

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, April 3, 2018 - 2:00 PM

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

Regular Meeting

LONDON BREED, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee Supervisors Cohen, Fewer, Stefani, Sheehy, Yee	Thursday 1:00 PM
Budget and Finance Federal Select Committee Supervisors Cohen, Fewer, Tang	2nd and 4th Thursday 1:15 PM
Budget and Finance Sub-Committee Supervisors Cohen, Fewer, Stefani	Thursday 10:00 AM
Government Audit and Oversight Committee Supervisors Kim, Peskin, Breed	1st and 3rd Wednesday 10:00 AM
Land Use and Transportation Committee Supervisors Tang, Kim, Safai	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Sheehy, Ronen, Peskin	2nd and 4th Wednesday 10:00 AM
Rules Committee Supervisors Safai, Yee, Stefani	2nd and 4th Wednesday 2:00 PM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Members Present: London Breed, Malia Cohen, Sandra Lee Fewer, Jane Kim, Aaron Peskin, Hillary Ronen, Ahsha Safai, Jeff Sheehy, Catherine Stefani, Katy Tang, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, April 3, 2018, 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, Supervisor Kim was noted not present. There was a quorum.

COMMUNICATIONS

There were no communications.

Supervisor Kim was noted present at 2:05 p.m.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the February 27, 2018, Board Meeting Minutes. There were no corrections.

Supervisor Sheehy, seconded by Supervisor Stefani, moved to approve the February 27, 2018, Board Meeting Minutes. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

180106 [Settlement of Lawsuit - Li Fen Chen - \$250,000]

Ordinance authorizing settlement of the lawsuit filed by Li Fen Chen against the City and County of San Francisco for \$250,000; the lawsuit was filed on May 23, 2016, in San Francisco Superior Court, Case No. CGC-16-552173; entitled Li Fen Chen v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

PASSED ON FIRST READING

180107 [Settlement of Lawsuit - Lynette White - \$300,000]

Ordinance authorizing settlement of the lawsuit filed by Lynette White against the City and County of San Francisco for \$300,000; the lawsuit was filed on January 29, 2016, in San Francisco Superior Court, Case No. CGC-16-550136; entitled Lynette White v. Blake Cunningham et al.; the lawsuit involves alleged injury from a collision with a Police Department vehicle; other material terms of the settlement include a waiver of the Zuckerberg San Francisco General Hospital lien. (City Attorney)

PASSED ON FIRST READING

180108 [Settlement of Lawsuit - Nicholas Kafkas - \$45,000]

Ordinance authorizing settlement of the lawsuit filed by Nicholas Kafkas against the City and County of San Francisco for \$45,000; the lawsuit was filed on February 3, 2016, in San Francisco Superior Court, Case No. CGC-16-550258; entitled Nicholas Kafkas v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from vehicle collision. (City Attorney)

PASSED ON FIRST READING

180109 [Settlement of Lawsuit - California Department of Fair Employment and Housing - \$55,000]

Ordinance authorizing settlement of the lawsuit filed by the California Department of Fair Employment and Housing against the City and County of San Francisco for \$55,000; the lawsuit was filed on August 18, 2017, in San Francisco Superior Court, Case No. CGC-17-560827; entitled Department of Fair Employment and Housing, et al. v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

PASSED ON FIRST READING

180110 [Settlement of Lawsuit - Janet Silk - \$135,000]

Ordinance authorizing settlement of the lawsuit filed by Janet Silk against the City and County of San Francisco for \$135,000; the lawsuit was filed on October 17, 2016, in San Francisco Superior Court, Case No. CGC-16-554864; entitled Janet Silk v. Robert J. Franko, City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

PASSED ON FIRST READING

180131 [Settlement of Lawsuit - Mark Johnson, Franco S. Calzolari, Michael Bryant - \$175,000]

Ordinance authorizing settlement of the lawsuit filed by Mark Johnson, Franco S. Calzolari, and Michael Bryant against the City and County of San Francisco for \$175,000; the lawsuit was filed on November 20, 2009, in the United States District Court for the Northern District of California, Case No. CV 09-5503 JSW; entitled Mark Johnson, et al. v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

PASSED ON FIRST READING

180152 [Settlement of Unlitigated Claim - 8x8, Inc. - \$485,000]

Resolution approving the settlement of the unlitigated claim filed by 8x8, Inc. against the City and County of San Francisco for \$485,000; the claim was filed on May 2, 2017; the claim involves a refund of telephone users tax. (City Attorney)

ADOPTED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Sub-Committee

180113 [De-Appropriation and Re-Appropriation - Airport Enterprise Fund - From Permanent Salaries Budget to Overtime Budget - Increased Overtime Expense for Security Services at the Airport Bureau - Police Department - \$926,000 - FY2017-2018]

Sponsor: Mayor

Ordinance de-appropriating \$926,000 of permanent salaries budget and re-appropriating \$926,000 to overtime budget in the Police Department's operating budget in order to support the Department's increased overtime expense for security services at the Airport Bureau in FY2017-2018, as required per Ordinance No. 194-11; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval, pursuant to Charter, Section 9.113(c). (Fiscal Impact)

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such supplemental appropriation ordinance for passage.)

FINALLY PASSED by the following vote:

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

180186 [De-Appropriation and Re-Appropriation - From Salaries, Fringe Benefits, Non-Personnel Services - Overtime and Salary Expenditures - Various Departments - \$13,348,029 - FY2017-2018]

Sponsor: Mayor

Ordinance de-appropriating \$13,348,029 from permanent salaries, fringe benefit expenses, and non-personnel services, and appropriating \$13,348,029 to overtime in the Sheriff's Department, Police Department, and the Department of Emergency Management operating budgets in order to support the Departments projected increases in overtime in FY2017-2018, as required per Ordinance No. 194-11, and to salaries in the Public Health Department; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval of the Sheriff's Department, Police Department, the Department of Public Health and the Department of Emergency Management appropriations, pursuant to Charter, Section 9.113(c).
(Fiscal Impact)

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such supplemental appropriation ordinance for passage.)

FINALLY PASSED by the following vote:

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

Recommendations of the Public Safety and Neighborhood Services Committee

171317 [Health Code - Banning Sale and Manufacture of Animal Fur Products]

Sponsors: Tang; Sheehy

Ordinance amending the Health Code to ban the sale and manufacture in San Francisco of animal fur products.

