

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, March 14, 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, Kim, Sheehy	Thursday 1:00 PM
<b>Budget and Finance Federal Select Committee</b> Supervisors Cohen, Sheehy, Fewer	2nd and 4th Thursday 1:05 PM
<b>Budget and Finance Sub-Committee</b> Supervisors Cohen, Yee, Tang	Thursday 10:00 AM
<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, March 14, 2017, with President London Breed presiding.*

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

*President Breed called the meeting to order at 2:04 p.m. On the call of the roll, Supervisors Cohen, Kim, Ronen, and Sheehy were noted not present. There was a quorum.*

## **COMMUNICATIONS**

*There were no communications.*

*Supervisors Cohen, Kim, and Sheehy were noted present at 2:06 p.m.*

## **APPROVAL OF MEETING MINUTES**

*President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of January 24, 2017 or January 31, 2017. There were no corrections.*

**Supervisor Tang, seconded by Supervisor Kim, moved to approve the Board Meeting Minutes of January 24, 2017, and January 31, 2017. The motion carried by the following vote, following general public comment:**

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

## **AGENDA CHANGES**

*There were no agenda changes.*

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Land Use and Transportation Committee

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

Ordinance amending the Commerce and Industry Element of the General Plan to update the guidelines regarding overconcentration of Eating and Drinking Establishments in a single area; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)  
(Supervisor Peskin dissented in Committee.)

**FINALLY PASSED** by the following vote:

Ayes: 8 - Breed, Cohen, Farrell, Ronen, Safai, Sheehy, Tang, Yee

Noes: 3 - Fewer, Kim, Peskin

#### **170003 [Planning Code, Zoning Map - Upper Market Street Districts]**

**Sponsor: Sheehy**

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

**FINALLY PASSED** by the following vote:

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

#### **170094 [Administrative Code - Affordable Housing Cash-Out Proceeds Restriction]**

**Sponsor: Farrell**

Ordinance amending the Administrative Code to require that all cash-out proceeds received by an owner of an affordable housing development supported in whole or in part by taxpayer funds shall be used only for residential and tenant services and the creation, development, and preservation of affordable housing.

**Supervisor Farrell, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of March 21, 2017. The motion carried by the following vote:**

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Sub-Committee

#### **170004 [Administrative Code - Amending Local Hiring Policy to Set Percentages]**

**Sponsor: Fewer**

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

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

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

#### **170128 [Conceptual Term Sheet Endorsement - JPPF OP Acquisitions, LLC ("Jamestown") - Proposed Lease of Pier 29 Bulkhead]**

**Sponsor: Mayor**

Resolution endorsing the Conceptual Term Sheet between the Port and JPPF OP Acquisitions, LLC ("Jamestown") for a proposed 15-year lease of approximately 20,000 square feet of space at the Pier 29 Bulkhead Building, located at Chestnut Street and the Embarcadero. (Port)

**Supervisor Peskin, seconded by Supervisor Tang, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Line 6, by adding 'Board of Supervisors urges the' after 'That the', Line 7, by striking 'shall' and adding 'to', Line 9, by adding 'Board of Supervisors urges the' after 'That the', Line 10 by striking 'shall' and adding 'to', Line 13, by adding 'the Board of Supervisors urges the Port Commission that' after 'That', Line 19, by striking 'Port Commission shall provide a written report to the Board of Supervisors' and adding 'Board of Supervisors urges the Port Commission to provide a written report'. 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

#### **170129 [Cooperative Agreement - State of California Department of Transportation (Caltrans) - Design and Construction of the Lombard Street Vision Zero Project (State Route 101)]**

**Sponsor: Farrell**

Resolution approving the Cooperative Agreement between San Francisco and the State of California Department of Transportation (Caltrans) concerning the design and construction of the Lombard Street Vision Zero Project, including pedestrian safety, transit improvements, and utility upgrades along Lombard Street (State Route 101) between Francisco Street and Van Ness Avenue; and making environmental findings. (Public Works)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

## **Recommendations of the Government Audit and Oversight Committee**

### **170031 [Administrative Code - Retention of Department of Building Inspection Records]**

**Sponsor: Peskin**

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

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

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

### **161134 [Urging the San Francisco Employees Retirement System Board to Review Executive Compensation]**

**Sponsors: Kim; Fewer and Ronen**

Resolution urging the San Francisco Employees Retirement System Board to review executive compensation, evaluate best practices on salary compensation, hold a public hearing on the matter, and issue a report.

