

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, July 25, 2017 - 2:00 PM

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

Regular Meeting

LONDON BREED, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee Supervisors Cohen, Yee, Tang, Kim, Sheehy	Thursday 1:00 PM
Budget and Finance Federal Select Committee Supervisors Cohen, Sheehy, Fewer	2nd and 4th Thursday 1:05 PM
Budget and Finance Sub-Committee Supervisors Cohen, Yee, Tang	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 Farrell, Peskin, Tang	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Ronen, Sheehy, Fewer	2nd and 4th Wednesday 10:00 AM
Rules Committee Supervisors Safai, Fewer, Yee	2nd and 4th Wednesday 1:00 PM

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

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, July 25, 2017, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:00 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 June 13, 2017, or June 20, 2017, or the Special Meeting Minutes at the Budget and Finance Committee Rescheduled Meeting of June 15, 2017, which constituted a quorum of the Board of Supervisors. There were no corrections.

Supervisor Yee, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of June 13, 2017, and June 20, 2017, and the Special Meeting Minutes at the Budget and Finance Committee Rescheduled Meeting of June 15, 2017, which constituted a quorum of the Board of Supervisors. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

170703 [Business and Tax Regulations Code - Administration of Real Property Transfer Tax]

Sponsor: Breed

Ordinance amending the Business and Tax Regulations Code to specify processes for the auditing, determination, and collection of real property transfer taxes, including among other things, taxpayer reporting requirements, authority to reject a document for recordation, authority to issue subpoenas for information, audit procedures, issuance of deficiency and jeopardy determinations, additional penalties for fraud or intent to evade taxes, collection of delinquent taxes by the Tax Collector and by liens on the property, and confidentiality of taxpayer information.

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

170728 [Settlement of Lawsuit - Barbara Burke and Miles Burke - \$65,000]

Ordinance authorizing settlement of the lawsuit filed by Barbara Burke and Miles Burke against the City and County of San Francisco for \$65,000; the lawsuit was filed on May 20, 2015, in San Francisco Superior Court, Case No. CGC-15-545917; entitled Barbara Burke and Miles Burke v. City and County of San Francisco, Does 1-10; the lawsuit involves personal injury from an alleged dangerous condition of public property. (City Attorney)

FINALLY PASSED

170729 [Settlement of Lawsuit - San Francisco Apartment Association, et al. - \$130,440]

Ordinance authorizing settlement of the lawsuit filed by San Francisco Apartment Association, Coalition For Better Housing, and San Francisco Association of Realtors against the City and County of San Francisco for \$130,440; the lawsuit was filed on January 28, 2014, in San Francisco Superior Court, Case No. CPF-14-513452; entitled San Francisco Apartment Association, et al. v. City and County of San Francisco; the lawsuit involves a claim for attorney's fees and costs following Petitioners' challenge to Section 317(e)(4) of Ordinance No. 287-13 on the grounds it is preempted by the state Ellis Act. (City Attorney)

FINALLY PASSED

170730 [Settlement of Lawsuit - Jose H. Lima Osorio - \$57,500]

Ordinance authorizing settlement of the lawsuit filed by Jose H. Lima Osorio against the City and County of San Francisco for \$57,500; the lawsuit was filed on March 9, 2016, in San Francisco Superior Court, Case No. CGC-16-550862; entitled Jose H. Lima Osorio v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injuries when plaintiff was struck by a vehicle while in the crosswalk. (City Attorney)

FINALLY PASSED

170731 [Settlement of Lawsuit - BHR Operations LLC, dba Crowne Plaza and dba Holiday Inn Fisherman's Wharf, et al. - \$1,613,554.74]

Ordinance authorizing settlement of two lawsuits filed by BHR Operations LLC, dba Crowne Plaza and dba Holiday Inn Fisherman's Wharf, et al. against the City and County of San Francisco for \$1,613,554.74 to be distributed as follows: BHR Operations LLC \$379,969.68, Hotel Nikko of San Francisco Inc. \$201,741.40, Datam S.F. LLC \$277,953.69, RP/Kinetic Parc 55 Owner, LLC \$25,601.63, S.F. Hilton LLC \$447,301.52, W2005 Argent Hotel Realty LLC \$42,857.19, British Airways Plc \$163,369.38, Cathay Pacific Airways Ltd \$74,760.25; the lawsuits were filed in San Francisco Superior Court, as Case No. CGC-10-498514 entitled BHR Operations LLC, dba Crowne Plaza and dba Holiday Inn Fisherman's Wharf, et al. v. City and County of San Francisco, et al. filed on April 9, 2010, and Case No. CGC-10-505526 entitled British Airways Plc v. City and County of San Francisco, et al. filed on November 19, 2010; other material terms of the settlement include the City's retaining transient occupancy taxes collected by the Tax Collector, and the plaintiffs' agreement to pay transient occupancy taxes in the future according to the Tax Collector's regulations; the lawsuits involve a dispute between the City and the hotel and airline industry about whether airline crew rooms are exempt from the City's transient occupancy tax. (City Attorney)

FINALLY PASSED

170732 [Settlement of Lawsuit - Betsy Isabel Ayala - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Betsy Isabel Ayala against the City and County of San Francisco for \$75,000; the lawsuit was filed on July 7, 2015, in San Francisco Superior Court, Case No. CGC-15-546742; entitled Betsy Isabel Ayala v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