FINALLY PASSED by the following vote:

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

180087 [Park, Health Codes - Transbay Rooftop Park]

Sponsor: Kim

Ordinance amending the Park Code to treat the rooftop park located above the Transbay Transit Center as a City park for certain purposes; amending the Health Code to prohibit smoking on the rooftop park; and affirming the Planning Department's determination under the California Environmental Quality Act.

FINALLY PASSED by the following vote:

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

Recommendations of the Rules Committee

171170 [Police, Administrative Codes - Considering Criminal History in Employment and Housing Decisions]

Sponsors: Cohen; Kim, Yee and Ronen

Ordinance amending the Police Code to prohibit employers and housing providers from inquiring about, requiring disclosure of, or basing housing and employment decisions on convictions for decriminalized behavior, including the non-commercial use and cultivation of cannabis; reducing from 20 to 5 the number of employees required for an employer to be covered by the Fair Chance Ordinance (Article 49); prohibit employers and housing providers from inquiring about, requiring disclosure of, or basing housing and employment decisions on a person's conviction history until after a conditional offer of employment; authorize the City to impose penalties for the first violation of that Ordinance, increase the penalties for subsequent violations, and authorize the payment of penalties to the victims of those violations; create a private right of action for the victims; and amend the Administrative Code to, among other things, as defined herein, require City contractors and subcontractors to adhere to the above requirements when making decisions regarding employment of persons for work on City contracts and subcontracts.

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

FINALLY PASSED by the following vote:

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

180088 [Administrative Code - Mayoral Appearance at the Board of Supervisors]

Sponsors: Peskin; Ronen

Ordinance amending the Administrative Code to modify the process for the Mayor to appear at the Board of Supervisors for a question-and-answer session.
(Supervisor Stefani dissented in Committee.)

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

PASSED ON FIRST READING by the following vote:

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

Noes: 4 - Breed, Cohen, Stefani, Tang

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 3 - Breed, Stefani, Tang

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

170872 [Administrative Code - Naming Terminal 1 at the San Francisco International Airport After Harvey Milk]

Sponsors: Ronen; Sheehy

Ordinance amending the Administrative Code to name Terminal 1 of the San Francisco International Airport after former Supervisor Harvey Milk.
(Fiscal Impact)

Privilege of the floor was granted unanimously to Tom Ammiano and Harry Britt, former members of the Board of Supervisors, who presented information on the subject matter.

PASSED ON FIRST READING by the following vote:

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

President Breed requested File Nos. 171179, 171237, 171238, 171239, 171240, 171241, and 180154 be called together.

171179 [Lease Agreement - Bank of America, N.A. - Automated Teller Machines - \$211,000 Minimum Annual Guarantee]

Resolution approving the Domestic Terminals Automated Teller Machines Lease B No. 17-0195 between Bank of America, N.A., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of five years, to commence following Board approval, with a two-year option to extend, and a minimum annual guarantee of \$211,000 for the first year of the Lease. (Airport Commission)

ADOPTED by the following vote:

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

171237 [Lease Agreement - Pacific Gateway Concessions, LLC - Airport Concession - \$1,531,761 Minimum Annual Guarantee]

Resolution approving International Terminal Newsstand and Specialty Retail Concession Lease No. 17-0211 between Pacific Gateway Concessions, LLC and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and an initial Minimum Annual Guarantee of \$1,531,761. (Airport Commission)

ADOPTED by the following vote:

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

171238 [Lease Agreement - Pacific Gateway Concessions, LLC - Airport Concession - \$814,144 Minimum Annual Guarantee]

Resolution approving International Terminal Newsstand and Specialty Retail Concession Lease No. 17-0208 between Pacific Gateway Concessions, LLC and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and an initial Minimum Annual Guarantee of \$814,144. (Airport Commission)

ADOPTED by the following vote:

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

171239 [Lease Agreement - HG SFO Retailers 2017 JV - Airport Concession - \$1,540,000 Minimum Annual Guarantee]

Resolution approving International Terminal Newsstand and Specialty Retail Concession Lease No. 17-0207 between HG SFO Retailers 2017 JV and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and an initial Minimum Annual Guarantee of \$1,540,000. (Airport Commission)

ADOPTED by the following vote:

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

171240 [Lease Agreement - Canonica New York, LLC - Airport Concession - \$280,000 Minimum Annual Guarantee]

Resolution approving International Terminal Newsstand and Specialty Retail Concession Lease No. 17-0210 between Canonica New York, LLC and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and an initial Minimum Annual Guarantee of \$280,000. (Airport Commission)

ADOPTED by the following vote:

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

171241 [Lease Agreement - DFS Group, LP - Airport Concession - \$380,000 Minimum Annual Guarantee]

Resolution approving International Terminal Newsstand and Specialty Retail Concession Lease No. 17-0209 between DFS Group, LP and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and an initial Minimum Annual Guarantee of \$380,000. (Airport Commission)

ADOPTED by the following vote:

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

180154 [Ground Lease - United States Postal Service - Plot 10F - \$1,497,000 Initial Annual Rent]

Resolution retroactively approving a Ground Lease between the United States Postal Service, and the City and County of San Francisco, acting by and through its Airport Commission, for occupancy of approximately 8.61 acres of land, at an initial annual rent of \$1,497,000 and four five-year options to extend the term, for the period of September 1, 2017, through August 31, 2022. (Airport Commission)

ADOPTED by the following vote:

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

180155 [Real Property Lease Renewal and Amendment - HLS 2, LLC. and 716 Sacramento, LLC. - 720 Sacramento Street - Initial Annual Base Rent \$471,750]

Resolution authorizing a five year extension and approving a Third Amendment to a Lease for approximately 9,250 square feet of space at 720 Sacramento Street, with HLS 2, LLC. (26.6%), and 716 Sacramento, LLC. (73.4%), as Landlord, for use by the Department of Public Health for the period of July 1, 2018, through June 30, 2023, at an initial monthly base rent of \$39,312.50 for a total cost of \$471,750 in the initial year, with 3% annual increases thereafter, and one five-year option to extend. (Real Estate Department)
(Fiscal Impact)

ADOPTED by the following vote:

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

180160 [Accept and Expend Grant - U.S. Department of Homeland Security - 2016 Port Security Grant Program - \$1,059,000]

Sponsor: Mayor

Resolution retroactively authorizing the Port of San Francisco to accept and expend a grant award in the amount of \$1,059,000 from the U.S. Department of Homeland Security's 2016 Port Security Grant Program, including \$997,500 for the replacement of the San Francisco Police Department Maritime Unit's dock, and \$61,500 to upgrade the Port's DOC video system, for the period of September 1, 2016, through August 31, 2019. (Port)
(Fiscal Impact)

ADOPTED by the following vote:

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

180163 [Findings of Fiscal Feasibility - Reservoir Community Partners, LLC - Development of Balboa Reservoir Site]

Sponsors: Yee; Safai

Resolution finding the proposed development of the Balboa Reservoir Site, an approximately 17-acre site located in the Balboa Park area, fiscally feasible under Administrative Code, Chapter 29.
(Fiscal Impact)

ADOPTED by the following vote:

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

Supervisor Tang was noted absent at 2:36 p.m.