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

Supervisor Kim, seconded by Supervisor Ronen, moved that this Resolution be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 3, Line 12, by striking 'total summary' and adding 'comprehensive', Lines 13-15, by striking 'actual pay' and adding 'salary, considering the extent to which changes in compensation reflect both performance of the company and the value of the investment holding', Line 18, by adding 'and, be it' after 'compensation', Line 19, by striking 'and include a review of' and adding 'FURTHER RESOLVED, That the Board of Supervisors urges the SFERS to report', Line 21, by adding 'when available' after 'workers', striking 'publically traded' before 'companies', and striking 'within' and adding 'in', Lines 22-23, by striking 'current' and adding 'domestic public equity' before 'portfolio' and 'based on SEC-mandated ratios of compensation; and, be it', and Line 24, by striking 'as well as a' before 'review' and 'of' before 'racial', and adding 'FURTHER RESOLVED, That the report also', and Line 25, by adding 'at the executive level' after 'diversity'; and Page 4, Line 5, by adding 'the Board of Supervisors urges' before 'SFERS' and 'to' before 'use', Line 6, by striking 'in voting against the Board of Directors (of publically traded companies)' and adding 'voting' before 'power', Lines 7-9, by adding 'in Say-on-Pay votes to limit excessive compensation for executive management of those companies in the SFERS public equity portfolio companies, using SFERS-determined guidelines on incentives and compensation ratios', Lines 9-10, by striking 'when reviewing excessive pay packages for executives', Line 10- by striking 'lists' and adding 'report those' before 'companies', Line 11, by striking 'on excessive pay for top executives of companies', and Line 14, by adding 'voting' after 'proxy', striking 'in voting to' after 'power', striking 'within' after 'diversity' and adding 'on the' before 'corporate'. 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

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President Breed requested File Nos. 170181, 170182, and 170184 be called together.

**170181 [Fisherman's Wharf and Fisherman's Wharf Portside Community Benefit Districts - Annual Report for FY2015-2016]**

**Sponsor: Peskin**

Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FY2015-2016, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600 et seq.), Section 36650, and the Districts' management agreements with the City, Section 3.4.

**ADOPTED by the following vote:**

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

**170182 [Greater Union Square Business Improvement District - Annual Report for FY2015-2016]**

**Sponsor: Peskin**

Resolution receiving and approving the annual report for the Greater Union Square Business Improvement District for FY2015-2016, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

**ADOPTED by the following vote:**

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

**170184 [Castro/Upper Market Community Benefit District - Annual Report for FY2015-2016]**

**Sponsor: Sheehy**

Resolution receiving and approving the annual report for the Castro/Upper Market Community Benefit District for FY2015-2016, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

**ADOPTED by the following vote:**

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

President Breed requested File Nos. 170110, 170111, and 170164 be called together.

**170110 [Setting the Budget 2017 and Legislative Analyst Services Audit Plan - Department of Public Health]**

**Sponsors: Safai; Ronen**

Motion directing the Budget and Legislative Analyst to conduct a management audit in 2017 of the Department of Public Health's Community Behavioral Health Services, including profile of inpatient and outpatient behavioral services provided to San Francisco residents, service utilization over the past ten years and the Department's projections for future utilization, current and projected future costs and funding sources, the Department's assessment of current and behavioral health needs, the Department's practices to plan and prioritize for current and future behavioral health services, the Department's quality management and measurement of outcomes, and the Department's behavioral services provided through Jail Health Services.

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

**Motion No. M17-036**

**APPROVED by the following vote:**

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

**170111 [Setting the 2017 Budget and Legislative Analyst Services Audit Plan - Police Department]**

**Sponsors: Yee; Ronen and Fewer**

Motion directing the Budget and Legislative Analyst to conduct a performance audit in 2017 of the Police Department's allocation of police staff resources funded by the General Fund, including evaluating the staffing levels and efficient deployment of uniform staff to best meet public safety needs, and allocation of uniform staff to administrative and patrol duties.

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

**Motion No. M17-037**

**APPROVED by the following vote:**

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

**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 for reallocation of hours 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.

