

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, November 14, 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

Thursday

10:00 AM

##### **Budget and Finance Federal Select Committee**

Supervisors Cohen, Sheehy, Fewer

Thursday

1:00 PM

##### **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

1st and 3rd Wednesday

1:00 PM

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

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, November 14, 2017, with President London Breed presiding.*

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*President Breed called the meeting to order at 2:03 p.m. On the call of the roll, Supervisors Cohen, Kim, and Tang were noted not present. There was a quorum.*

*Supervisor Cohen was noted present at 2:04 p.m.*

## 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 October 3, 2017. There were no corrections.*

**Supervisor Ronen, seconded by Supervisor Yee, moved to approve the Board Meeting Minutes of October 3, 2017. The motion carried by the following vote, following general public comment:**

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

Absent: 2 - Kim, Tang

## AGENDA CHANGES

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

#### **170764 [Administrative Code - Mid-Year Reports on Department Overtime Expenditures]**

**Sponsor: Yee**

Ordinance amending the Administrative Code to require the Controller to include in mid-year financial reports to the Board of Supervisors and Mayor information regarding the overtime expenditures of the Airport, Department of Emergency Management, Fire Department, Police Department, Department of Public Health, Public Utilities Commission, Public Works, Recreation and Park Department, and Sheriff's Department.

**FINALLY PASSED**

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

### **171074 [Settlement of Lawsuit - Kevin Smith - \$300,000]**

Ordinance authorizing settlement of the lawsuit filed by Kevin Smith against the City and County of San Francisco for \$300,000; the lawsuit was filed on January 26, 2016, in San Francisco Superior Court, Case No. CGC-15-550065; entitled Kevin Smith v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City street. (City Attorney)

**PASSED ON FIRST READING**

### **171075 [Settlement of Lawsuit - T-Mobile West, LLC - \$72,500]**

Ordinance authorizing settlement of the lawsuit filed by T-Mobile West, LLC against the City and County of San Francisco for \$72,500; the lawsuit was filed on September 9, 2015, in San Francisco Superior Court, Case No. CGC-15-547840; entitled T-Mobile West, LLC v. City and County of San Francisco; the lawsuit involves a Utility Users Tax refund. (City Attorney)

**PASSED ON FIRST READING**

### **171076 [Settlement of Lawsuit - AT&T Corp. - \$498,000]**

Ordinance authorizing settlement of the lawsuit filed by AT&T Corp. against the City and County of San Francisco for \$498,000; the lawsuit was filed on October 26, 2016, in San Francisco Superior Court, Case No. CGC-16-555047; entitled AT&T Corp. v. City of San Francisco, Department of Public Health; the lawsuit involves a breach of contract claim arising from a dispute over AT&T's design of a medical grade wireless network at Zuckerberg San Francisco General Hospital; other material terms of the settlement are that the City reserves all rights to pursue claims against AT&T for, and AT&T shall retain responsibility for, latent defects; all extant express and implied warranties under the contract shall remain in full force and effect; the City and AT&T will execute a mutual release; the City and AT&T will each bear its own fees and costs. (City Attorney)

**PASSED ON FIRST READING**

## **Recommendation of the Rules Committee**

### **171093 [Appointments, Park, Recreation and Open Space Advisory Committee - Cally Wong and Ken McGary]**

Motion appointing Cally Wong and Ken McGary, terms ending February 1, 2020, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

**Motion No. M17-173**

**APPROVED**

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

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### **Referred Without Recommendation from the Land Use and Transportation Committee**

*President Breed requested File Nos. 170930, 170864, and 170863 be called together.*

#### **170930 [General Plan - Pier 70 Mixed-Use District Project]**

Ordinance amending the General Plan to revise Maps 4 and 5 of the Urban Design Element to refer to the Pier 70 Mixed-Use Project Special Use District; adopting findings under the California Environmental Quality Act, and Planning Code, Section 340; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

**FINALLY PASSED** by the following vote:

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

Absent: 2 - Kim, Tang

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

#### **170864 [Planning Code, Zoning Map - Pier 70 Special Use District]**

**Sponsors: Mayor; Cohen**

Ordinance amending the Planning Code and the Zoning Map to add the Pier 70 Special Use District; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and Planning Code, Section 302.  
(Economic Impact)