FINALLY PASSED

170753 [Settlement of Lawsuit - Pedro Figueroa Zarceno - \$190,000]

Ordinance authorizing settlement of the lawsuit filed by Pedro Figueroa Zarceno against the City and County of San Francisco for \$190,000; the lawsuit was filed on January 17, 2017, in United States District Court for the Northern District of California, Case No. 17-cv-00229 JST; entitled Pedro Figueroa Zarceno v. City and County of San Francisco, et al.; the lawsuit involves unlawful arrest. (City Attorney)

FINALLY PASSED

170794 [Settlement of Lawsuit - Sarah Loomis - \$95,000]

Ordinance authorizing settlement of the lawsuit filed by Sarah Loomis against the City and County of San Francisco for \$95,000; the lawsuit was filed on February 19, 2016, in San Francisco Superior Court, Case No. CGC-16-550399; entitled Sarah Loomis v. Nathaniel David Mansker, City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from vehicle collision. (City Attorney)

FINALLY PASSED

170795 [Settlement of Lawsuit - Sonia Meyerson - \$52,500]

Ordinance authorizing settlement of the lawsuit filed by Sonia Meyerson against the City and County of San Francisco for \$52,500; the lawsuit was filed on April 22, 2015, in San Francisco Superior Court, Case No. CGC-15-545451; entitled Sonia Meyerson v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

FINALLY PASSED

170797 [Settlement of Lawsuit - Paula Ginsburg - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Paula Ginsburg against the City and County of San Francisco for \$225,000; the lawsuit was filed on February 17, 2016, in San Francisco Superior Court, Case No. CGC-16-550470; entitled Paula Ginsburg v. City and County of San Francisco, and Does 1 to 25, Inclusive; the lawsuit involves alleged personal injury on a City sidewalk adjacent to Alta Plaza Park. (City Attorney)

FINALLY PASSED

170734 [Settlement of Unlitigated Claim - Everlane Inc. - \$117,726.22]

Resolution approving the settlement of the unlitigated claim filed by Everlane Inc. against the City and County of San Francisco for \$117,726.22; claim was filed on January 26, 2017; the claim involves property damage arising from flooding. (City Attorney)

ADOPTED

170735 [Settlement of Unlitigated Claim - Adam Holm, dba Pseudo Studio - \$33,202.60]

Resolution approving the settlement of the unlitigated claim filed by Adam Holm, dba Pseudo Studio against the City and County of San Francisco for \$33,202.60; the claim was filed on February 21, 2017; the claim involves property damage arising from flooding. (City Attorney)

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from the Consent Agenda

Supervisor Yee requested that File No. 170693 be severed so that it may be considered separately.

Recommendation of the Land Use and Transportation Committee**170693 [Planning Code - Child Care Facilities]**

Sponsors: Yee; Tang, Ronen, Farrell, Safai, Kim and Sheehy

Ordinance amending the Planning Code to allow residential uses and Child Care Facility uses to share required open space; make Child Care Facilities principally permitted in all zoning districts except the Production, Distribution, and Repair (Light Industrial Buffer) (PDR-1-B), Production, Distribution, and Repair (General) (PDR-1-G), and Industrial (Light Industrial) (M-1) zoning districts where they would be conditionally permitted, and in the Production, Distribution, and Repair (Core Production, Distribution, and Repair) (PDR-2), and Industrial (Heavy Industrial) (M-2) zoning districts where they would not be permitted; remove certain notice requirements for Child Care Facilities; make other conforming changes to references to the definition of Child Care Facility; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

Supervisor Yee, seconded by Supervisor Cohen, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to the Board of Supervisors meeting of September 5, 2017. The motion carried by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

170834 [Planning Code - Inclusionary Affordable Housing Fee and Dwelling Unit Mix Requirements]

Sponsors: Breed; Kim, Peskin, Safai and Tang

Ordinance amending the Planning Code to revise the amount of the Inclusionary Affordable Housing Fee and the On-Site and Off-Site Affordable Housing Alternatives and other Inclusionary Housing requirements; to require minimum dwelling unit mix in most residential districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

Supervisor Kim, seconded by Supervisor Yee, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 29, Lines 13-15, by adding 'greater than 5 acres in size' after 'study of areas', and 'is being considered for adoption' after 'other re-zoning'. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Recommendations of the Budget and Finance Committee

President Breed requested File Nos. 170653, 170654, 170093, 170672, 170676, 170679, 170680, 170681, and 170682 be called together.

170653 [Budget and Appropriation Ordinance for Departments - FYs 2017-2018 and 2018-2019]

Sponsor: Mayor

Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2017, for the FYs ending June 30, 2018, and June 30, 2019.

(Fiscal Impact)

FINALLY PASSED by the following vote:

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

170654 [Annual Salary Ordinance - FYs 2017-2018 and 2018-2019]**Sponsor: Mayor**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2018, and June 30, 2019, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.
(Fiscal Impact)

FINALLY PASSED by the following vote:

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

170093 [Planning Code - Establish Fee for Monitoring of Student Housing - Mayor's Office of Housing and Community Development]**Sponsor: Mayor**

Ordinance amending the Planning Code to establish a fee for the Mayor's Office of Housing and Community Development to monitor Student Housing; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.

