

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, March 21, 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 Wednesday 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

**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 21, 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, all Supervisors were noted present. There was a quorum.*

## **COMMUNICATIONS**

*There were no communications.*

## **APPROVAL OF MEETING MINUTES**

*President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of February 7, 2017. There were no corrections.*

**Supervisor Yee, seconded by Supervisor Safai, moved to approve the Board Meeting Minutes of February 7, 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.*

## **SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board**

*There were no questions submitted from Supervisors representing the even districts. Mayor Edwin Lee addressed the Board of Supervisors following up on the City's State of the City speech and regarding President Trump's proposed 2018 budget blueprint, the cuts being made to vital services and programs, the misguided policies coming from the President's Administration, and the need for San Francisco to stand together, invest in our communities, children, families, seniors and critical programs, and be fiscally responsible. Mayor Lee further informed the Board that he was standing with other Mayors across the nation to demand comprehensive immigration reform, not walls and travel bans, and what the City is doing to combat these misguided policies. Following public comment this matter was filed. No further action was taken.*

## CONSENT AGENDA

### Recommendation 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)

**FINALLY PASSED**

### 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.

**FINALLY PASSED**

#### **170197 [Settlement of Lawsuit - Blueline Rental, LLC - \$1,650,000]**

Ordinance authorizing settlement of the lawsuit in eminent domain filed by the City and County of San Francisco against Blueline Rental, LLC, for \$1,650,000; the lawsuit was filed on February 24, 2017, in San Francisco Superior Court, Case No. CGC-17-557268; entitled City and County of San Francisco v. Blueline Rental, LLC; the lawsuit involves payment of just compensation for the City's acquisition of a leasehold interest at the property commonly known as 1975 Galvez Avenue, San Francisco, California, Assessor's Parcel Block No. 5250, Lot No. 16; other material terms of the settlement are that tenant, Blueline Rental, LLC agrees to vacate the 1975 Galvez Avenue property no later than April 15, 2017. (City Attorney)

**PASSED, ON FIRST READING**

## **Recommendation 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.

**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**

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

### **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.

**FINALLY PASSED by the following vote:**

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

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

### **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.

**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.

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) and Amy Chan (Mayor's Office of Housing and Community Development) who responded to questions raised throughout the discussion.*

**Supervisor Farrell, seconded by Supervisor Tang, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by removing developer fees from this requirement; applying the requirement to any funds provided by the Mayor's Office of Housing and Community Development that are outstanding; and specifying how these funds may be expended. The motion carried by the following vote:**

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

Ordinance amending the Administrative Code to require that, so long as any funds provided by the Mayor's Office of Housing and Community Development are outstanding, cash-out proceeds may not be expended for participating in, supporting, or attempting to influence a political campaign for any candidate or ballot measure.

**Supervisor Peskin, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 8, Page 3, Line 16, and Page 4, Line 14, by striking 'for any candidate or ballot measure' and adding 'for any ballot measure.' The motion carried by the following vote:**

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

Ordinance amending the Administrative Code to require that, so long as any funds provided by the Mayor's Office of Housing and Community Development are outstanding, cash-out proceeds may not be expended for participating in, supporting, or attempting to influence a political campaign for any ballot measure.

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

Ayes: 3 - Farrell, Sheehy, Tang

Noes: 8 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Yee

## NEW BUSINESS

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

*President Breed requested File Nos. 170097, 170098, and 170101 be called together.*

**170097 [Accept and Expend Grant - Federal Emergency Management Agency - Rapid Deployment Dock - \$60,524]**

**Sponsor: Mayor**

Resolution authorizing the Fire Department to accept and expend a grant in the amount of \$60,524 from the Federal Emergency Management Agency to purchase a rapid deployment dock, for the period of September 1, 2016, to August 31, 2019. (Fire Department)

**ADOPTED by the following vote:**

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

**170098 [Accept and Expend Grant - Federal Emergency Management Agency - Dive Boat - \$769,922]**

**Sponsor: Mayor**

Resolution authorizing the Fire Department to accept and expend a grant in the amount of \$769,922 from the Federal Emergency Management Agency to purchase a dive boat for the period of September 1, 2015, to August 31, 2018. (Fire Department)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**170101 [Accept and Expend Grant - Federal Emergency Management Agency - Fire Investigation Equipment Grant - \$134,858]**

