term, to the Local Agency Formation Commission. (Rules Committee)

**Motion No.** M17-029

**APPROVED** by the following vote:

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

### **170190 [Appointment, Ethics Commission - Quentin Kopp]**

Motion appointing Quentin Kopp, for the unexpired portion of a six-year term, to the Ethics Commission. (Rules Committee)

**Motion No.** M17-030

**APPROVED** by the following vote:

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

### **170191 [Appointments, Urban Forestry Council - John Malcolm Hillan, Andrew Sullivan, Dan Flanagan, Meg Lowman, Michael Sullivan, and Phillip Pierce]**

Motion appointing John Malcolm Hillan, Andrew Sullivan, Dan Flanagan, Meg Lowman (residency requirement waived), Michael Sullivan, and Phillip Pierce, for the unexpired portion of two-year terms, to the Urban Forestry Council. (Rules Committee)

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

Supervisor Safai, seconded by Supervisor Yee, moved that this Motion be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, by adding language to effectuate the appointments on March 1, 2017. The motion carried by the following vote:

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

**Motion No.** M17-031

**APPROVED AS AMENDED** by the following vote:

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

Supervisor Kim was noted absent at 5:02 p.m.

### **Supervisor Kim Excused from Voting**

Supervisor Peskin, seconded by Supervisor Cohen, moved that Supervisor Kim be excused beginning at 5:02 p.m. and for the remainder of the meeting. The motion carried by the following vote:

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

Excused: 1 - Kim

### **SPECIAL ORDER 3:00 P.M.**

President Breed requested File Nos. 161174, 161175, 161176, and 161177 be called together.

#### **161174 [Hearing - Appeal of Tentative Map Approval - 162-164 Alhambra Street]**

Hearing of persons interested in or objecting to the decision of Public Works dated October 18, 2016, approving a Tentative Map for three units of new construction at 162-164 Alhambra Street, Assessor's Parcel Block No. 0463A, Lot No. 013. (District 2) (Appellants: John Barrett, Kathleen Eckhart, and Mauricio Franco) (Filed October 28, 2016). (Clerk of the Board)

President Breed opened the public hearing, informed the Board that a communication was received from the appellants, John Barrett, Kathleen Eckhart, and Mauricio Franco, withdrawing their appeal without prejudice. President Breed then inquired whether any member of the public wished to address the Board on the withdrawn appeal. There were no speakers. President Breed closed public comment and declared the hearing heard and filed.

**HEARD AND FILED**

#### **161175 [Approving Decision of Public Works and Approving the Tentative Map - 162-164 Alhambra Street]**

Motion approving decision of Public Works and approving the Tentative Map for three units of new construction at 162-164 Alhambra Street, Assessor's Parcel Block No. 0463A, Lot No. 013; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

**Motion No. M17-032**

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

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

Excused: 1 - Kim

#### **161176 [Disapproving Decision of Public Works and Disapproving the Tentative Map - 162-164 Alhambra Street]**

Motion disapproving decision of Public Works and disapproving the Tentative Map for three units of new construction at 162-164 Alhambra Street, Assessor's Parcel Block No. 0463A, Lot No. 013. (Clerk of the Board)

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

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

Excused: 1 - Kim

**161177 [Preparation of Findings Related to the Tentative Map - 162-164 Alhambra Street]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for three units of new construction at 162-164 Alhambra Street, Assessor's Parcel Block No. 0463A, Lot No. 013. (Clerk of the Board)

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

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

**SPECIAL ORDER 3:00 P.M.**

*President Breed requested File Nos. 170044, 170045, 170046, and 170047 be called together.*

**170044 [Hearing - Appeal of Final Environmental Impact Report Certification - Significant Natural Resource Areas Management Plan]**

Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for the proposed Significant Natural Resource Areas Management Plan identified in Planning Case No. 2005.0912E, issued by the Planning Commission through Motion No. 19825 dated December 15, 2016. (Appellants: Dee Seligman, Rupa Bose, and Tom Borden, on behalf of the San Francisco Forest Alliance, and Brent Plater of Wild Equity Institute, on behalf of the Sierra Club's San Francisco Bay Chapter, the National Parks Conservation Association, the Golden Gate Audubon Society, and the Sequoia Audubon Society) (Filed January 5, and January 17, 2017) (Clerk of the Board)