FINALLY PASSED by the following vote:

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

170672 [Administrative Code - Board of Appeals Surcharges - Permit Fees]**Sponsor: Mayor**

Ordinance amending the Administrative Code to adjust existing surcharges on permit fees, license fees, permit review fees, and permit and license renewal fees for permits and licenses issued by the Planning Department, Department of Building Inspection, Department of Public Health, and Police Department that may be appealed to the Board of Appeals.

FINALLY PASSED by the following vote:

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

170676 [Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling - Tax Year 2017]**Sponsor: Mayor**

Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2017.

FINALLY PASSED by the following vote:

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

170679 [Administrative Code - Arts Commission Contracting Authority]**Sponsor: Mayor**

Ordinance amending the Administrative Code to authorize the Arts Commission to contract for the development, fabrication, maintenance, conservation, removal, or installation of art work.

FINALLY PASSED by the following vote:

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

170680 [Business and Tax Regulations Code - Emergency Medical Services Fees]**Sponsor: Mayor**

Ordinance amending the Business and Tax Regulations Code to require that payment of emergency medical services fees be made to the Department of Public Health rather than the Department of Emergency Management.

FINALLY PASSED by the following vote:

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

170681 [Health Code - Patient Rates - FYs 2017-2018 and 2018-2019]**Sponsor: Mayor**

Ordinance amending the Health Code to set patient rates and other services provided by the Department of Public Health for patient and other services rendered, starting July 1, 2017, and continuing through June 30, 2019.

(Pursuant to Charter, Section A8.423, this matter requires three-fourths vote of the full membership of the Board of Supervisors (9 votes) for passage.)

FINALLY PASSED by the following vote:

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

170682 [Fire Code - Fire Department Fees]**Sponsor: Mayor**

Ordinance amending the Fire Code to increase the fees for certain Fire Department services; and affirming the Planning Department's determination under the California Environmental Quality Act.

FINALLY PASSED by the following vote:

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

Recommendation of the Budget and Finance Sub-Committee**170275 [Administrative Code - Establishing an Office of Cannabis and Extending the Term of the Cannabis State Legalization Task Force]****Sponsors: Sheehy; Cohen**

Ordinance amending the Administrative Code to establish an Office of Cannabis; to authorize the Director of the Office of Cannabis to issue permits to cannabis-related businesses; to direct the Director of the Office of Cannabis to collect permit application and annual license fees following the enactment of a subsequent ordinance establishing the amounts of those fees; and to extend the term of the Cannabis State Legalization Task Force.

(Fiscal Impact)

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

Supervisor Sheehy requested this Ordinance be DUPLICATED.

See duplicated File No. 170859.

FINALLY PASSED by the following vote:

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

Supervisor Farrell was noted absent at 2:25 p.m. and present at 2:27 p.m.

170859 [Administrative Code - Establishing an Office of Cannabis and Extending the Term of the Cannabis State Legalization Task Force]

Sponsors: Sheehy; Cohen

Ordinance amending the Administrative Code to establish an Office of Cannabis; to authorize the Director of the Office of Cannabis to issue permits to cannabis-related businesses; to direct the Director of the Office of Cannabis to collect permit application and annual license fees following the enactment of a subsequent ordinance establishing the amounts of those fees; and to extend the term of the Cannabis State Legalization Task Force.

(Fiscal Impact)

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

Duplicated from File No. 170275.

Supervisor Sheehy, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Line 16, through Page 4, Line 1, by adding verbiage requiring the Director to prepare a report to the Board of Supervisors and Mayor, no later than November 1, 2017, analyzing disparities in the cannabis industry and making recommendations regarding policy options; and on Page 4, Lines 1-7, by adding verbiage requiring the Director to prepare a report to the Board of Supervisors and Mayor, no later than November 1, 2017, analyzing the unique needs of individuals who use cannabis for medicinal purposes. The motion carried by the following vote:

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

Absent: 1 - Farrell

(Fiscal Impact)

Supervisor Sheehy, seconded by Supervisor Ronen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Lines 1-2, by adding 'and (d) prioritize individuals who have been previously arrested or convicted for marijuana-related offenses. The motion carried by the following vote:

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

(Fiscal Impact)

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Recommendations of the Land Use and Transportation Committee

Supervisor Ronen was noted absent at 2:53 p.m.

170209 [Police Code - Bicycle Chop Shops]

Sponsor: Sheehy

Ordinance amending the Police Code to prohibit the assembly, disassembly, sale, offer of sale, distribution, or offer of distribution on public property or public rights-of-way of bicycles and bicycle parts, under certain conditions and with certain exceptions; authorize the Police Department (SFPD) to seize bicycles and bicycle parts following violations of this prohibition; and require SFPD to return seized items to their rightful owners without charging any fees, except that SFPD may charge an impound fee if the rightful owner consented to or participated in the acts that led to the seizure.

(Supervisor Peskin dissented in committee.)

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

Supervisor Sheehy, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Absent: 1 - Ronen

Ordinance amending the Police Code to prohibit the assembly, disassembly, sale, offer of sale, distribution, offer of distribution, or storage of bicycles and bicycle parts on the public right-of-ways, under certain conditions and with certain exceptions; authorize Public Works to remove and seize bicycles and bicycle parts following issuance of a notice of violations; and allow either the recipient of the notice or any other person who can demonstrate lawful ownership to retrieve seized items from Public Works after 30 days.

(Supervisor Peskin dissented in committee.)