**Sponsor: Ronen**

Resolution retroactively authorizing the Fire Department to accept and expend a grant in the amount of \$134,858 from the Federal Emergency Management Agency to purchase equipment for its Fire Investigations unit, for the grant term of July 29, 2016, through July 28, 2017. (Fire Department)

**ADOPTED by the following vote:**

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

*President Breed requested File Nos. 170105 and 170106 be called together.*

**170105 [Accept Gift - Galindo Installation and Moving Services - Police Department District Stations and Facilities - Valued at \$207,950]**

**Sponsor: Sheehy**

Resolution authorizing the Police Department to accept a gift of furniture from Galindo Installation and Moving Services, valued at \$207,950 for use at district stations and facilities throughout the San Francisco Police Department. (Police Department)

**ADOPTED by the following vote:**

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

**170106 [Accept Gift - Galindo Installation and Moving Services - Police Department District Stations and Facilities - Valued at \$18,770]****Sponsor: Sheehy**

Resolution authorizing the Police Department to accept a gift of furniture from Galindo Installation and Moving Services, valued at \$18,770 for use at district stations and facilities throughout the Police Department. (Police Department)

**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****Supervisor Farrell Excused from Voting**

*Supervisor Farrell requested to be excused from voting on File No. 170158, due to a possible conflict of interest.*

**Supervisor Peskin, seconded by Supervisor Yee, moved that Supervisor Farrell be excused from voting on File No. 170158. The motion carried by the following vote:**

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

Excused: 1 - Farrell

**170158 [Administrative Code - Short-Term Residential Rentals]****Sponsors: Peskin; Breed**

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

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

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

Excused: 1 - Farrell

*President Breed requested File Nos. 170185 and 170220 be called together.*

**170185 [Noe Valley Community Benefit District - Annual Report for FY2015-2016]****Sponsor: Sheehy**

Resolution receiving and approving the annual report for the Noe Valley 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

**170220 [Ocean Avenue Community Benefit District - Annual Report to the City - FY2015-2016]****Sponsor: Yee**

Resolution receiving and approving the annual report for the Ocean Avenue 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

**170217 [Urging the California State Legislature to Amend the Revenue and Taxation Code to Enable San Francisco to Levy a Personal Income Tax and a Corporate Income 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.

(Supervisor Breed dissented in Committee.)

**Supervisor Peskin, seconded by Supervisor Ronen, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by striking 'California Local Jurisdictions' and adding 'San Francisco', and Line 4, by striking 'local California jurisdictions' and adding 'San Francisco'; on Page 2, Lines 1-3, by adding 'WHEREAS, The State Legislature has expressed concerns about the potential for the federal government to lower the federal income tax, particularly for high-wage earners, which will only further exacerbate our growing income inequality in California; and'; and Page 3, Line 10, by striking 'California cities' and adding 'San Francisco', and adding 'local personal or' after 'levy a'. The motion carried by the following vote:**

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee  
Resolution urging the California state legislature to amend the Revenue and Taxation Code to enable San Francisco 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.

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

Ayes: 9 - Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee  
Noes: 2 - Breed, Farrell

*Supervisor Sheehy, seconded by Supervisor Farrell, moved to rescind the previous vote. 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: 8 - Cohen, Fewer, Kim, Peskin, Ronen, Safai, Tang, Yee  
Noes: 3 - Breed, Farrell, Sheehy

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

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

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

*Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to Meals on Wheels in recognition of "March for Meals Month" and the many years providing meals, services, and a friendly visitor to seniors.*

*Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Etta Jones of Urban Strategies in recognition of her many accomplishments and continued community support.*

*Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to the San Francisco Shelter Program, accepted by Rita Semel and Michael Pappas (Interfaith Council), and Jeff Kositsky, Director (Department of Homelessness and Supportive Housing), in recognition of the many accomplishments of the faith-based organizations that provided services and emergency shelter during the winter months.*