180172 [Professional Services Agreement - Parsons Water & Infrastructure Group, Inc. - Southeast Water Pollution Control Plant Program Construction Management Services Project - Not to Exceed \$35,000,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Professional Services Agreement No. PRO.0104, Southeast Water Pollution Control Plant (SEP) Program Construction Management (CM) Services, with Parsons Water & Infrastructure Group, Inc., to provide program-level CM oversight and supervision at the SEP, for an amount not to exceed \$35,000,000 over a term of ten years to commence following Board approval through April 2028. (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

180218 [Multifamily Housing Revenue Bonds - 54 McAllister Street ("Dorothy Day Community Apartments") - Not to Exceed \$45,000,000]

Sponsor: Kim

Resolution authorizing the issuance and sale of multifamily housing revenue bonds in one or more series in an aggregate principal amount not to exceed \$45,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 100-unit multifamily rental housing project known as "Dorothy Day Community Apartments;" approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds and authorizing the issuance thereof; approving the form of and authorizing the execution of a loan agreement providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the bonds and the Project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters, as defined herein.

ADOPTED by the following vote:

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

180240 [Master Lease - Shahina Holdings, LLC - 149-6th Street - Supportive Housing - Initial Monthly Base Rent of \$39,000]

Sponsors: Mayor; Kim

Resolution authorizing the execution and acceptance of a Residential Master Lease by and between the City and County of San Francisco and Shahina Holdings, LLC, a California Limited Liability Company, for the real property located at 149-6th Street, providing 51 units of supportive housing, for an initial term of ten years with an initial base monthly rent of \$39,000; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting CEQA findings. (Department of Homelessness and Supportive Housing)
(Fiscal Impact)

ADOPTED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee

171100 [Mills Act Historical Property Contract - 60-62 Carmelita Street]

Sponsor: Sheehy

Resolution approving an historical property contract between Patrick Mooney and Stephen G. Tom, the owners of 60-62 Carmelita Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute the historical property contract. (Historic Preservation Commission)

ADOPTED by the following vote:

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

Absent: 1 - Tang

180139 [Setting the 2018 Budget and Legislative Analyst Services Work Plan]

Sponsor: Kim

Motion approving the Budget and Legislative Analyst Services work plan for 2018, which allocates hours for calendar year 2018, authorizes the Budget and Legislative Analyst to reallocate up to 20% of the hours between service categories based on Board of Supervisors service needs, and requires Board of Supervisors approval of hours re-allocation greater than 20%; and establishes performance goals and sets a date for the 2018 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

Motion No. M18-037

APPROVED by the following vote:

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

Absent: 1 - Tang

Recommendations of the Land Use and Transportation Committee

171210 [Transportation Code - Non-Standard Vehicle Permits]

Ordinance amending the Transportation Code to prohibit Non-Standard Vehicles from operating without a permit as required by Article 1200 of that Code; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

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

Absent: 1 - Tang

Supervisor Tang was noted present at 2:41 p.m.

President Breed requested File Nos. 180151, 180114, and 180115 be called together.

180151 [General Plan Amendment - San Francisco Conservatory of Music Project - 200-214 Van Ness Avenue]

Ordinance amending the General Plan to revise the Map of Proposed Height and Bulk Districts in the Downtown Area Plan for the San Francisco Conservatory of Music Project at 200-214 Van Ness Avenue; 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)

PASSED ON FIRST READING by the following vote:

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

180114 [Planning Code, Zoning Map - San Francisco Conservatory of Music Project - 200-214 Van Ness Avenue]

Sponsor: Kim

Ordinance amending the Planning Code to authorize a height limit exception for the San Francisco Conservatory of Music Project at 200-214 Van Ness Avenue for an additional building envelope that will be used to enclose or screen specified features from view, allow increased roof height for performance and common space, and provide additional visual interest to the roof of the structure; amending the Zoning Map to change the height designation of Assessor's Parcel Block No. 811, Lot Nos. 10 and 12, from 96-X to 120-X; affirming the Planning Commission's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

PASSED ON FIRST READING by the following vote:

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

180115 [Development Agreement - San Francisco Conservatory of Music - 200-214 Van Ness Avenue]

Sponsor: Kim

Ordinance approving a Development Agreement between the City and County of San Francisco and San Francisco Conservatory of Music, a California non-profit public benefit corporation, for the project at 200-214 Van Ness Avenue between Hayes Street and the Dr. Tom Waddell Place mid-block alley, with various public benefits including creation of student housing, faculty housing, a new performance venue in the Civic Center cultural area, activation of a neglected portion of Van Ness Avenue, one-for-one on-site replacement of 27 existing dwelling units with a specific Replacement and Interim Housing Program for existing tenants, including the clear right to return to a comparable unit and an interim relocation housing assistance, voluntary application of rent control and waiving rights under the Ellis Act; making findings under the California Environmental Quality Act and findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); setting the impact fees and exactions as set forth in the Development Agreement; and confirming compliance with or waiving certain provisions of Administrative Code Chapters, 14B and 56, and ratifying certain actions taken in connection therewith, as defined herein.

Supervisor Kim, seconded by Supervisor Ronen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Line 18, by striking 'by this ordinance'. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

180096 [Street Name Change - 1600 Block of Galvez Avenue - "Sam Jordan's Way"]

Sponsors: Cohen; Kim and Breed

Resolution changing the street name of the 1600 block of Galvez Avenue, between Third Street and Phelps Street, to "Sam Jordan's Way," to honor Sam Jordan's legacy and impact on the Bayview Community.