Supervisor Sheehy, seconded by Supervisor Peskin, moved that this Ordinance be RE-REFERRED AS AMENDED to the Land Use and Transportation Committee. The motion carried by the following vote:

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

Absent: 1 - Ronen

170692 [General Plan Amendments - Implementing the City's Vision Zero Policy Regarding Pedestrian Safety]

Ordinance amending the Transportation and Urban Design Elements of the General Plan to implement the City's Vision Zero policy regarding pedestrian safety; making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act. (Planning Commission)

FINALLY PASSED by the following vote:

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

Absent: 1 - Ronen

170820 [Planning Code - Valencia Street Neighborhood Commercial Transit District Zoning Control Table]**Sponsor: Mayor**

Ordinance amending the Planning Code to adopt the zoning control table for the Valencia Street Neighborhood Commercial Transit District, which was deleted inadvertently from Ordinance No. 129-17, the Article 7 Reorganization Ordinance; making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

FINALLY PASSED by the following vote:

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

Absent: 1 - Ronen

Referred Without Recommendation from the Land Use and Transportation Committee

Supervisor Ronen was noted present at 2:58 p.m.

170761 [Public Works, Administrative Codes - Street Encroachment Permits and Maintenance Fund for Certain Permits]**Sponsor: Mayor**

Ordinance amending the Public Works Code to update provisions on street encroachment permits, establish appeals procedures and fees for such appeals, waive the annual public right-of-way occupancy assessment fee in lieu of the waiver for permit fee payment for certain permits, modify the street encroachment permit process for governmental entities, and create a temporary street encroachment permit for a maximum period of 30 months; amending the Administrative Code to establish an encroachment maintenance fund for permits where the permittee is not an adjacent property owner; and affirming the Planning Department's determination under the California Environmental Quality Act.

Privilege of the floor was granted unanimously to Mawuli Tugbenyoh (Mayor's Office) who responded to questions raised throughout the discussion.

Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

170570 [Memorandum of Understanding - Treasure Island Development Authority - Wastewater Treatment and Recycling Facilities - Treasure Island and Yerba Buena Island]

Sponsor: Kim

Resolution approving and authorizing the execution of a Memorandum of Understanding between the Treasure Island Development Authority and the San Francisco Public Utilities Commission for proposed new wastewater treatment and recycled water treatment facilities to serve Treasure Island and Yerba Buena Island.

(Fiscal Impact)

ADOPTED by the following vote:

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

170574 [Real Property Lease Amendment and Restatement - Pomeroy Recreation and Rehabilitation Center - 207 Skyline Boulevard]

Sponsors: Yee; Farrell, Fewer and Safai

Resolution authorizing the Amendment and Restatement of Recreation Center For the Handicapped, Inc. (Original Tenant)'s lease of property from the City and County of San Francisco, to name successor entity of Original Tenant - Pomeroy Recreation and Rehabilitation Center, a California not-for-profit corporation (Tenant); exercising the 25-year extension under original lease, and include an additional 25-year extension period for Tenant's future use; and authorizing the Director of Property and/or the San Francisco Public Utilities Commission General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein.

(Fiscal Impact)

ADOPTED by the following vote:

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

170586 [Novation Agreement - MWH Americas, Inc. to Stantec Consulting Services, Inc. - Planning and Engineering Services Contract - Central Bayside System Improvement Project]

Resolution approving the novation of the San Francisco Public Utilities Commission (SFPUC) Agreement No. CS-169, for planning and engineering services for the Central Bayside System Improvement Project, from MWH Americas, Inc. to Stantec Consulting Services, Inc., and authorizing the SFPUC General Manager to negotiate and execute a Novation Agreement, pursuant to Charter, Section 9.118. (Public Utilities Commission)

ADOPTED by the following vote:

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

170649 [Emergency Declaration - Replacement of Generators Serving Treasure and Yerba Buena Islands - Total Estimated Cost of \$1,660,050]

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 21.15(c), for the replacement of two generators that serve Treasure and Yerba Buena Islands in the event of a significant loss of grid power; with a total estimated cost of \$1,660,050. (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

170712 [Accept and Expend Grant - San Franciscans for Sports and Recreation - Citywide Tennis Court Resurfacing Grant - \$864,000]

Sponsor: Sheehy

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of up to \$864,000 from San Franciscans for Sports and Recreation to resurface up to 24 tennis courts in locations throughout the City for the project term of July 1, 2017, through October 30, 2020. (Recreation and Park Department)

ADOPTED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee**170745 [Real Property Lease - Evans Investment Partners, LLC - 752 Vallejo Street - \$40,125 Rent in the Base Year - Estimated \$62,819 Tenant Improvements Cost]**

Sponsor: Peskin

Resolution authorizing the Director of Property, on behalf of the Police Department, to execute a lease of 750 rentable square feet at 752 Vallejo Street, with Evans Investment Partners, LLC, for an initial term of five years plus one five-year option to extend, at a base-year rent expense to the City of \$40,125; construction of tenant improvements costing the City an estimated \$62,819; and finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

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

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

Supervisor Kim, seconded by Supervisor Ronen, 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 Kim introduced, welcomed, and presented a Certificate of Honor to Rachel Richman (IFPTE Local 21) on the occasion of her departure from Local 21 after many years and in recognition of her many accomplishments. Supervisors Ronen and Peskin shared in this commendation.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Wendy Phillips, Executive Director (Dolores Street Community Services), on the occasion of her departure from Dolores Street Community Services and in recognition of her many accomplishments providing emergency shelter and meal services to individuals in the Mission and Castro community. Supervisors Fewer and Kim shared in this commendation.