## SPECIAL ORDER 3:00 P.M.

### **161146 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed Project at 2675 Folsom Street]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Community Plan Exemption by the Planning Department on June 27, 2016, and approved by the Planning Commission on September 22, 2016, for the proposed project located at 2675 Folsom Street, to allow the demolition of three two-story warehouse and storage structures, and construction of a four-story, 40-foot tall residential building of approximately 109,917 square feet, within the UMU (Urban Mixed Use), RH-2 (Residential Housing, Two Family), and RH-3 (Residential Housing, Three Family) Zoning Districts and a 40-X Height and Bulk District. (District 9) (Appellant: J. Scott Weaver, on behalf of Calle 24 Latino Cultural District Community Council) (Filed October 21, 2016) (Clerk of the Board)

*President Breed opened the public hearing and Supervisor Ronen provided opening remarks indicating she will make a motion to continue this matter to a later date. Laura Clark; Male Speaker; Vincent; Male Speaker; Larry Mazzola; Male Speaker; Female Speaker; Theodore; Ray Hartz; Scott Hyper; Female Speaker; Nancy Cross; Crystal Marti; Layla Soon; Doug Berg; Carlos Newman; David Pilpel; Tom Gilbert; spoke on various concerns regarding the proposed continuance. There were no other speakers.*

Supervisor Ronen, seconded by Supervisor Cohen, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of April 18, 2017. The motion carried by the following vote:

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

**161147 [Affirming the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street]**

Motion affirming the determination by the Planning Department that a proposed project at 2675 Folsom Street is exempt from further environmental review under a Community Plan Exemption. (Clerk of the Board)

**Supervisor Ronen, seconded by Supervisor Cohen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of April 18, 2017. The motion carried by the following vote:**

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

**161148 [Conditionally Reversing the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street]**

Motion conditionally reversing the determination by the Planning Department that a proposed project at 2675 Folsom Street does not require further environmental review under a Community Plan Exemption, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Ronen, seconded by Supervisor Cohen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of April 18, 2017. The motion carried by the following vote:**

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

**161149 [Preparation of Findings to Reverse the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street]**

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Exemption determination by the Planning Department that a proposed project at 2675 Folsom Street does not require further environmental review. (Clerk of the Board)

**Supervisor Ronen, seconded by Supervisor Cohen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of April 18, 2017. The motion carried by the following vote:**

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

## COMMITTEE REPORTS

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

*President Breed requested File Nos. 170213 and 170214 be called together. Privilege of the floor was granted unanimously to Ben Rosenfield, Controller (Office of the City Controller), John Updike, Director (Real Estate Division), Naomi Kelly, City Administrator (Office of the City Administrator), and Alexa Arena, Executive General Manager (Lendlease), who responded to questions raised throughout the discussion on these matters.*

#### **170213 [Purchase and Sale Agreement - SF Prosperity 2, LLC - 1660 Mission Street and 1680 Mission Street - \$52,000,000]**

**Sponsor: Mayor**

Resolution approving a purchase and sale agreement by and between the City and County of San Francisco and SF Prosperity 2, LLC, for the sale of City-owned properties located at 1660 Mission Street and 1680 Mission Street for \$52,000,000; including a City lease-back at an annual rent expense of \$3,362,220 increasing by 3% per year for each year after the initial period, with rent to be set at the then fair market rental value prior to the beginning of each extension option exercised, if any, for a period of not more than three years in the initial term, with two one-year options to extend; affirming the Planning Department's determination under the California Environmental Quality Act; and adopting findings that the sale is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Supervisor Safai, seconded by Supervisor Breed, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of April 4, 2017. The motion FAILED by the following vote:**

Ayes: 2 - Breed, Safai

Noes: 9 - Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Sheehy, Tang, Yee

**ADOPTED by the following vote:**

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

Noes: 2 - Breed, Safai

#### **170214 [Purchase and Sale Agreement - Lendlease Development, Inc. - 30 Van Ness Avenue - \$70,000,000]**

**Sponsors: Mayor; Kim**

Resolution approving a purchase and sale agreement by and between the City and County of San Francisco and Lendlease Development, Inc. for the sale of City-owned property located at 30 Van Ness Avenue for \$70,000,000; including a City lease-back at an annual rent expense of \$4,500,000 increasing by 3% per year after each year of the initial period and at the beginning of each extension option exercised, if any, for a period of not more than three years in the initial term, with two one-year options to extend; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the sale is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and urging the Mayor's Office of Housing and Community Development and the Planning Department to explore certain development strategies relating to affordable housing at the site in connection with any future development.