**FINALLY PASSED** by the following vote:

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

Absent: 2 - Kim, Tang

## **Recommendation of the Budget and Finance Committee**

### **170863 [Development Agreement - FC Pier 70, LLC - Pier 70 Development Project]**

**Sponsors: Mayor; Cohen**

Ordinance approving a Development Agreement between the City and County of San Francisco and FC Pier 70, LLC, for 28 acres of real property located in the southeast portion of the larger area known as Seawall Lot 349 or Pier 70; and bounded generally by Illinois Street on the west, 22nd Street on the south, and San Francisco Bay on the north and east; waiving certain provisions of the Administrative Code, Planning Code, and Subdivision Code; and adopting findings under the California Environmental Quality Act, public trust findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b).  
(Economic Impact)

**FINALLY PASSED by the following vote:**

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

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

*Supervisors Kim and Tang were noted present at 2:06 p.m.*

### **170923 [Planning Code - Landmark Designation of 1399 McAllister Street (aka Third Baptist Church Complex)]**

**Sponsors: Breed; Peskin and Farrell**

Ordinance amending the Planning Code to designate 1399 McAllister Street (aka Third Baptist Church Complex), in Assessor's Parcel Block No. 0778, Lot No. 013, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

**FINALLY PASSED 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 Committee

**170994 [Revenue Agreement Amendment - JC Decaux San Francisco, Inc. - Extending Term to February 14, 2018]**

**Sponsor: Peskin**

Resolution approving the Third Amendment to the Revenue Agreement between San Francisco Public Works and JC Decaux San Francisco, LLC, for the Automatic Public Toilet and Public Service Kiosk Program extending the contract term by 120 days, changing the termination date from October 17, 2017, to February 14, 2018.

**ADOPTED by the following vote:**

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

**171007 [Amendment Agreement - Exchange Easements in Connection with the Bay Division Pipeline Reliability Upgrade Project-Bay Tunnel]**

Resolution approving and authorizing a Second Amendment to an agreement to exchange interests in real property to grant the Midpeninsula Regional Open Space District a permanent, non-exclusive public trail easement in exchange for a quitclaim to the City and County of San Francisco of an open space easement over real property owned by the City and County of San Francisco, as part of the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade-Bay Tunnel; and authorizing the General Manager of the San Francisco Public Utilities Commission, or Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution, as defined herein. (Public Utilities Commission)

**ADOPTED by the following vote:**

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

**171038 [Emergency Declaration - Repair of the Moccasin Powerhouse Unit 2 Generator Step-up Transformer - Total Estimated Cost Not to Exceed \$400,000]**

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission (SFPUC) pursuant to San Francisco Administrative Code, Section 6.60, to repair the buswork and bushings on the Moccasin Powerhouse Unit 2 generator step-up transformer, with a total estimated cost not to exceed \$400,000. (Public Utilities Commission)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**171040 [Contract Amendment No. 3 - New Flyer of America, Inc. - Purchase of Low Floor Diesel-Hybrid Buses - Not to Exceed \$413,774,673]**

Resolution approving Amendment No. 3 to Contract No. CPT 713 (Procurement of 40-Ft and 60-Ft Low Floor Diesel Hybrid Coaches) with New Flyer of America Inc., to revise the list of spare parts and special tools and to include the list of additional equipment added to the vehicles during the production phase of the Contract, for an additional amount of \$1,504,252 and a total contract amount not to exceed \$413,774,673 with no change to the term of the contract. (Municipal Transportation Agency)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**171070 [Accept and Expend Gift - Comfort Women Justice Coalition - Gift of Artwork and Funds for the Maintenance of the Artwork Entitled "Comfort Women's" Column of Strength - Total Gift Value of \$398,000]**

**Sponsors: Kim; Fewer, Peskin and Ronen**

Resolution retroactively authorizing the San Francisco Arts Commission to accept a gift of art, entitled The "Comfort Women's" Column of Strength, valued at \$190,000 and accept and expend a donation from the "Comfort Women" Justice Coalition of \$208,000 for the purpose of maintaining the artwork, entitled the "Comfort Women's" Column of Strength, for a period not less than 20 years.

**ADOPTED by the following vote:**

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

**171078 [Airport Professional Services Agreement Modification No. 10 - CAGE Professional Services, Inc. dba CAGE, Inc. - International Terminal Checked Baggage Handling Projects - Not to Exceed \$10,695,000, and Further Modifications Not to Exceed \$14,500,000]**

Resolution retroactively approving Modification No. 10 to Airport Contract No. 9024.9, Construction Management Services for the International Terminal Checked Baggage Inspection System Modernization Program and Baggage Handling System Improvements Project, with CAGE Professional Services, Inc. dba CAGE, Inc., for a total amount not to exceed \$10,695,000 for services through September 30, 2018, pursuant to Charter, Section 9.118(b); and approving an amount for further modifications to increase the total amount not to exceed \$14,500,000 for services through December 31, 2020. (Airport Commission)  
(Fiscal Impact)

(Supervisor Ronen dissented in committee.)