Supervisor Sheehy introduced, welcomed, and presented a Certificate of Honor to Randall Museum Friends, accepted by Michelle Cooke, in recognition of their accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

President Breed requested File Nos. 170642 and 170784 be called together.

170642 [Hearing - Committee of the Whole - Japantown Community Benefit District - July 25, 2017]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on July 25, 2017, at 3:00 p.m., to consider establishment of a property-based business improvement district to be known as the Japantown Community Benefit District, pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code, Sections 36600, et seq.) and City and County of San Francisco Business and Tax Regulations Code, Article 15; scheduled pursuant to Resolution No. 198-17, adopted on May 23, 2017. (Clerk of the Board)

President Breed opened the public hearing and provided opening remarks relating to the formation of a property-based business improvement district to be known as the "Japantown Community Benefit District" as referenced in File No. 170784. Chris Corgas (Mayor's Office of Economic and Workforce Development) provided an overview of the proposed community benefit district and responded to questions raised throughout the discussion. Sandy Mori; Mary Ishisaki; Alice Kawahatsu; Beau Simon (Japantown Task Force); Kimberley Kolbe (Japantown CBD Steering Committee); Craig Waterman; Greg Maratami; Melissa Ayumi Bailey (National Japanese American Historical Society); Steve Nakajima; Paul Wermer; spoke in support of the community benefit district. There were no other speakers. President Breed closed public comment, declared the hearing heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

170784 [Resolution to Establish - Japantown Community Benefit District]

Sponsor: Breed

Resolution of formation to establish the property-based business improvement district to be known as the "Japantown Community Benefit District," ordering the levy and collection of assessments against property located in that district for ten years commencing with FY2017-2018, subject to conditions as specified; and making environmental findings.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Japantown Community Benefit District was 55.22%, and the returned weighted ballots voting against the Japantown Community Benefit District was 44.78%, further indicating there was no majority protest.

ADOPTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 170790, 170791, 170792, and 170793 be called together.

170790 [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 824 Hyde Street]

Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Sections 209.3, 253, 303, and 303(g), for a proposed project located at 824 Hyde Street, Assessor's Parcel Block No. 0280, Lot No. 017, identified in Case No. 2016.010544CUA, issued by the Planning Commission by Motion No. 19926 dated June 1, 2017, to allow hotel use in a new construction building exceeding the use size limitations and exceeding 50 feet in height within the RC-4 (residential, commercial, high density) Zoning District and a 80-A height and bulk district; and adopting findings under the California Environmental Quality Act. (District 3) (Appellant: Chris Schulman, on behalf of Lower Polk Neighbors) (Filed June 29, 2017). (Clerk of the Board)

President Breed opened the public hearing and inquired as to whether any member of the public wished to address the Board. Chris Schulman (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Jennifer Beaver; Raul Avia; George Wooding; Kim Hartwig; Kathy Wizowski; Du Nguyen; Cynthia Gomez; Teresa Flanderick; Tom Gilbert; Sue Hestor; Tess Welborn; Francisco Da Costa; Male Speaker; spoke in support of the appeal. Jeff Joslin and Nicholas Foster (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Ilene Dick (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Chris Schulman (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Breed closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

170791 [Approving Conditional Use Authorization - Proposed Project at 824 Hyde Street]

Motion approving the decision of the Planning Commission by its Motion No. 19926, approving a Conditional Use Authorization identified as Planning Case No. 2016-010544CUA for a proposed project located at 824 Hyde Street; and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

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

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

170792 [Conditionally Disapproving Conditional Use Authorization - Proposed Project at 824 Hyde Street]

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 19926, approving a Conditional Use Authorization identified as Planning Case No. 2016-010544CUA for a proposed project located at 824 Hyde Street, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Motion No. M17-115

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

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

170793 [Preparation of Findings Related to Conditional Use Authorization Appeal - Proposed Project at 824 Hyde Street]

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization identified as Planning Case No. 2016-010544CUA for a proposed project located at 824 Hyde Street.

Motion No. M17-116

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

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

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 170808, 170809, 170810, and 170811 be called together.

Supervisors Peskin and Safai were noted absent at 4:25 p.m.

170808 [Hearing - Appeal of Determination of Community Plan Evaluation - 1726-1730 Mission Street]

Hearing of persons interested in or objecting to a Community Plan Evaluation issued by the Planning Department under the California Environmental Quality Act on May 24, 2017, for the proposed project at 1726-1730 Mission Street, approved on June 1, 2017, to demolish a 11,200 square foot, two-story industrial building, and to construct a six-story, 66-foot tall, 33,589 square foot mixed-use building with 40 dwelling units, approximately 2,250 square feet of ground floor Production, Distribution and Repair, and 22 off-street parking spaces within the urban mixed-use zoning district and a 68-X height and bulk district. (District 9) (Appellant: J. Scott Weaver, on behalf of Our Mission No Eviction) (Filed July 3, 2017) (Clerk of the Board)

President Breed opened the public hearing. Supervisor Ronen provided opening remarks and indicated her desire to continue this matter to a later date. There were no public speakers who wished to address the Board on the continuance. President Breed closed public comment on the motion to continue the hearing.