*President Breed opened the public hearing and inquired as to whether any member of the public wished to address the Board. Rupa Bose, Tom Borden, and Dee Seligman, on behalf of the San Francisco Forest Alliance (Appellant No. 1), provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Michael Lozeau, on behalf of the Sierra Club's San Francisco Bay Chapter, the National Parks Conservation Association, the Golden Gate Audubon Society, and the Sequoia Audubon Society, (Appellant No. 2) informed the Board of Supervisors that these Appellants have resolved their concerns and issues with the Project Sponsor and hereby withdraw their appeal. Female Speaker; Sally Stephens; Magick; Michael O'Rourke; Female Speaker; Dee Shear; Linda Garcia Milhoan (San Francisco Forest Alliance); Dr. Victor Stern; Bridget Kelly; Ron Proctor (San Francisco Forest Alliance); Edward C. Neu; Frank Fredericks; Eric Brooks (San Francisco Green Party/Our City); Karen Breslin (Miraloma Park/San Francisco Forest Alliance); Robert Gee (Miraloma Park Improvement Club); Nadine Wiel (Thornton Foundations); Michael J. Bertinetti; Michel Balea (San Francisco Forest Alliance); Robert Sutton; Glenn Rogers; Sky Charlesworth; Male Speaker; Anastasia; Alan Sturridge; Mike; Jack Gescheidt (The Tree Spirit Project); Male Speaker; Hailey Malia Spark; spoke in support of the appeal. Melinda Hue and Jessica Range (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Lisa Wayne and Phil Ginsburg, General Manager (Recreation and Park Department), (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Marlena Byrne (Office of the City Attorney) and Peter Brastow (Department of the Environment) responded to questions raised throughout the discussion. Patrick Skain (Pine Lake Neighborhood Association); Louis Blumberg (Nature Conservancy); Male Speaker; Cliff Smethurst (Sharp Park Golf Course); Dylan Hayes (Local 261, Laborers); Michael Murphy (Friends of Oak Woodlands); Boe Lace; Amber Hasselbring;*

Male Speaker; Chris Journey; Robert Bakewell (Friends of Oak Woodlands); Christopher Campbell; Susie Bennett; Rachel Kesel; Adrian Stroganoff; Doug Johnson (Cal-IPC); Michael Berg; Female Speaker; Paul Slavin; Richard Harris (San Francisco Golf Alliance); Denise Louie; Linda Shaffer; Greg Gaar; Matthew Blain (San Francisco Urban Riders); Mike Wallach (San Francisco Golf Alliance); Shannon Darwin (Northern California Golf Association); Damien Raffa (CCCN-SF); Bill Wilson; spoke in support of the project and in opposition to the appeal. Dee Seligman and Tom Borden, on behalf of the San Francisco Forest Alliance (Appellant No. 1), provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Breed closed public comment and declared the hearing heard and filed.

**HEARD AND FILED**

### **Appointment of President Pro Tempore**

At the request of President Breed, Supervisor Safai assumed the chair at 5:46 p.m. The President resumed the chair at 6:01 p.m.

At the request of President Breed, Supervisor Peskin assumed the chair at 6:59 p.m. The President resumed the chair at 7:17 p.m.

### **170045 [Affirming the Final Environmental Impact Report Certification - Significant Natural Resource Areas Management Plan]**

Motion affirming the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed Significant Natural Resource Areas Management Plan. (Clerk of the Board)

**Motion No. M17-033**

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

Ayes: 9 - Breed, Cohen, Farrell, Fewer, Peskin, Ronen, Safai, Sheehy, Tang

Noes: 1 - Yee

Excused: 1 - Kim

### **170046 [Conditionally Reversing the Final Environmental Impact Report Certification - Significant Natural Resource Areas Management Plan]**

Motion conditionally reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed Significant Natural Resource Areas Management Plan, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

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

Ayes: 9 - Breed, Cohen, Farrell, Fewer, Peskin, Ronen, Safai, Sheehy, Tang

Noes: 1 - Yee

Excused: 1 - Kim

**170047 [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - Significant Natural Resource Areas Management Plan]**

Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission's certification of the Final Environmental Impact Report for the proposed Significant Natural Resource Areas Management Plan. (Clerk of the Board)

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

Ayes: 9 - Breed, Cohen, Farrell, Fewer, Peskin, Ronen, Safai, Sheehy, Tang

Noes: 1 - Yee

Excused: 1 - Kim

**SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**

**Supervisor Cohen, seconded by Supervisor Tang, 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

***BLACK HISTORY MONTH***

*Supervisors then introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Black History Month, their accomplishments, and their continued community support, as referenced below:*

*Supervisor Cohen recognized Brenda Barros;*

*Supervisor Tang recognized Sheryl Davis;*

*Supervisor Peskin recognized Daisy MacArthur;*

*Supervisor Ronen recognized Bobby Cochran;*

*Supervisor Breed recognized Rico Hamilton;*

*Supervisor Safai recognized Veronica Hunnicutt;*

*Supervisor Kim recognized Honey Mahogany;*

*Supervisor Farrell recognized Keith Carter;*

*Supervisor Sheehy recognized Linda Harrison;*

*Supervisor Yee recognized Sheila Norman; and*

*Supervisor Fewer recognized the George Washington High School Black Student Union.*