**Supervisor Safai, seconded by Supervisor Breed, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of April 4, 2017. The motion FAILED by the following vote:**

Ayes: 2 - Breed, Safai

Noes: 9 - Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Sheehy, Tang, Yee

**ADOPTED by the following vote:**

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

Noes: 2 - Breed, Safai

**170242 [Apply for Grant - State of California, Department of Housing and Community Development - Various Parks and Community Centers - \$7,500,000]****Sponsor: Mayor**

Resolution authorizing the Recreation and Park Department to apply for a grant in an amount up to \$7,500,000 from the State of California, Department of Housing and Community Development for the planning and development of various parks and community facilities in San Francisco. (Recreation and Park 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**

*Soon Li; shared concerns on Chinese American contributions and achievements.*

*Nancy Cross; shared concerns regarding due process and homeless shelters.*

*Patricia Vaughey; shared concerns regarding the homeless issue in Cow Hollow.*

*Ray Hartz; shared concerns regarding fair political practices and the San Francisco Public Library.*

*Peter Warfield; shared concerns regarding City College of San Francisco closures and the San Francisco Public Library.*

*Katherin Canton (Arts for a Better Bay Area); spoke on Arts Advocacy Day and requested the Board's support of the arts.*

*Andi Yannone (San Francisco Ballet); spoke on Arts Advocacy Day and requested the Board's support of the arts.*

*Susan Stauter; spoke on Arts Advocacy Day and requested the Board's support of the arts.*

*Elizabeth Dekker (Green Art Workshop); spoke on Arts Advocacy Day and requested the Board's support of the arts.*

*Beth Molner (Green Art Workshop); spoke on Arts Advocacy Day and requested the Board's support of the arts.*

*Samithia; spoke on Arts Advocacy Day and requested the Board's support of the arts.*

*Susie McKinnon (SafeHouse Arts); spoke on Arts Advocacy Day and requested the Board's support of the arts.*

*Jean Johnstone (Teaching Artists Guild); spoke on Arts Advocacy Day and requested the Board's support of the arts.*

*Arthur; spoke on Arts Advocacy Day and requested the Board's support of the arts.*

*Skot Kuiper; spoke on Arts Advocacy Day and requested the Board's support of the arts.*

*Tom Gilberty; shared concerns regarding housing.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*Supervisor Farrell was noted absent at 5:22 p.m. and for the remainder of the meeting.*

### **Supervisor Farrell Excused from Attendance**

Supervisor Tang, seconded by Supervisor Ronen, moved that Supervisor Farrel be excused beginning at 5:22 p.m. and for the remainder of the meeting. The motion carried by the following vote:

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

Excused: 1 - Farrell

### **170277 [Hemophilia Day - April 17, 2017]**

**Sponsor: Farrell**

Resolution recognizing Hemophilia and other bleeding disorders, and declaring April 17, 2017, as Hemophilia Day in the City and County of San Francisco.

**ADOPTED by the following vote:**

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

Excused: 1 - Farrell

*Supervisor Yee requested that File No. 170281 be severed so that it may be considered separately.*

### **170281 [Supporting California State Senate Bill 807 (Stern and Gagliani) - Teacher Recruitment and Retention Act of 2017]**

**Sponsors: Yee; Ronen, Peskin, Kim and Breed**

Resolution supporting California State Senate Bill 807, the Teacher Recruitment and Retention Act of 2017, authored by Senators Stern and Gagliani, and co-authored by Assembly Members Limón and Santiago, authorizing a credit for new teachers equal to the costs incurred by a qualified taxpayer teacher to earn a clear credential, and exemption of State income taxes for educators who have taught at least six years from passage through January 2027.