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

ADOPTED by the following vote:

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

180162 [Opposing California State Senate Bill 827 (Wiener) - Transit-Rich Housing Bonus]

Sponsors: Peskin; Ronen, Yee, Fewer and Kim

Resolution urging amendments to California Senate Bill 827, authored by Senator Wiener, to ensure the value of additional height and density is recaptured and that San Francisco's existing affordable housing programs and existing neighborhood character is preserved.

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

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

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 'Urging Amendments to' and adding 'Opposing', Line 3, by striking 'urging amendments to' and adding 'opposing', Lines 4-8, by striking 'to ensure the value of additional height and density is recaptured and that San Francisco's existing affordable housing programs and existing neighborhood character is preserved' and adding 'which would fundamentally constrain, if not negate, San Francisco's local ability to recapture critical public value of development projects citywide and override local planning process', Line 14, by striking 'applauds' and adding 'appreciates the intent of', and Lines 17-18, by adding 'but does not guarantee that tenants will find commensurate temporary housing nor be ultimately protected from displacement'; on Page 2, Lines 16-18, by adding 'WHEREAS, San Francisco currently has capacity to build 145,000 new units of housing with no upzoning or violation of environmental laws, including 60,000 units of housing currently in the planning pipeline; and', and Line 21, by adding 'while we wait for stronger tenant protections at the state level'; on Page 2, Line 23, through Page 3, Line 2, by adding 'RESOLVED, That the Board of Supervisors of the City and County of San Francisco finds that SB 827 is fundamentally flawed, based on its preemption of San Francisco's sovereign charter authority and undermining of San Francisco's ability to recapture public value from private developers in exchange for the added benefits of density and height; and'; and Page 3, Lines 4-8, by striking 'is committed to working with other jurisdictions, affordable housing and tenant advocates to address the State's housing crisis by amending SB 827' and adding 'joins with other local jurisdictions and a growing statewide coalition of housing, "complete neighborhood", environmental and tenant advocates, including those based in every district in San Francisco, in opposing SB 827', Lines 9-12, by striking 'FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco is committed to working with its State Legislative Delegation to craft the necessary amendments to SB 827 in order to protect San Francisco's sovereign charter authority and recapture value from the added benefits of density and height; and, be it', and Line 14, by adding 'permanent' before 'affordable', by striking 'crises' and adding 'crisis throughout California' after 'housing'. The motion carried by the following vote:

Ayes: 7 - Cohen, Fewer, Kim, Peskin, Ronen, Stefani, Yee

Noes: 4 - Breed, Safai, Sheehy, Tang

Resolution opposing California Senate Bill 827, authored by Senator Wiener, which would fundamentally constrain, if not negate, San Francisco's local ability to recapture critical public value of development projects citywide and override local planning process.

Supervisor Breed requested the question be DIVIDED so that consideration of the language to oppose SB 827 be taken separately. After further discussions and clarification, Angela Calvillo, Clerk of the Board, informed Supervisor Breed that the request to divide the question should be withdrawn; Supervisor Breed concurred.

ADOPTED AS AMENDED by the following vote:

Ayes: 8 - Cohen, Fewer, Kim, Peskin, Ronen, Stefani, Tang, Yee

Noes: 3 - Breed, Safai, Sheehy

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Cohen assumed the chair at 3:08 p.m. so the President could participate in the debate on File No. 180162 from the floor. The President resumed the chair at 3:44 p.m.

Referred Without Recommendation from the Land Use and Transportation Committee

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

Ordinance ordering the summary street vacation of a portion of Panama Street tangent to Niantic Street and Interstate Highway 280, in the Oceanview neighborhood; conveying the City's interest in the street vacation area to the owner of 10 Niantic Street (Assessor's Parcel Block No. 7178, Lot No. 014); accepting an irrevocable offer for a public sidewalk on Niantic Street between Panama Street and Saint Charles Avenue; dedicating the public sidewalk for pedestrian use, designating it for public right-of-way and roadway purposes, and accepting it for City maintenance and liability; establishing a new official sidewalk on Niantic Street by amending Ordinance No. 1061 entitled, "Regulating the Width of Sidewalks;" affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

(Supervisor Kim dissented in Committee.)

Supervisor Yee, seconded by Supervisor Ronen, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of April 10, 2018. The motion carried by the following vote:

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

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

Supervisor Tang, seconded by Supervisor Peskin, 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, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang, Yee

Supervisor Tang introduced, welcomed, and presented a Certificate of Honor to the Department of Emergency Management's 2017 Dispatcher of the Year, Katherine Buhagiar, in recognition of her many accomplishments and continued community support.

Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to the members of the San Francisco Fire Department, including all the first responders, in recognition of their response in helping fight the four-alarm fire at 659 Union Street on March 17, 2018. Supervisor Peskin shared in this commendation and expressed his apologies for his behavior during the evening of the fire.

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 180179, 180180, 180181, and 180182 be called together.

180179 [Appeal of Determination of Exemption From Environmental Review - 590 Leland Avenue]

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on February 12, 2015, for the proposed project at 590 Leland Avenue to demolish an existing church building and construct five new single-family homes across five individual lots; three new three-story single-family residences with roof decks at their respective third stories, at approximately 3,706 gross square feet, and two new three-story single-family residences at 3,506 and 4,372 gross square feet, respectively. (District 10) (Appellant: Fran Martin, on behalf of Visitacion Valley Planning Alliance) (Filed February 20, 2018) (Clerk of the Board)

President Breed opening the public hearing and Supervisor Cohen informed the Board that she would be making a motion to continue these matters to a later date. President Breed asked if any individuals wished to address the Board on the proposed continuance. There were no speakers. President Breed closed public comment on the continuance.