*President Breed recessed the meeting at 3:47 p.m. and reconvened at 3:55 p.m.*

**ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Female Speaker; shared concerns regarding pesticides.*

*Sammie Phillips; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Female Speaker; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Antonio Gonzalez; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Trevor Martin; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Elizabeth Milos; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Katharine Sugrue; shared a poem and requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Olga "Raven" Osborne; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Colette Phair; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Catherine; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Francesca Wander; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Erica Morales; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Female Speaker; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Shanna; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Male Speaker; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Todd Snyder; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Marie Collins; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Hanson Lee; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Female Speaker; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Suzy Kendall Osborne; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Caroline Duffy; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Yoda Paluie; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Mishwa Lee; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Shawn; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Craig Shaffer; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Melissa; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Indigo Cochran; requested the City divest from all companies associated with the Dakota Access Pipeline.*

*Rodney Talmadge; shared concerns regarding the environmental review for the Warriors Stadium.*

*Tom Gilberty; shared concerns regarding profiteering, militarization, corporate greediness, a San Francisco public bank, and the preservation of forestry.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **170183 [Approval of a 220-Day Extension for Planning Commission Review of Medical Cannabis Dispensaries (File No. 161229)]**

**Sponsor: Ronen**

Resolution extending by 220 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 161229) amending the Planning Code to allow Medical Cannabis Dispensaries to be located on the second story and above in zoning districts in which they are permitted; affirming the Planning Department's California Environmental Quality Act determination; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare under Planning Code, Section 302. (Planning Department)

**ADOPTED**

### **170187 [Supporting California State Assembly Bill 60 (Santiago and Gonzalez Fletcher) - The Child Care Protections for Working Families Act]**

**Sponsors: Tang; Kim, Peskin, Ronen, Safai, Sheehy, Yee and Fewer**

Resolution supporting Assembly Bill 60, authored by State Assembly Members Miguel Santiago and Lorena Gonzalez Fletcher, which updates income eligibility guidelines and income thresholds for parents accessing state child care assistance, guarantees child care eligibility for 12-months, and eliminates outdated reporting requirements.

**ADOPTED**

### **170194 [Final Map 8813 - 580 Hayes Street]**

Motion approving Final Map 8813, a 29 residential unit and one commercial unit, mixed-use condominium project, located at 580 Hayes Street, being a subdivision of Assessor's Parcel Block No. 0807, Lot No. 010, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-034**

**APPROVED**

### **170195 [Final Map 8902 - 233 and 237 Shipley Street]**

Motion approving Final Map 8902, a 21 unit residential condominium project, located at 233 and 237 Shipley Street, being a merger and resubdivision of Assessor's Parcel Block No. 3753, Lot Nos. 095 and 096, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-035**

**APPROVED**

**The foregoing items were acted upon by the following vote:**

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

Excused: 1 - Kim



**Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Peskin requested that File No. 170161 be severed so that it may be considered separately.*

**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 Corporation Tax]**

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

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.

**NOT ADOPTED pursuant to Board Rule 4.23.1 that requires an affirmative vote of eight members, by the following vote:**

Ayes: 7 - Cohen, Fewer, Peskin, Ronen, Safai, Tang, Yee

Noes: 3 - Breed, Farrell, Sheehy

Excused: 1 - Kim

**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](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 RESOLUTIONS**

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

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

02/14/17; RECEIVED FROM DEPARTMENT.

02/28/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **170193 [Interdepartmental Property Transfer MOU Amendment No. 1 - Central Fleet Maintenance Shop Relocation - Increasing Transfer Price by \$8,578,429 to an Amount Not to Exceed \$82,278,429; Authorizing Construction Phase - Oryx Development I, LLC]**

Resolution authorizing the jurisdictional transfer, subject to Amendment No. 1 to the Memorandum of Understanding entered into between the Real Estate Division, the General Services Agency's Office of Contract Administration ("OCA"), and the San Francisco Public Utilities Commission ("SFPUC"), increasing the total Transfer Price by \$8,578,429 to an amount not to exceed \$82,278,429 from SFPUC Wastewater Enterprise funds, of 1800 Jerrold Street, (portions of Assessor's Parcel Block Nos. 5262 and 5270) from OCA to the SFPUC Wastewater Enterprise, and the jurisdictional transfer of 555 Selby Street and 1975 Galvez Avenue (Assessor's Parcel Block No. 5250, Lot Nos. 15 and 16), and the leasehold of 450 Toland Street (Assessor's Parcel Block No. 5230, Lot No. 18) (collectively "Project Site"), from the SFPUC to OCA, to create functionally-equivalent facilities for the relocation of the City's Central Fleet Maintenance Shop ("Central Shops") from 1800 Jerrold Street; authorizing the issuance of a Notice to Proceed for the construction phase under a Board of Supervisors'-authorized design-build Project Delivery Agreement with Oryx Development I, LLC for the construction of facilities for relocation of Central Shops on the Project Site; and finding the proposed transactions are in conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Utilities Commission)

02/17/17; RECEIVED FROM DEPARTMENT.

02/28/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 9:43 p.m.*