*Supervisors Ronen, Peskin, Kim, and Breed requested to be added as co-sponsors.*

**ADOPTED by the following vote:**

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

Excused: 1 - Farrell

## 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

### 170271 [Administrative Code - Transfer of Moscone Center Garage and Performing Arts Garage to Municipal Transportation Agency]

Ordinance amending the Administrative Code to transfer the Moscone Center Garage (255-3rd Street) and the Performing Arts Garage (360 Grove Street) from the Parking Authority to the Municipal Transportation Agency; assigning a ground lease for certain Public Works property for access between the Performing Arts Garage and Gough Street; affirming the 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. (Municipal Transportation Agency)

03/13/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

## PROPOSED RESOLUTIONS

**170254 [Lease Amendment - SSP America, Inc. - International Terminal Food and Beverage Concession Lease - \$279,000 Minimum Annual Guarantee, and \$2,100 Annual Promotional Charge]**

Resolution approving Amendment No. 1 to the International Terminal Food and Beverage Concession Lease No. 16-0017 between SSP America, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, increasing the minimum annual guarantee to \$279,000, and the annual promotional charge to \$2,100, with no change to the length of term. (Airport Commission)

03/10/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170255 [Lease Amendment - SSP America, Inc. - Domestic Terminal Food and Beverage Lease - \$166,439 Annual Guaranteed Rent, and \$3,111 Annual Promotional Charge]**

Resolution approving Amendment No. 2 to the Domestic Terminal Food and Beverage Lease No. 03-0200 between SSP America, Inc. and the City and County of San Francisco, acting by and through its Airport Commission, increasing the annual guaranteed rent to \$166,439 and the annual promotional charge to \$3,111 with no change to the term length to expire on November 17, 2025. (Airport Commission)

03/10/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170256 [Lease Agreement - San Francisco Soup Company, dba Ladle & Leaf - Post-Security Concession - \$250,000 Minimum Annual Guarantee]**

Resolution approving Terminal 3 Boarding Area F Food and Beverage Concession Lease No. 16-0309 between San Francisco Soup Company, dba Ladle & Leaf, and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of six years to commence following Board approval, with two one-year options to extend, and an initial Minimum Annual Guarantee of \$250,000. (Airport Commission)

03/09/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170257 [Lease Agreement - Host International, Inc. - Post Security Concession - \$250,000 Minimum Annual Guarantee]**

Resolution approving Terminal 3 Boarding Area F Food and Beverage Concession Lease No. 16-0310 between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of six years to commence following Board approval, with two one-year options to extend and an initial minimum annual guarantee of \$250,000. (Airport Commission)

03/09/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170258 [Lease Agreement - Paradies Lagardere @ SFO, LLC - Post-Security Concession - \$250,000 Minimum Annual Guarantee]**

Resolution approving Terminal 3 Boarding Area F Food and Beverage Concession Lease No. 16-0311 between Paradies Lagardere @ SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of six years to commence following Board approval, with two one-year options to extend and an initial Minimum Annual Guarantee of \$250,000. (Airport Commission)

03/09/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170259 [Lease Agreement - Amoura International, Inc. - Post-Security Concession - \$250,000 Minimum Annual Guarantee]**

Resolution approving Terminal 3 Boarding Area F Food and Beverage Concession Lease No. 16-0312 between Amoura International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of six years to commence following Board approval, with two one-year options to extend and an initial minimum annual guarantee of \$250,000. (Airport Commission)

03/09/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170260 [Lease Agreement - Bun Mee LLC - Post-Security Concession - \$250,000 Minimum Annual Guarantee]**

Resolution approving Terminal 3 Boarding Area F Food and Beverage Concession Lease No. 16-0313 between Bun Mee LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of six years to commence following Board approval, with two one-year options to extend and an initial Minimum Annual Guarantee of \$250,000. (Airport Commission)

03/09/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170261 [Lease Agreement - Gate 74, Inc. - Post-Security Concession - \$250,000 Minimum Annual Guarantee]**

Resolution approving Terminal 3 Boarding Area F Food and Beverage Concession Lease No. 16-0314 between Gate 74, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of six years to commence following Board approval, with two one-year options to extend and an initial minimum annual guarantee of \$250,000. (Airport Commission)

03/09/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170262 [Lease Agreement - Tastes on the Fly San Francisco, LLC - Post-Security Concession - \$650,000 Minimum Annual Guarantee]**

Resolution approving Terminal 3 Boarding Area F Food and Beverage Concession Lease No. 16-0315 between Tastes on the Fly San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with term of seven years to commence following Board approval, with two one-year options to extend and an initial minimum annual guarantee of \$650,000. (Airport Commission)

03/09/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170263 [Lease Agreement - High Flying Foods SFO, LLC - Post-Security Concession - \$1,000,000 Minimum Annual Guarantee]**