Supervisor Cohen, seconded by Supervisor Yee, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of April 10, 2018. The motion carried by the following vote:

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

180180 [Affirming the Categorical Exemption Determination - 590 Leland Avenue]

Motion affirming the determination by the Planning Department that a proposed project at 590 Leland Avenue is categorically exempt from further environmental review. (Clerk of the Board)

Supervisor Cohen, seconded by Supervisor Yee, moved that this Motion be CONTINUED to the Board of Supervisors meeting of April 10, 2018. The motion carried by the following vote:

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

180181 [Conditionally Reversing the Categorical Exemption Determination - 590 Leland Avenue]

Motion conditionally reversing the determination by the Planning Department that the proposed project at 590 Leland Avenue is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Supervisor Cohen, seconded by Supervisor Yee, moved that this Motion be CONTINUED to the Board of Supervisors meeting of April 10, 2018. The motion carried by the following vote:

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

180182 [Preparation of Findings to Reverse the Categorical Exemption Determination - 590 Leland Avenue]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 590 Leland Avenue is categorically exempt from further environmental review. (Clerk of the Board)

Supervisor Cohen, seconded by Supervisor Yee, moved that this Motion be CONTINUED to the Board of Supervisors meeting of April 10, 2018. The motion carried by the following vote:

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

SPECIAL ORDER 3:00 P.M. - JOINT MEETING WITH THE ETHICS COMMISSION

President Breed and Chair Chiu called the Joint Meeting between the Board of Supervisors and the Ethics Commission to order at 4:41 p.m., prior to General Public Comment being taken. On the call of the roll for the Board, all members were noted present; there was a quorum of the Board of Supervisors. On the call of the roll for the Commission, all Commissioners were noted present; there was a quorum of the Ethics Commission.

BOARD OF SUPERVISORS

Present: Supervisors Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang, Yee

ETHICS COMMISSION

Present: Commissioners Chiu, Kopp, Lee, Renne

Board of Supervisors Sitting as a Committee of the Whole

President Breed requested File Nos. 180226, 180001, and 180280 be called together.

180226 [Hearing - Committee of the Whole - Joint Meeting with the San Francisco Ethics Commission - Proposed Ordinances (File Nos. 180001 and 180280) - Anti-Corruption and Accountability Ordinances - April 3, 2018]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on April 3, 2018, at 3:00 p.m., in a joint meeting with the San Francisco Ethics Commission, to hold a public hearing to consider the proposed Ordinances (File Nos. 180001 and 180280) - the Anti-Corruption and Accountability Ordinances - amending the Campaign and Governmental Conduct Code to institute various campaign finance and conflict of interest reforms; scheduled pursuant to Motion No. M18-029, approved by the Board on March 6, 2018, and approval of the Motion contained in File No. 180276 on April 3, 2018. (Clerk of the Board)

President Breed opened the Joint Public Hearing with the Ethics Commission at 5:28 p.m., related to consideration of the Ordinances (File Nos. 180001 and 180280) amending the Campaign and Governmental Conduct Code.

President Breed requested Angela Calvillo, Clerk of the Board, provide an overview of the structure for the Joint Public Hearing (contained in File No. 180226). President Breed requested the Board's consent on the structure of the proceedings for the Joint Public Hearing; without objection the Board approved. Chair Chiu requested the Commission's consent on the structure of the proceedings for the Joint Public Hearing; without objection the Commission approved.

Andrew Shen (Office of the City Attorney); LeeAnn Pelham, Executive Director, Patrick Ford, and Kyle Kundert (Ethics Commission); presented information and answered questions raised throughout the discussions.

President Breed recessed the meeting at 5:51 p.m. and reconvened at 6:02 p.m.

Mark Solomon; Paul Melbostadt; Anita Rott; Kathie Lowry; Shawn Kaufie; Charlie Marsteller; Larry Bush; Tom Gilbert; Debbie Lehrman; Otto Duffy; Peter Cohen; spoke in support of amendments and the proposed legislation.

ETHICS COMMISSION DELIBERATIONS

Commissioner Kopp moved that the Ordinance be AMENDED in Section 3.203 by adding a definition for 'Public Appeal'; in Section 3.207 by adding a new Subsection 3.207(a)(4) that prohibits City elective officers or members of a board or commission to solicit a person to give anything of value to a third party under certain circumstances; and restoring Article III, Chapter 6, to its current, existing language. The motion died due to lack of a second.

Commissioner Lee, seconded by Commissioner Renne, moved that the Ordinance be AMENDED in Section 3.203 by striking the definition for 'Associated' and adding a definition for 'Use of Public Position or Office'; and in Section 3.207(a)(1) by adding 'or' and striking 'or for an organization with which he or she is associated'. The motion FAILED by the following vote:

Ayes: 2 - Lee, Renne

Noes: 2 - Chiu, Kopp

Commissioner Chiu, seconded by Commissioner Renne, moved that the Ordinance be AMENDED by adding a new Section 4(b) stating '(b) Operative Dates. (1) This ordinance's amendments to Sections 1.104, 1.163.5, 168, 1.170, and 3.203 of the Campaign and Governmental Conduct Code, and additions of Sections 3.207 and 3.231 of the Campaign and Governmental Conduct Code, shall become operative on the effective date of this ordinance. (2) This ordinance's amendments to Sections 1.114, 1.126, 1.135, 1.161, 1.162, 3.600, 3.610, 3.620 of the Campaign and Governmental Conduct Code, and additions of Sections 1.114.5, 1.124, 1.125, 1.158, 3.209, 3.630, 3.640, 3.650 of the Campaign and Governmental Conduct Code, shall become operative on January 1, 2019.' The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

Commissioner Chiu, seconded by Commissioner Lee, moved that the Ordinance be AMENDED by deleting the entire Section 1.158 regarding 'Major Donors - Financial Disclosures.' The motion FAILED by the following vote:

Ayes: 2 - Chiu, Lee

Noes: 2 - Kopp, Renne

Commissioner Chiu, seconded by Commissioner Lee, moved that the Ordinance be AMENDED in Section 1.114.5(b)(1) adding 'at the behest of a City elective officer' after 'single calendar year', and striking 'at the behest of a City elective officer' after 'independent expenditures'. The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

Commissioner Chiu, seconded by Commissioner Lee, moved that the Ordinance be AMENDED in Section 3.203 by revising the definition for 'Associated' by striking 'authorized representative or' after 'family is an', and adding 'or employee' after 'agent'; and in Section 3.207(a)(3) by adding 'with respect to a particular pending legislative or administrative action' after 'or judgement'. The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

Commissioner Kopp moved to rescind the previous vote that the Ordinance be AMENDED in Section 3.203 by revising the definition for 'Associated' by striking 'authorized representative or' after 'family is an', and adding 'or employee' after 'agent'; and in Section 3.207(a)(3) by adding 'with respect to a particular pending legislative or administrative action' after 'or judgement'. The motion died due to lack of a second.