Supervisor Ronen, seconded by Supervisor Yee, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of September 26, 2017. The motion carried by the following vote:

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

Absent: 2 - Peskin, Safai

170809 [Affirming the Community Plan Evaluation - 1726-1730 Mission Street]

Motion affirming the determination by the Planning Department that a proposed project at 1726-1730 Mission Street is exempt from further environmental review under a Community Plan Evaluation. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Yee, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 26, 2017. The motion carried by the following vote:

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

Absent: 2 - Peskin, Safai

170810 [Conditionally Reversing the Community Plan Evaluation - 1726-1730 Mission Street]

Motion conditionally reversing the determination by the Planning Department that a proposed project at 1726-1730 Mission Street is exempt from further environmental review under a Community Plan Evaluation, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Yee, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 26, 2017. The motion carried by the following vote:

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

Absent: 2 - Peskin, Safai

170811 [Preparation of Findings to Reverse the Community Plan Evaluation - 1726-1730 Mission Street]

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Evaluation determination by the Planning Department that a proposed project at 1726-1730 Mission Street is exempt from further environmental review. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Yee, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 26, 2017. The motion carried by the following vote:

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

Absent: 2 - Peskin, Safai

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 170804, 170805, 170806, and 170807 be called together.

170804 [Hearing - Appeal of Community Plan Evaluation - 1850 Bryant Street]

Hearing of persons interested in or objecting to a Community Plan Evaluation issued by the Planning Department under the California Environmental Quality Act on May 10, 2017, for the proposed project at 1850 Bryant Street, approved on June 1, 2017, to demolish an existing two-story building, and construct a new five-story, 68-foot-tall building, totaling 187,416 gross square feet that includes 18,652 gross square feet of Production, Distribution and Repair, 166,483 gross square feet of Social Service/Community Facility, and 2,281 gross square feet of ground-floor retail Commercial uses; including 89 off-street, two car share, four service vehicle, and one truck loading parking space; 30 Class 1 and 15 Class 2 bike parking spaces; in the PDR-1-G (Production, Distribution & Repair - 1 - General) Zoning District and 68-X height and bulk district. (District 9) (Appellant: Bijal Patel, on behalf of Franklin Square Owners Association) (Filed July 3, 2017) (Clerk of the Board)

President Breed opened the public hearing. Supervisor Ronen provided opening remarks and indicated her desire to continue this matter to a later date. There were no public speakers who wished to address the Board on the continuance. President Breed closed public comment on the motion to continue the hearing.

Supervisor Ronen, seconded by Supervisor Tang, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:

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

Absent: 2 - Peskin, Safai

170805 [Affirming the Community Plan Evaluation - 1850 Bryant Street]

Motion affirming the determination by the Planning Department that a proposed project at 1850 Bryant Street is exempt from further environmental review under a Community Plan Evaluation. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Tang, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:

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

Absent: 2 - Peskin, Safai

170806 [Conditionally Reversing the Community Plan Evaluation - 1850 Bryant Street]

Motion conditionally reversing the determination by the Planning Department that a proposed project at 1850 Bryant Street is exempt from further environmental review under a Community Plan Evaluation, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Tang, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:

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

Absent: 2 - Peskin, Safai

170807 [Preparation of Findings to Reverse the Community Plan Evaluation - 1850 Bryant Street]

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Evaluation determination by the Planning Department that a proposed project at 1850 Bryant Street is exempt from further environmental review. (Clerk of the Board)

Supervisor Ronen, seconded by Supervisor Tang, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:

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

Absent: 2 - Peskin, Safai

COMMITTEE REPORTS

Supervisor Peskin was noted present at 4:33 p.m.

Supervisor Safai was noted present at 4:44 p.m.

Recommendations of the Budget and Finance Sub-Committee

170646 [Real Property Lease - T-Mobile West LLC - 1 South Van Ness Avenue - \$60,000 Per Year Base Rent]

Resolution authorizing and approving the lease of telecommunications facilities on the roof at 1 South Van Ness Avenue with T-Mobile West LLC, a California limited liability company, for an initial ten-year term at a base rent of \$60,000 with an annual adjustment to the base rent of 3% per year, to commence upon execution after approval by the Board of Supervisors and Mayor, with two five-year options to extend. (Real Estate Department)

ADOPTED by the following vote:

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

170689 [Grant Agreement - Department of Public Health - Law Enforcement Assisted Diversion Pilot Program - FYs 2017-2018 and 2018-2019 - Total Amount of \$5,900,000]

Sponsor: Mayor

Resolution retroactively authorizing the Director of Health to execute a grant agreement, on behalf of the City and County of San Francisco, with the California Board of State and Community Corrections for participation in the Law Enforcement Assisted Diversion Pilot Program, for the period of July 1, 2017, to June 30, 2019, for a total amount of \$5,900,000.