**Motion No. M17-038**

**APPROVED by the following vote:**

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

## **Recommendation of the Land Use and Transportation Committee**

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

**Sponsors: Mayor; Ronen**

Ordinance amending the Planning Code to create the Calle 24 Special Use District, and revising the Zoning Map to reflect the Calle 24 Special Use District generally bounded by 22nd Street, Potrero Avenue, Cesar Chavez Street, and Capp Street, as well as 24th Street to Bartlett Street, and as more specifically defined in this Ordinance; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Supervisor Ronen, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 3-6, by adding '(c) Pursuant to Planning Code Section 302, this Board finds that the Planning Code and Zoning Map amendments will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. 19851, and the Board incorporates such reasons herein by reference.'**

**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

## **Recommendations of the Public Safety and Neighborhood Services Committee**

### **160041 [Liquor License - 456 Larkin Street as an Extension of 460 Larkin Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises license to Donegal All Blacks, LLC, dba Harry Harrington's Pub, located at 456 Larkin Street, as an extension of an existing business at located at 460 Larkin Street (District 6), will serve the public convenience or necessity of City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**ADOPTED by the following vote:**

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

### **170049 [Mental Health Services Act Annual Update - FY2016-2017]**

Resolution authorizing adoption of the Mental Health Services Act Annual Update FY2016-2017. (Public Health Department)

**ADOPTED 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. 170163, 170166, and 170167 be called together.*

*Supervisor Ronen requested the vote for File No. 170166 be taken separately.*

### **170163 [Reappointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Miguel Bustos]**

Motion confirming the Mayor's reappointment of Miguel Bustos to the Successor Agency Commission (commonly known as the Commission on Community Investment and Infrastructure), for the unexpired portion of a four-year term ending November 3, 2020. (Rules Committee) (Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: January 31, 2017)

**Motion No.** M17-039

**APPROVED by the following vote:**

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

### **170166 [Reappointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Leah Pimentel]**

Motion confirming the Mayor's reappointment of Leah Pimentel to the Successor Agency Commission (commonly known as the Commission on Community Investment and Infrastructure), for the unexpired portion of a four-year term ending November 3, 2020. (Rules Committee) (Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: January 31, 2017)

**Motion No.** M17-041

**APPROVED by the following vote:**

Ayes: 8 - Breed, Cohen, Farrell, Fewer, Safai, Sheehy, Tang, Yee

Noes: 3 - Kim, Peskin, Ronen

### **170167 [Reappointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Darshan Singh]**

Motion confirming the Mayor's reappointment of Darshan Singh to the Successor Agency Commission (commonly known as the Commission on Community Investment and Infrastructure), for the unexpired portion of a four-year term ending November 3, 2020. (Rules Committee) (Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: January 31, 2017)

**Motion No.** M17-040

**APPROVED by the following vote:**

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

**170225 [Appointments, Bicycle Advisory Committee - Devon Warner, Marc Brandt, Ann Brask, Melyssa Mendoza, Mary Kay Chin, Bert Hill, Diane Serafini, Catherine Orland, Paul Wells and Jeffrey Taliaferro]**

Motion appointing Devon Warner, Marc Brandt, Ann Brask, Melyssa Mendoza, Mary Kay Chin, Bert Hill, Diane Serafini, Catherine Orland, Paul Wells and Jeffrey Taliaferro, for the unexpired portions of two-year terms ending November 19, 2018, to the Bicycle Advisory Committee. (Rules Committee)

**Motion No. M17-042**

**APPROVED by the following vote:**

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

**170226 [Appointments, Golden Gate Bridge, Highway and Transportation District - Sabrina Hernandez, Bert Hill, Richard Grosboll, and Michael Theriault]**

Motion appointing Sabrina Hernandez, Bert Hill, Richard Grosboll, and Michael Theriault, for the unexpired portions of two-year terms ending January 31, 2019, to the Golden Gate Bridge, Highway and Transportation District. (Rules Committee)

**Motion No. M17-043**

**APPROVED by the following vote:**

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

**170227 [Appointments, Local Homeless Coordinating Board - Laura Guzman and Sophia Isom]**

Motion appointing Laura Guzman (residency requirement waived), for the unexpired portion of four-year term ending October 21, 2019, and Sophia Isom (residency requirement waived), for the unexpired portion of four-year term ending October 21, 2018, to the Local Homeless Coordinating Board. (Rules Committee)