Commissioner Lee, seconded by Commissioner Chiu, moved that the Ordinance be APPROVED AS AMENDED. The motion FAILED by the following, which required a 4/5 vote:

Ayes: 3 - Chiu, Lee, Renne

Noes: 1 - Kopp

Commissioner Chiu, seconded by Commissioner Renne, moved to rescind the previous vote that the Ordinance be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

President Breed recessed the meeting at 8:12 p.m. and reconvened at 8:23 p.m.

Commissioner Chiu, seconded by Commissioner Lee, moved to rescind the earlier vote that the Ordinance be AMENDED in Section 3.203 by revising the definition for 'Associated' by striking 'authorized representative or' after 'family is an', and adding 'or employee' after 'agent'; and in Section 3.207(a)(3) by adding 'with respect to a particular pending legislative or administrative action' after 'or judgement'. The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

Commissioner Kopp, seconded by Commissioner Lee, moved that the question to amend the Ordinance be DIVIDED to consider separately the amendments in Sections 3.203 and 3.207(a)(3). The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

Commissioner Chiu moved that the Ordinance be AMENDED in Section 3.203 by revising the definition for 'Associated' by striking 'authorized representative or' after 'family is an', and adding 'or employee' after 'agent'. The motion died due to lack of a second.

Commissioner Chiu, seconded by Commissioner Kopp, moved that the Ordinance be AMENDED in Section 3.203 by revising the definition for 'Associated' by striking 'authorized representative or' after 'family is an', and adding 'or employee' after 'agent'. The motion carried by the following vote:

Ayes: 3 - Chiu, Lee, Renne

Noes: 1 - Kopp

Commissioner Chiu, seconded by Commissioner Lee, moved that the Ordinance be AMENDED in Section 3.207(a)(3) by adding 'with respect to a particular pending legislative or administrative action' after 'or judgement'. The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

Commissioner Chiu, seconded by Commissioner Lee, moved that the Ordinance be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

The Ethics Commission forwarded the Ordinance, as amended, to the Board of Supervisors for consideration.

During deliberations, the Board of Supervisors accepted all amendments forwarded by the Ethics Commission and incorporated them into File No. 180280. Additional amendments were also accepted by the Board of Supervisors, which they re-referred back to the Ethics Commission for consideration.

Commissioner Chiu, seconded by Commissioner Kopp, moved that the Ordinance be CONTINUED TO THE CALL OF THE CHAIR AS AMENDED. The motion carried by the following vote:

Ayes: 4 - Chiu, Kopp, Renne

Noes: 1 - Lee

ETHICS COMMISSION RECESSED and reconvened later in Committee Room 263, in order to take their second public comment.

President Breed closed public comment, adjourned as the Committee of the Whole in a joint meeting with the San Francisco Ethics Commission, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Called from the Budget and Finance Committee

180001 [Campaign and Governmental Conduct Code - Campaign Finance and Conflict of Interest]

Ordinance amending the Campaign and Governmental Conduct Code to 1) prohibit earmarking of contributions and false identification of contributors; 2) modify contributor card requirements; 3) require disclosure of contributions solicited by City elective officers for ballot measure and independent expenditure committees; 4) require additional disclosures for campaign contributions from business entities to political committees; 5) require disclosure of bundled campaign contributions; 6) extend the prohibition on campaign contributions to candidates for City elective offices and City elective officers who must approve certain City contracts; 7) require committees to file a third pre-election statement prior to an election; 8) remove the prohibition against distribution of campaign advertisements containing false endorsements; 9) allow members of the public to receive a portion of penalties collected in certain enforcement actions; 10) permit the Ethics Commission to recommend contract debarment as a penalty for campaign finance violations; 11) create new conflict of interest and political activity rules for elected officials and members of boards and commissions; 12) specify recusal procedures for members of boards and commissions; and 13) establish local behested payment reporting requirements for donors and City officers. (Ethics Commission)

(Pursuant to Campaign and Governmental Conduct Code, Section 3.204, this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

Supervisor Peskin, seconded by Supervisor Tang, moved that this Ordinance be TABLED. The motion carried by the following vote:

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

Called from the Rules Committee

180280 [Campaign and Governmental Conduct Code - Campaign Finance and Conflict of Interest]

Sponsor: Peskin

Ordinance amending the Campaign and Governmental Conduct Code to 1) prohibit earmarking of contributions and false identification of contributors; 2) modify contributor card requirements; 3) require disclosure of contributions solicited by City elective officers for ballot measure and independent expenditure committees; 4) require additional disclosures for campaign contributions from business entities to political committees; 5) require disclosure of bundled campaign contributions; 6) extend the prohibition on campaign contributions to candidates for City elective offices and City elective officers who must approve certain City contracts; 7) require committees to file a third pre-election statement prior to an election; 8) remove the prohibition against distribution of campaign advertisements containing false endorsements; 9) allow members of the public to receive a portion of penalties collected in certain enforcement actions; 10) require financial disclosures from certain major donors to local political committees; 11) impose additional disclaimer requirements; 12) permit the Ethics Commission to recommend contract debarment as a penalty for campaign finance violations; 13) create new conflict of interest and political activity rules for elected officials and members of boards and commissions; 14) specify recusal procedures for members of boards and commissions; and 15) establish local behested payment reporting requirements for donors and City officers.

(Pursuant to Campaign and Governmental Conduct Code, Section 3.204, this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

Supervisor Yee, seconded by Supervisor Tang, moved that this Ordinance be AMENDED by adding a new Section 4(b) stating '(b) Operative Dates. (1) This ordinance's amendments to Sections 1.104, 1.163.5, 168, 1.170, and 3.203 of the Campaign and Governmental Conduct Code, and additions of Sections 3.207 and 3.231 of the Campaign and Governmental Conduct Code, shall become operative on the effective date of this ordinance. (2) This ordinance's amendments to Sections 1.114, 1.126, 1.135, 1.161, 1.162, 3.600, 3.610, 3.620 of the Campaign and Governmental Conduct Code, and additions of Sections 1.114.5, 1.124, 1.125, 1.158, 3.209, 3.630, 3.640, 3.650 of the Campaign and Governmental Conduct Code, shall become operative on January 1, 2019.'; in Section 1.114.5(b)(1) adding 'at the behest of a City elective officer' after 'single calendar year', and striking 'at the behest of a City elective officer' after 'independent expenditures'; in Section 3.203 by revising the definition for 'Associated' by striking 'authorized representative or' after 'family is an', and adding 'or employee' after 'agent'; and in Section 3.207(a)(3) by adding 'with respect to a particular pending legislative or administrative action' after 'or judgement'. The motion carried by the following vote:

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

Supervisor Tang, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED in Section 1.124(a)(1) by adding 'one of' before 'the business entity'; in Section 3.600 by striking the definition for 'Actively Support or Oppose' and striking portion '(ii)' of the definition for 'Interested Party'; in Section 3.620 by striking Subsection 3.620(a)(2) regarding reporting for filing by donors; and in Section 3.630 by modifying Subsection 3.630(a)(2)(ii) by striking 'has actively supported or opposed' and adding 'was an interested party in'. Before the vote was taken, this motion and the second was withdrawn.