**ADOPTED by the following vote:**

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

Noes: 1 - Ronen

**171079 [Lease Agreement - Wells Fargo Bank, N.A. - Automated Teller Machines - \$475,000 Minimum Annual Guarantee]**

Resolution approving the Domestic Terminals Automated Teller Machines Lease A No. 17-0194 between Wells Fargo Bank, 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 \$475,000 for the first year of the Lease. (Airport Commission)  
(Fiscal Impact)

**ADOPTED by the following vote:**

Ayes: 7 - Breed, Cohen, Farrell, Safai, Sheehy, Tang, Yee

Noes: 4 - Fewer, Kim, Peskin, Ronen

**171080 [2011 Airport Lease and Use Agreement - Air Pacific Limited dba Fiji Airways]**

Resolution approving the terms of 2011 Lease and Use Agreement No. 17-0184 between the City and County of San Francisco, acting by and through its Airport Commission, and Air Pacific Limited dba Fiji Airways to conduct flight operations at San Francisco International Airport, for the lease term to commence following Board approval through June 30, 2021. (Airport Commission)

**ADOPTED by the following vote:**

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

**Recommendations of the Government Audit and Oversight Committee****171069 [Memorandum of Understanding - San Francisco Community College District - Use of San Francisco City College Enrollment Fee Assistance Fund - Not to Exceed \$11,233,904]****Sponsor: Kim**

Resolution approving a Memorandum of Understanding between the City and County of San Francisco and the San Francisco Community College District for the City to provide financial support to the Free City College Program not to exceed \$11,233,904 for a term beginning upon certification of available funds by the Controller and ending on June 30, 2019.  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

*President Breed requested File Nos. 171101, 171102, and 171103 be called together.*

**171101 [Mills Act Historical Property Contract - 101 Vallejo Street]**

Resolution approving an historical property contract between 855 Front Street LLC, the owners of 101 Vallejo 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: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

**171102 [Mills Act Historical Property Contract - 627 Waller Street]**

Resolution approving an historical property contract between John Hjelmstad and Allison Bransfield, the owners of 627 Waller 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)

*Supervisor Peskin directed the Office of the City Attorney to draft a Resolution dissolving the historical property contract and removing the property tax reductions for 627 Waller Street, upon the expiration of this approval.*

**ADOPTED by the following vote:**

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

**171103 [Mills Act Historical Property Contract - 940 Grove Street]**

Resolution approving an historical property contract between Smith-Hantas Family Trust, the owners of 940 Grove 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: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

**Recommendations of the Land Use and Transportation Committee****170733 [Subdivision Code - Transfer Subdivision Maps]**

Ordinance amending the Subdivision Code to allow subdivision map applicants to apply for and obtain final or parcel transfer subdivision maps that are for conveyancing and/or financing purposes only, but do not grant any development rights; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works)

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

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

**170870 [Building, Fire Codes - Fire Alarm System Upgrade Requirements]****Sponsors: Peskin; Farrell and Ronen**

Ordinance amending the Existing Building and Fire Codes to require buildings sold or transferred after September 1, 2017, to comply with fire alarm system upgrade requirements for sleeping areas; to exempt mandatory seismic strengthening alterations and transient hotels from the alarm system upgrade requirement that otherwise applies to completion of work under a building permit with a cost of construction of \$50,000 or more; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

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

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

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

**170941 [Planning Code, Zoning Map - Transit Center Special Sign District]****Sponsor: Kim**

Ordinance amending the Planning Code to create the Transit Center Special Sign District (bounded by Market Street on the north, Folsom Street on the south, Steuart Street on the east, and between New Montgomery and Third Streets on the west, and in the area bounded by Folsom, Harrison, Essex, and Second Streets, but excluding the planned City Park between Mission, Howard, Second, and Beale Streets and those portions of the Transit Center District Plan Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land bounded by Spear, Mission, Folsom, and Second Streets), to restrict the size and height of new signs within 200 feet of and visible from an existing or planned public park or open space, and to restrict illumination of certain new signs in those areas; amending the Zoning Map to show the Transit Center Special Sign District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

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

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

**170995 [Commemorative Street Name Designation - "Tony Bennett Way" - 900 Block of Mason Street]****Sponsor: Peskin**

Resolution adding the commemorative street name "Tony Bennett Way" to the 900 block of Mason Street in recognition of legendary singer Tony Bennett and his ambassadorship to the City and County of San Francisco, as well as his long and celebrated history with the Fairmont Hotel and San Francisco communities.