**Motion No. M17-044**

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

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

*Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to Dr. Catherine Dodd, Director of the San Francisco Health Service System, on the occasion of her retirement from the City and County of San Francisco after many years of public service, her many accomplishments, and continued community support. Supervisors Ronen, Tang, Cohen, Kim, and Sheehy shared in this commendation.*

*President Breed recessed the meeting at 2:48 p.m. and reconvened at 2:49 p.m.*

*Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Jackie Jenks, Executive Director of the Hospitality House, on the occasion of her departure from San Francisco, and in recognition of her many years of service and accomplishments raising the quality of life for the disenfranchised.*

*Supervisor Fewer introduced, welcomed, and presented a Certificate of Honor to Richard Rothman in recognition of his accomplishments as an advocate and continued community support. Supervisor Tang shared in this commendation.*

## SPECIAL ORDER 3:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### **170145 [Hearing - Committee of the Whole - Housing for Families with Children - March 7, 2017]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on March 7, 2017, at 3:00 p.m., to hear and discuss findings and recommendations made by the Planning Department in the report entitled "Housing for Families with Children," and the Family-Friendly Design Guidelines; and requesting the Planning Department to report; scheduled pursuant to Motion No. M17-007, adopted January 31, 2017. (Clerk of the Board)

*President Breed opened the public hearing and Supervisor Yee provided opening remarks relating to the findings and recommendations made by the Planning Department in the report, entitled "Housing for Families with Children," and the Family-Friendly Design Guidelines. John Rahaim, Director, and Sue Exline (Planning Department) provided an overview of the hearing matter and responded to questions raised throughout the discussions. Ray Hartz; Female Speaker; June Bug; Mattie; Idell Wilson; Female Speaker; Lindsay Makenzie; Heather Morado, Allison Guerra, and Beatrice Gibson (Holy Family Day Home); Tiffany Eng (Family Friendly Oakland); Male Speaker; Rita Lark; Adele Carpenter; Male Speaker; Peter Cohen; Tom Gilbert; Otto Duffy; Denise Doreen; Magic; shared various concerns relating to the hearing matter. There were no other speakers. President Breed closed public comment, declared the public hearing closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

### Committee of the Whole Adjourn and Report

## COMMITTEE REPORTS

### Recommendations of the Land Use and Transportation Committee

#### **170160 [Transportation, Public Works Codes - Unauthorized Bicycle Violations, Stationless Bicycle Share Program]**

**Sponsors: Peskin; Farrell**

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 San Francisco Municipal Transportation Agency (SFMTA) or Public Works (PW) without a permit issued by the SFMTA authorizing the bicycle to be parked, left standing, or left unattended at that location; amending the Public Works Code to authorize PW 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 PW or the SFMTA in violation of the Transportation Code; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

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

#### **170186 [Urging California State Legislature and Governor to Pass California State Assembly Bill 342 (Chiu) - Automated Speed Enforcement]**

**Sponsors: Yee; Kim, Safai, Peskin and Sheehy**

Resolution urging the California State Legislature and Governor to pass California State Assembly Bill 342, introduced by Assembly Member Chiu, authorizing a five-year pilot of Automated Speed Enforcement technology in the City and County of San Francisco and the City of San Jose.

**ADOPTED by the following vote:**

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

#### **170199 [Easement Agreement - Pacific Gas and Electric Company - Northern Border of 1975 Galvez Street - \$1.00]**

Resolution approving an Easement Agreement between the City and County of San Francisco and the Pacific Gas and Electric Company, consisting of 3,660 square feet of land running east to west along the northern border of 1975 Galvez Street for \$1.00; making findings of consistency 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. (Real Estate Department)

**ADOPTED by the following vote:**

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

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Nathan Nushka; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Isabella Zizi; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Male Speaker; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Melanie August; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Nancy Cross; spoke on various concerns regarding segregation and school districts.*

*Female Speaker; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Jackie; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Pam Tav Lee (Chinese Progressive Association); spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Carl Maramoto; spoke on various concerns relating to Transportation Network Companies.*

*Christopher; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Male Speaker; spoke in support of the Resolution relating to Transportation Network Companies' use of "grayball" technology (File No. 170246).*

*Conor Nakamura; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Trevor Martin; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Irene Dick-Endrizzi; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Angela Fu; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Male Speaker; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Male Speaker; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Anita Kline; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Julie Carter (California Nurses Association); spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Male Speaker; shared concerns regarding various social issues and encouraged advocacy to implement change.*