ADOPTED by the following vote:

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

170697 [Intergovernmental Agreement Amendment - San Mateo County - Methodology of Calculating Reimbursement]

Resolution approving Amendment No. 1 to the Intergovernmental Agreement between San Mateo County and the City and County of San Francisco, by and through its Airport Commission, amending the methodology for calculating the reimbursement to San Mateo County for the cost of calls dispatched to the Airport, with no change to the term, at no additional cost and with no reduction in anticipated revenue. (Airport Commission)

ADOPTED by the following vote:

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

170757 [Real Property License - American Towers LLC - Communications Services Facilities on San Bruno Mountain in Daly City - \$22,800 Total Annual Initial Year Base Rent]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to enter into a communications site license with American Towers LLC, as Landlord, for installation and maintenance of new microwave communications antennas, radio communications, and other general telecommunications facilities located at 300 Radio Road, in Daly City, San Mateo County, for an initial term of seven years with three additional renewal periods of five years, each at an initial rent of approximately \$22,800 with four percent annual rent increases. (Public Utilities Commission)

ADOPTED by the following vote:

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

170759 [Real Property Lease - Various Owners - 170-9th Street - \$1,256,250 in Initial Year]
Resolution approving a lease of approximately 25,125 square feet at 170-9th Street, with Michael E. Hornstein and Ellen F. Hornstein, Trustees of the Michael & Ellen Hornstein 1998 Revocable Trust, Jordan D. Hornstein and Emily F. Hornstein as Landlord, for the 12 year term expected to be from April 1, 2018, through March 31, 2030, for use by the Department of Homelessness and Supportive Housing at an initial annual rent of \$1,256,250 with 3% annual increases with two five-year options to extend; and finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Department of Homelessness and Supportive Housing)
(Fiscal Impact)

Supervisor Kim, seconded by Supervisor Peskin, moved to CONTINUE this Resolution to the Board of Supervisors meeting of September 5, 2017. Before the vote was taken, Supervisor Kim requested this motion be withdrawn, the motion was withdrawn without objection.

Supervisor Kim, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:

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

170771 [Amendment to Memorandum of Understanding - San Francisco Local Agency Formation Commission - Not to Exceed \$2,100,000]
Sponsor: Fewer

Resolution retroactively authorizing the General Manager of the San Francisco Public Utilities Commission to execute the third amendment to the Memorandum of Understanding with the San Francisco Local Agency Formation Commission, extending its duration by two years, for a total agreement duration of 11 years from FY2008-2009 through FY2018-2019, with no change to the total amount not to exceed \$2,100,000 pursuant to Charter, Section 9.118.

ADOPTED by the following vote:

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

170800 [Grant Agreement - California Department of Public Health - Naloxone Distribution Grant Program - \$102,480]

Resolution retroactively authorizing the Department of Public Health to execute Grant Agreement No. 16-11026 with the California Department of Public Health, to receive \$102,480 worth of naloxone product through the Naloxone Distribution Grant Program, for the term of June 1, 2017, through June 30, 2019; and authorizing the Health Officer for the City and County of San Francisco to sign said agreement. (Public Health Department)

ADOPTED by the following vote:

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

170822 [Sharing Agreement Amendment - Department of Veterans Affairs Medical Center, 4150 Clement Street - Emergency Communications Site - \$54,856.26 Annual Base Rent]

Sponsor: Mayor

Resolution authorizing and approving an Amendment to an existing Sharing Agreement for emergency radio telecommunications and associated equipment with the Department of Veterans Affairs Medical Center at 4150 Clement Street, for the Department of Emergency Management and the Department of Technology, commencing upon approval by the Board of Supervisors and Mayor at an annual base rent of \$54,856.26 in the initial year with 3% annual rent increases, with no change to the term length; adopting findings under the California Environmental Quality Act, Public Resources Code, Section 21000 et seq.; and finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

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

170823 [Apply for, Accept, and Expend Grant - U.S. Department of Housing and Urban Development - Housing Opportunities for Persons with AIDS Program Supplemental - \$422,196 - FY2017-2018]

Sponsor: Mayor

Resolution retroactively approving the FY2017-2018 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2017-2018 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$422,196 for the period of July 1, 2017, through June 30, 2022.

ADOPTED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

170516 [Planning Code - Medical Cannabis Dispensaries in Supervisorial District 11]

Sponsor: Safai

Ordinance amending the Planning Code to limit the number of medical cannabis dispensaries in Supervisorial District 11 to three at any given time; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Fewer, Kim

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Yee assumed the chair at 4:30 p.m. The President resumed the chair at 4:50 p.m.

PUBLIC COMMENT

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

Ramsey Gaff; shared his experience with eviction and lack of affordable housing.

Anuby Dory; expressed support of the Resolution recognizing youth experiencing homelessness in San Francisco (File No. 170842).

Francisco Da Costa; expressed concerns regarding the need for affordable housing.

Cris Plunkett (Youth Commission); expressed support of the Resolution recognizing youth experiencing homelessness in San Francisco (File No. 170842).

Luis Avalos; expressed support of the Resolution recognizing youth experiencing homelessness in San Francisco (File No. 170842).

Leah LaCroix; expressed support of the Resolution recognizing youth experiencing homelessness in San Francisco (File No. 170842).

Tom Gilberty; shared concerns regarding affordable housing.

Male Speaker; shared concerns regarding white privilege.

Emily Cohen; expressed support of the Resolution recognizing youth experiencing homelessness in San Francisco (File No. 170842).

Otto Duffy; expressed thoughts on white privilege.

Supervisor Yee was noted absent at 6:15 p.m.

Supervisor Yee Excused from Attendance

Supervisor Farrell, seconded by Supervisor Ronen, moved that Supervisor Yee be excused beginning at 6:15 p.m. and for the remainder of the meeting. The motion carried by the following vote:

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

Excused: 1 - Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

170838 [Recreation and Parks Month - July 2017]

Sponsor: Breed

Resolution proclaiming July 2017 as Recreation and Parks Month in the City and County of San Francisco.