Supervisor Tang, seconded by Supervisor Safai, moved that this Ordinance be AMENDED in Section 1.124(a)(1) by adding 'one of' before 'the business entity'. The motion carried by the following vote:

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

Supervisor Peskin, seconded by Supervisor Yee, moved that this Ordinance be AMENDED in Section 1.104 by adding definitions for 'Financial Interest', 'Land Use Matter'; and by adding a new Section 1.127 regarding 'Contribution Limits - Persons with Land Use Matters Before a Decision-Making Body'. The motion FAILED by the following vote:

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

Noes: 6 - Breed, Cohen, Safai, Sheehy, Stefani, Tang

Supervisor Peskin, seconded by Supervisor Tang, moved that this Ordinance be AMENDED in Section 1.104 by adding a definition for 'Public Appeal'; by revising Subsection 1.114.5(b)(1) by adding 'at the behest of a City elective officer' after 'calendar year' and striking 'at the behest of a City elective officer' after 'expenditures'; and adding a new Subsection 1.114.5(b)(4) regarding 'Exception for public appeals'. The motion carried by the following vote:

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

Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be AMENDED by striking the entire Section 1.158 regarding 'Major Donors - Financial Disclosures.' The motion carried by the following vote:

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

Supervisor Tang, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED in Sections 1.161(a)(5) and 1.162(a)(5)(c) by striking all verbiage after 'end of such advertisements'. The motion carried by the following vote:

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

Supervisor Peskin, seconded by Supervisor Tang, moved that this Ordinance be AMENDED in Section 3.209 by striking Subsection 3.209(c) regarding 'Repeated Recusals'. The motion carried by the following vote:

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

Supervisor Fewer, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED in Section 1.126(f)(2) by striking 'the value of the desired contract'. The motion carried by the following vote:

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

Supervisor Fewer, seconded by Supervisor Yee, moved that this Ordinance be AMENDED in Section 3.620(a) by changing the reporting threshold for filing by donors from '\$1,000' to '\$10,000'. The motion carried by the following vote:

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

Supervisor Tang, seconded by Supervisor Sheehy, moved that this Ordinance be AMENDED in Section 3.600 by striking the definition for 'Actively Support or Oppose' and striking portion '(ii)' of the definition for 'Interested Party'; in Section 3.620 by striking Subsection 3.620(a)(2) regarding reporting for filing by donors; and in Section 3.630 by modifying Subsection 3.630(a)(2)(ii) by striking 'has actively supported or opposed' and adding 'was an interested party in'. The motion carried by the following vote:

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

Supervisor Kim, seconded by Supervisor Yee, moved that this Ordinance be AMENDED in Sections 1.104 and 1.110 by changing 'Social Media Technologies' to 'Electronic Media Technologies'; by striking Subsection 1.142(h) regarding 'Supervisorial Candidates Seeking Election in November 2012'; and in Subsection 1.162(b)(2)(E) by adding 'including any electioneering communication distributed through electronic media technologies'. The motion carried by the following vote:

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

Supervisor Tang, seconded by Supervisor Cohen, moved to re-refer the Ordinance, as amended, to the Ethics Commission for consideration. The motion carried without objection.

During the Ethics Commission deliberations during the Joint Public Hearing, the Commission did not consider the further amendments made by the Board and continued the entire Ordinance, as amended, to the call of the Chair (see File No. 180226).

Supervisor Tang, seconded by Supervisor Kim, moved that this Ordinance be RE-REFERRED AS AMENDED to the Rules Committee. The motion carried by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

(Public Comment was taken after the Joint Meeting with the Ethics Commission was called to order at 4:41 p.m. This Public Comment period satisfies the Board's General Public Comment, and the Ethics Commission's requirement to receive public input following their call to order.)

Speaker; shared concerns regarding immigration and equality in San Francisco.

Roxy Harris; shared concerns the Department of Public Health.

Brenda Harris; shared concerns regarding the Department of Public Health and the treatment of black employees.

Thomas Stollmar; shared concerns regarding the fascist dictator running the U.S. Administration and the importance of leadership in San Francisco.

Speaker; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.

Namdev Sharma; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.

Abdallah Irbaileh; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.

Speaker; shared concerns regarding a development project in her neighborhood.

Sheryl Bonten; shared concerns regarding the Department of Public Health and the Whistleblower Program.

David Smith; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.

Andrew Yip; shared his various thoughts and experiences with the Board.

Speaker; shared various religious concerns.

Patricia Voight; shared concerns regarding the loss of affordable housing.

Matthias Mormino; expressed concerns regarding the code changes being discussed during Joint Meeting between the Board of Supervisors and the Ethics Commission (File No. 180276).

Emily Katz; expressed concerns regarding the code changes being discussed during Joint Meeting between the Board of Supervisors and the Ethics Commission (File No. 180276).

Kate Hernandez Smith; expressed concerns regarding the code changes being discussed during Joint Meeting between the Board of Supervisors and the Ethics Commission (File No. 180276).

Speaker; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.

Speaker; shared concerns regarding the Mayoral election.

Nancy Neilson; shared concerns regarding amendments that may have unintended consequences on the City's bidding process.

Theodore Reynold; expressed concerns regarding decisions made by the Ethics Commission and Planning Commission.

Wendy Wong; shared concerns regarding the plight of small property owners.

Tom Gilberty; shared concerns regarding Giants Opening Day.

Hunter Cutting; expressed support of a newly introduced Resolution regarding the private marina being expanded in Clipper Cove at Treasure Island.

Ellen Lee Zhou; shared concerns regarding public corruption, bribery, and extortion.