*Melinda Clark; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Female Speaker; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Female Speaker; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Mira Morales; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Tony Gonzalez (American Indian Movement-West); spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Madonna Thunder Hawk; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Shauna; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).*

*Karen Robenowski; spoke in support of the Resolution relating to the Dakota Access Pipeline and*

the City's socially responsible investment matrix (File No. 170244).  
Tom McAfee; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).  
Kurtis Wu; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).  
Female Speaker; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).  
Adrian Scholl; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).  
Male Speaker; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).  
Marcus Arana; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).  
Male Speaker; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).  
Otto Duffy; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).  
Tom Gilberty; shared concerns regarding reinvisioning jail systems, police procedures, and banking.  
Ray Hartz; shared concerns regarding the Friends of the San Francisco Public Library and their fundraising practices.  
Female Speaker; spoke in support of the Resolution relating to the Dakota Access Pipeline and the City's socially responsible investment matrix (File No. 170244).

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **170245 [Supporting California State Senate Bill 709 (Wiener) - Oil Spill Response and Contingency Planning]**

**Sponsor: Peskin**

Resolution supporting California State Senate Bill 709, authored by Senator Wiener, and co-authored by Senators Allen, Beall, Hill, McGuire, Skinner, and Stern, to establish oil spill contingency plans and revising requirements for Oil Spill Response Organizations to recover and contain non-floating oils, such as tar sands, in the event of an oil spill.

**ADOPTED**

### **170246 [Urging the District Attorney to Investigate Transportation Network Companies' Use of "Greyball" Technology as Potential Obstruction of Justice]**

**Sponsors: Peskin; Fewer**

Resolution urging the San Francisco District Attorney's Office to initiate an investigation into whether the use of "greyball" technology by Transportation Network Companies constitutes an intentional obstruction of justice.

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

**ADOPTED**

### **170247 [Urging the End of the Use of the "R" Word]**

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

Resolution supporting the elimination of the derogatory use of the "R" word from everyday speech, and promoting the acceptance and inclusion of people with intellectual disabilities.

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

**ADOPTED**

**170235 [Final Map 8812 - 5 Hallam Street]**

Motion approving Final Map 8812, a six residential unit condominium project, located at 5 Hallam Street, being a subdivision of Assessor's Parcel Block No. 3755, Lot No. 096, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-045**

**APPROVED**

**170236 [Final Map 9050 - 1601 Mariposa Street]**

Motion approving Final Map 9050, 1601 Mariposa Street, a block and lot merger and three lot vertical subdivision, a 238 residential unit condominium project within Lot 1, being a subdivision of those certain lands described in those certain grant deeds recorded January 9, 2015, in document numbers 2015-K002972, 2015-K002973, 2015-K002974, 2015-K002975, and 2015-K002988, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-046**

**APPROVED**

**170237 [Final Map 8847 - 33-8th Street]**

Motion approving Final Map 8847, a merger and four lot vertical subdivision, a 541 residential unit and 7 commercial unit, mixed-use Condominium Project within Lot 1, located at 33-8th Street, being a subdivision of Assessor's Parcel Block No. 3702, Lot Nos. 053 and 390, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-047**

**APPROVED**

**170238 [Final Map 8685 - 359-363 Waller Street]**

Motion approving Final Map 8685, a six residential unit condominium project, located at 359-363 Waller Street, being a subdivision of Assessor's Parcel Block No. 0868, Lot No. 028, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-048**

**APPROVED**

**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 For Adoption Without Committee Reference Agenda**

*Supervisor Fewer requested that File No. 170244 be severed so that it may be considered separately.*

**170244 [Urging the Treasurer/Tax Collector to Update the Socially Responsible Investment Matrix]**

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

Resolution urging the Office of the Treasurer/Tax Collector to immediately update the City's socially responsible investment matrix by adding financing of the Dakota Access Pipeline as a screening factor.