ADOPTED

170839 ["The Time To Ask" - Summer Break 2017]**Sponsor: Farrell**

Resolution recognizing Brady Campaign's ASK (Asking Saves Kids) Campaign, which promotes a plan to prevent more children from dying due to access to unlocked guns by asking parents if there is an unlocked gun where their child is playing, and declaring summer break 2017 as "The Time To Ask," in the City and County of San Francisco.

ADOPTED**170840 [Urging the United States Congress to Oppose the Protecting Americans from Credit Entanglements Act of 2017]****Sponsor: Farrell**

Resolution urging the United States Congress not to pass the Protecting Americans from Credit Entanglements Act of 2017 as it would undermine consumer protections, an essential component to Property Assessed Clean Energy programs.

ADOPTED**170841 [Condemning Increase of Anti-Semitic Harassment]****Sponsors: Ronen; Kim, Peskin, Farrell, Cohen, Safai, Sheehy, Breed, Tang, Yee and Fewer**

Resolution condemning the increase in incidents of anti-Semitism and other forms of bias, prejudice, and discrimination.

ADOPTED**170842 [Year of Recognizing Youth Experiencing Homelessness in San Francisco - FY2017-2018]****Sponsor: Sheehy**

Resolution declaring FY2017-2018 as the year of recognizing youth experiencing homelessness in the City and County of San Francisco, supporting the plan to end youth homelessness, and urging the Department of Public Health and the Department of Homelessness and Supportive Housing to allocate resources for homeless youth and transitional age youth populations proportional to their representation among the homeless population in San Francisco.

ADOPTED**170847 [Local Agency Formation Commission - Interim Administrative Officer - Clerk of the Board]****Sponsor: Fewer**

Motion authorizing the Clerk of the Board of Supervisors to accept the appointment as the Interim Administrative Officer to perform administrative duties on behalf of the San Francisco Local Agency Formation Commission, commencing upon the elimination of the 9775 Senior Community Development Specialist II position occurring through the approval of the City and County of San Francisco's FYs 2017-2018 and 2018-2019 budget, until such time as the San Francisco Local Agency Formation Commission has selected their Executive Officer.

Motion No. M17-117**APPROVED****The foregoing items were acted upon by the following vote:**

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

Excused: 1 - Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Cohen requested that File No. 170845 be severed so that it may be considered separately.

170845 [Opposing California State Assembly Bill 943 (Santiago) - Land Use Regulations: Local Initiatives: Voter Approval]**Sponsor: Peskin**

Resolution opposing California State Assembly Bill 943, authored by Assembly Member Miguel Santiago, which would impose a supermajority voting requirement of 55% on all ballot measures in cities and counties with populations of 750,000 or more that are qualified for the ballot by citizen petition and are designated by the county counsel or city attorney in those cities and counties to inhibit unchecked development.

Privilege of the floor was granted unanimously to Mawuli Tugbenyoh (Mayor's Office) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

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

Excused: 1 - 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 RESOLUTIONS**170736 [Designation Agreement - McAuley Adolescent Behavioral Health Unit - Dignity Health-St. Mary's Medical Center-San Francisco-Psychiatric Facility]**

Resolution designating McAuley Adolescent Behavioral Health Unit at Dignity Health-St. Mary's Medical Center-San Francisco as an Evaluation and Treatment Facility, pursuant to California Welfare and Institutions Code, Sections 5150, 5585.50, and 5585.55, for minors, and authorizing the Director of Behavioral Health Services at the Department of Public Health to enter into a Designation Agreement with said facility. (Public Health Department)

07/17/17; RECEIVED FROM DEPARTMENT.

07/25/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170831 [Lease Agreement - IDEO, LP - Pier 26 - Initial Total Monthly Base Rent of \$90,118.35]

Resolution approving Lease No. L-16159 between IDEO, LP, and the Port for approximately 26,901 square feet of office space located at Pier 26 Annex Building, for a term of eight years to commence following Board approval, with an initial total monthly base rent of \$90,118.35 subject to an annual 3% increase. (Port)

07/12/17; RECEIVED FROM DEPARTMENT.

07/25/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170832 [Apply for Grant - Low Income Investment Fund - Child Care Facilities Fund and Technical Assistance - \$25,377,250]

Resolution retroactively approving the grant between the City and County of San Francisco and Low Income Investment Fund for the purpose of administering the San Francisco Child Care Facilities Fund and providing technical assistance for the period of July 1, 2017, to June 30, 2020, in the amount of \$25,377,250. (Human Services Agency)

07/11/17; RECEIVED FROM DEPARTMENT.

07/25/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170833 [Real Property Lease - T-Mobile West LLC - Zuckerberg San Francisco General Hospital and Trauma Center, Building 25 - 1001 Potrero Avenue - \$5,000 Per Month Base Rent Exempt]

Resolution authorizing and approving the lease of a portion of the equipment room at Zuckerberg San Francisco General Hospital and Trauma Center, Building 25, with T-Mobile West LLC, a Delaware limited liability company, at the monthly base rent of \$5,000 which shall be waived while participating in the Distributed Antenna System and providing enhanced cellular services to the City staff, UCSF staff, patients, and visitors within Building 25, for a five year term to commence upon approval by the Board of Supervisors and Mayor, with three five-year options to extend. (Real Estate Department)

07/17/17; RECEIVED FROM DEPARTMENT.

07/25/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 6:26 p.m.