Resolution approving Terminal 1 Boarding Area C Food and Beverage Concession Lease No. 16-0316 between High Flying Foods SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a post-security concession with a term of seven years to commence following Board approval, with two one-year options to extend and an initial minimum annual guarantee of \$1,000,000. (Airport Commission)

03/09/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170264 [Agreement Amendment - Mott MacDonald - Construction Management Services - New Irvington Tunnel Project - Not to Exceed \$21,100,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to execute Amendment No. 5 to Agreement No. CS-918, New Irvington Tunnel Project-Construction Management Services with Mott MacDonald, to continue providing construction management services for the final construction and closeout of the tunnel, increasing the agreement by \$350,000 for a total agreement amount not to exceed \$21,100,000 and with a time extension of 12 months, for a total agreement duration of seven years and three months from August 1, 2009, through April 14, 2018, pursuant to Charter, Section 9.118. (Public Utilities Commission)

03/10/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170265 [Agreement Amendment - Leaders in Community Alternatives - Home Detention and Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2017 Calendar Year]**

Resolution authorizing the Sheriff's Department to enter into a first amendment to the existing agreement with Leaders in Community Alternatives ("LCA"), to extend the term by one year for a total term of May 1, 2014, through April 30, 2018, with no change in the agreement amount not to exceed \$2,000,000; approving the Sheriff Department's home detention and electronic monitoring program rules and regulations; and approving evidence of financial responsibility demonstrated by program administrator LCA for the 2017 calendar year. (Sheriff)

03/13/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170266 [Agreement Amendment - Cerner Health Services, Inc. - Clinical and Financial Software Services to Facilitate a New Electronic Health Record System - Not to Exceed \$88,585,606]**

Resolution approving a second amendment to the agreement between the Department of Public Health and Cerner Health Services, Inc., for clinical and financial software applications to facilitate the transition to a new Electronic Health Record system, to extend the contract by three years for a total term of July 1, 2010, through June 30, 2020, with a corresponding increase of \$36,290,626 for a total agreement amount not to exceed \$88,585,606. (Public Health Department)

03/13/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170267 [Agreement Amendment - State Department of Health Care Services - Substance Use Disorder Services - FYs 2014-2017 - \$58,504,385]**

Resolution retroactively authorizing the Department of Public Health, Behavioral Health Services to enter into Amendment No. A05 to a multi-year agreement for substance use disorder services with the State Department of Health Care Services, in the amount of \$58,504,385 for the term of July 1, 2014, through June 30, 2017; and authorizing and designating the Department of Public Health County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. (Public Health Department)

03/09/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170268 [Contract Agreement - State Department of Health Care Services - Substance Use Disorder Services - FYs 2017-2019 - \$128,849,925]**

Resolution authorizing the Department of Public Health, Behavioral Health Services to enter into a multi-year organized delivery system intergovernmental agreement for substance use disorder services with the State Department of Health Care Services, in the amount of \$128,849,925 for the term of April 15, 2017, through June 30, 2019; and authorizing and designating the Department of Public Health County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. (Public Health Department)

03/09/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170270 [Renovation of County Jail No. 2 - Supplemental Information for State Funding Application]**

Resolution designating the construction administrator, financial officer, and project contact person for a proposed project to renovate County Jail No. 2; confirming the fair market land value of \$6,000,000 for County Jail No. 2; and conditionally assuring the staffing, operation and continued ownership of County Jail No. 2. (Sheriff)

03/13/17; RECEIVED FROM DEPARTMENT.

03/21/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour 5:56 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: So, we are talking about the ongoing fraud being perpetrated on the citizens of San Francisco by the Office of the Mayor! From the findings of the FPPC: "Respondent, Luis Herrera, while serving as City Librarian for the San Francisco Public Library, failed to report gifts received from The Friends of the San Francisco Public Library on annual Statements of Economic Interests for calendar years 2009, 2010, and 2011 in violation of government code section 87300." He signed those statements with the following declaration: "I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct." So, a City Department head, appointed by the Mayor, perjured himself by lying year, after year, after year! Almost \$15,000 over those three years! And, at that point, it had become a custom for more than a decade! Did he do this knowingly and willfully?*