**ADOPTED by the following vote:**

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

**IMPERATIVE AGENDA**

*There were no imperative agenda items.*

**LEGISLATION INTRODUCED AT ROLL CALL****Introduced by a Supervisor or the Mayor**

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](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 ORDINANCE**

### **170228 [Settlement of Lawsuit - CF Contracting, Inc. - Up to \$120,000]**

Ordinance authorizing settlement of the lawsuit filed by CF Contracting, Inc. ("CFC") against the City and County of San Francisco for \$110,000, plus \$10,000 if CFC reaches substantial completion of the Mountain Lake Park Playground Renovation with Public Works by February 14, 2017; the lawsuit was filed on March 22, 2016, in the Superior Court of California, County of San Francisco, Case No. CGC-16-551060; entitled CF Contracting, Inc. v. City and County of San Francisco; the lawsuit involves CFC's allegation that the City wrongfully denied bid relief and rejected of one of the subcontractors CFC listed in its bid; other material terms of the settlement are 1) the City will release claims for delay and extend the Contract's completion dates, 2) the City will retain certain rights to assess liquidated damages if CFC does not achieve substantial completion by February 28, 2017, and 3) CFC will release the City from claims, with limited exceptions. (City Attorney)

03/03/17; RECEIVED FROM DEPARTMENT.

03/14/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **PROPOSED RESOLUTIONS**

### **170229 [Emergency Declaration - Construct a Temporary Road Around a Landslide Area at Calaveras Road - Total Estimated Cost Not to Exceed \$1,500,000]**

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, to construct a temporary road around a landslide area at Calaveras Road; with a total estimated cost not to exceed \$1,500,000. (Public Utilities Commission)

03/03/17; RECEIVED FROM DEPARTMENT.

03/14/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

### **170230 [California Environmental Quality Act Findings - Sewer System Improvement Program, Southeast Water Pollution Control Plant New Headworks Facility]**

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code, Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of the Sewer System Improvement Program - Southeast Water Pollution Control Plant New Headworks Facility; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

03/03/17; RECEIVED FROM DEPARTMENT.

03/14/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**170231 [Grant Agreement - Homebridge - Contract Mode In-Home Supportive Services and Provider Skill Development Training and Supports - \$131,486,797]**

Resolution retroactively approving a grant agreement between the City and County of San Francisco and Homebridge for the provision of Contract Mode In-Home Supportive Services and Provider Skill Development Training and Supports, for the period of July 1, 2016, through June 30, 2019, in the amount of \$131,486,797. (Human Services Agency)

02/28/17; RECEIVED FROM DEPARTMENT.

03/14/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170232 [Real Property Lease Extension - Huey Lan F. 2004 Trust - 1701 Ocean Avenue - \$215,400 Annual Base Rent]**

Resolution authorizing the Director of Property to exercise a Lease Extension for the real property located at 1701 Ocean Avenue with Huey Lan F. 2004 Trust for a five-year extension term to commencing upon approval by the Board of Supervisors and the Mayor, at the monthly base rent of \$17,950 for a total annual base rent of \$215,400. (Public Health Department)

03/06/17; RECEIVED FROM DEPARTMENT.

03/14/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170233 [Settlement of Unlitigated Claim - Mei Har Chin - \$44,500]**

Resolution approving the settlement of the unlitigated claim filed by Mei Har Chin against the City and County of San Francisco for \$44,500; the claim was filed on September 23, 2016; the claim involves a personal injury on a City street. (City Attorney)

03/03/17; RECEIVED FROM DEPARTMENT.

03/14/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170234 [Settlement of Unlitigated Claim - Marriott International Administrative Services, Inc. - \$383,346.02]**

Resolution approving the settlement of the unlitigated claim filed by Marriott International Administrative Services, Inc. against the City and County of San Francisco for \$383,346.02; the claim was filed on April 19, 2016; the claim involves a refund of payroll expense taxes. (City Attorney)

03/03/17; RECEIVED FROM DEPARTMENT.

03/14/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour 6:50 p.m.*

## ADDENDUM

*The following information is provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.*

*Ray Hartz submitted the following additional information during General Public Comment, as follows: Starting today and continuing through the remainder of the year I intend to talk to this body about a fraud that is being perpetrated on the citizens of San Francisco by the Office of the Mayor! That office has colluded with the SFPL, the City Librarian appointed by the mayor, and the Library Commission who are also appointed by the Mayor. Since 2000 The Friends and Foundation of the SFPL has had more than \$80 million pass through their hands without accounting to anyone! This month it will be four years since "The Friends" have made a financial presentation to the Library Commission and the public! A group of private individuals raising money in the name of the SFPL, an institution in its own right, but also a department of San Francisco City government. This fraud has been perpetrated for 18 years and is designed to continue in perpetuity!*