Otto Duffy; expressed concerns regarding quality of life in San Francisco and market rate housing.

Wynship W. Hillier; requested the Board cease all funding to Citywide Case Management/Community Focus.

Mark Solomon; shared concerns regarding the Planning Code and transit-oriented development.

Heddy Wong; expressed concerns regarding homeless in San Francisco.

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Cohen assumed the chair at 4:50 p.m. The President resumed the chair at 5:08 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**180271 [Commending Members of the Fire Department Who Responded and Fought the Fire at 659 Union Street on March 17, 2018]****Sponsors: Breed; Peskin**

Resolution commending members of the Fire Department including Emergency Medical Technicians and Paramedics who responded to and helped fight the four-alarm fire at 659 Union Street on March 17, 2018.

ADOPTED**180273 [Recognizing Problem Gambling Awareness Month - March 2018]****Sponsors: Fewer; Yee**

Resolution recognizing March 2018 as Problem Gambling Awareness Month in the City and County of San Francisco.

ADOPTED**180275 [National Kidney Month - March 2018]****Sponsor: Tang**

Resolution declaring March as National Kidney Month in San Francisco; urging all San Franciscans at risk for kidney disease to get tested for kidney disease so that they can seek to prevent progression of the disease.

ADOPTED**180276 [Calling from Committee - Committee of the Whole - Proposed Ordinance (File No. 180280) - Anti-Corruption and Accountability Ordinance - April 3, 2018]****Sponsor: Peskin**

Motion calling from the Rules Committee, pursuant to Board Rule 3.37, the proposed Ordinance (File No. 180280) amending the Campaign and Governmental Conduct Code to institute various campaign finance and conflict of interest reforms; and scheduling the Board of Supervisors to include consideration of the proposed Ordinance at the previously scheduled Committee of the Whole public hearing on April 3, 2018, at 3:00 p.m., in the joint meeting with the San Francisco Ethics Commission.

Motion No. M18-038**APPROVED****180286 [Final Map 9264 - 1238 Sutter Street]**

Motion approving Final Map 9264, a 37 residential unit and two commercial unit, mixed-use condominium project, located at 1238 Sutter Street, being a subdivision of Assessor's Parcel Block No. 0670, Lot No. 011; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M18-039**APPROVED**

180287 [Final Map 9044 - 240 Pacific Avenue]

Motion approving Final Map 9044, a 33 residential unit and two commercial unit, mixed-use condominium project, located at 240 Pacific Avenue, being a merger and subdivision of Assessor's Parcel Block No. 0166, Lot Nos. 003, 004, and 006; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M18-040

APPROVED

180274 [Supporting California State Assembly Bill 2243 (Friedman) - Sex Worker Immunity]

Sponsors: Tang; Ronen

Resolution declaring support for California State Assembly Bill 2243, authored by State Assembly Member Laura Friedman, which provide protections for sex workers who want to come forward to report a crime of violence perpetrated against them during an act of prostitution, or want to testify as a witness to such a crime.

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

ADOPTED

180293 [Concurring in Declaration of Local Emergency - Flooding Affecting SFPUC's Moccasin Reservoir (Tuolumne County)]

Motion concurring in the March 29, 2018, Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency of flooding affecting the San Francisco Public Utilities Commission's Moccasin Reservoir in Tuolumne County. (Clerk of the Board)

Motion No. M18-041

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, 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.

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

180282 [Dedication for Public Use - Brewster Street Extension Project]

Ordinance dedicating the Brewster Street extension consisting of improvements on portions of Brewster Street and Martin Avenue in the Bernal Heights neighborhood to public use, declaring this area as shown on official Public Works drawings as open public right-of-way, and designating it for street and roadway purposes; establishing official sidewalk widths, public right-of-way widths, and street grades in connection with the Brewster Street extension; accepting the Brewster Street extension for City maintenance and liability; accepting a Public Works Order recommending dedication and acceptance of Brewster Street extension; authorizing official acts in connection with 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. (Public Works)

03/14/18; RECEIVED FROM DEPARTMENT.

04/03/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/3/2018.

PROPOSED RESOLUTIONS

180257 [Report of Assessment Costs - Accelerated Sidewalk Abatement Program]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, to be performed by said Director pursuant to Administrative Code, Section 80, the costs thereof having been paid for by the City and County out of a blight abatement fund. (Public Works)

03/26/18; RECEIVED FROM DEPARTMENT.

04/03/18; RECEIVED AND ASSIGNED to Board of Supervisors.

180260 [Report of Assessment Costs - Sidewalk Inspection and Repair Program]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to the provisions of Public Works Code, Sections 706.9, and Administrative Code, Section 80, the costs thereof having been paid for out of a revolving fund. (Public Works)

03/26/18; RECEIVED FROM DEPARTMENT.

04/03/18; RECEIVED AND ASSIGNED to Board of Supervisors.

180283 [Lease and Use Agreement - Hong Kong Airlines Limited - Estimated Rent of \$740,232.68]

Resolution approving a 2011 Lease and Use Agreement between Hong Kong Airlines Limited, and the City and County of San Francisco, acting by and through its Airport Commission, with an estimated rent of \$740,232.68 for exclusive use, plus joint use space rent and landing fees, for the lease term expiring on June 30, 2021, to commence following Board approvals. (Airport Commission)

03/19/18; RECEIVED FROM DEPARTMENT.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

180284 [Lease Amendment - United States Customs and Border Protection - Customs Cargo Office Space at Building 648 - Annual Rent of \$833,036]

Resolution retroactively approving Amendment No. 1 to Lease No. TC-I-02-2801 between the United States Customs and Border Protection, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term of the lease for an additional ten years for a total term of February 1, 2003, through January 31, 2028, and adjust the annual rent to \$833,036. (Airport Commission)

03/19/18; RECEIVED FROM DEPARTMENT.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

180285 [Contract Amendment - Leaders in Community Alternatives - Home Detention and Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2018 Calendar Year - Not to Exceed \$2,000,000]

Resolution authorizing the Sheriff's Department to enter into a second amendment to the existing agreement with Leaders in Community Alternatives ("LCA") to extend the contract term by one year for a total term of May 1, 2014 through April 30, 2019, with no change in the not to exceed contract amount of \$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 2018 calendar year. (Sheriff)

03/16/18; RECEIVED FROM DEPARTMENT.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 9:42 p.m.