**ADOPTED by the following vote:**

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

**Recommendation of the Public Safety and Neighborhood Services Committee****160399 [Liquor License - 2149 Chestnut Street - Marina Theatre]**

Resolution determining that the issuance of a Type 40 on-sale beer license to Frank Lee Jr., for Marina Theatre, located at 2149 Chestnut Street (District 2), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**ADOPTED by the following vote:**

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

## **Recommendations of the Rules Committee**

### **170866 [Administrative, Campaign and Governmental Conduct Codes - Changing References from Office of Citizen Complaints to Department of Police Accountability]**

**Sponsor: Cohen**

Ordinance amending the Administrative and Campaign and Governmental Conduct Codes to change all references from "Office of Citizen Complaints" to "Department of Police Accountability," and to make related terminology changes, to reflect that name change resulting from the passage of Proposition G at the November 8, 2016 election.

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

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

### **171152 [Appointment, Market and Octavia Community Advisory Committee - Chase Chambers]**

Motion appointing Chase Chambers, term ending December 16, 2018, to the Market and Octavia Community Advisory Committee. (Rules Committee)

**Motion No. M17-174**

**APPROVED by the following vote:**

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

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

**Supervisor Fewer, seconded by Supervisor Yee, 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: 10 - Breed, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 1 - Cohen

*Supervisor Fewer introduced, welcomed, and presented a Certificate of Honor to Sarah Bacon, founder of the Richmond District Blog of San Francisco, in recognition of her accomplishments providing information, events and news about the neighborhood.*

*Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to Tom Kanaley, President of the Greater West Portal Neighborhood Association, in recognition of his accomplishments supporting and improving the quality of life in West Portal.*

*Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Shawna Virago on the occasion of the 20th Anniversary of the San Francisco Transgender Film Festival and in recognition of her many accomplishments as a musician and activist for the LGBTQ community.*

*Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to Alvin Lester and Amanda Lamb, on behalf of San Francisco Bay Area Families for Safe Streets, in recognition of their accomplishments providing assistance to those who have survived or who have loved ones who have been killed or seriously injured by a traffic crash. Supervisor Kim shared in this commendation.*

## SPECIAL ORDER 3:00 P.M.

*President Breed requested File Nos. 171053, 171054, 171055, and 171056 be called together.*

### **Supervisor Peskin Excused from Voting**

Supervisor Yee, seconded by Supervisor Kim, moved that Supervisor Peskin be excused from participating in and voting on File Nos. 171053, 171054, 171055, and 171056, due to a potential conflict of interest. The motion carried by the following vote:

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

Excused: 2 - Cohen, Peskin

### **171053 [Hearing - Appeal of Determination of Categorical Exemption From Environmental Review - 20 Nobles Alley]**

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 September 8, 2017, approved on September 13, 2017, for the proposed project at 20 Nobles Alley, to remove unpermitted, second garage door and restore facade with original pedestrian door and adjacent window, remove window to the right of the (E) ground floor entry door. (District 3) (Appellant: Marc Bruno) (Filed September 27, 2017) (Clerk of the Board)

*President Breed opened the public hearing and inquired as to whether any individual wished to address the Board. Marc Bruno and Brent McDonald (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Susan Star; Matthias Mormino; Marla Nye; Wyland Strobel; Chris Bigalo; spoke in support of the appeal. Tanya Sheyner, Pilar LaValley, and Eilesh Tuffy (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Eustace de Saint Phalle (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. Male Speaker; Rick Savary; Carrie Bronea; Tom Brigham; spoke in support of the project and in opposition to the appeal. Marc Bruno (Appellant) provided a rebuttal and further requested the Board to approve the appeal. Jon Givner (Office of the City Attorney) provided additional information and answered questions raised throughout the discussion. There were no other speakers.*

**Supervisor Kim, seconded by Supervisor Ronen, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of February 6, 2018. The motion FAILED by the following vote:**

Ayes: 4 - Fewer, Kim, Ronen, Yee

Noes: 5 - Breed, Farrell, Safai, Sheehy, Tang

Excused: 2 - Cohen, Peskin

*President Breed closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

**171054 [Affirming the Categorical Exemption Determination - 20 Nobles Alley]**

Motion affirming the determination by the Planning Department that a proposed project at 20 Nobles Alley is categorically exempt from further environmental review. (Clerk of the Board)

**Supervisor Kim, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 6, 2018. The motion FAILED by the following vote:**

Ayes: 4 - Fewer, Kim, Ronen, Yee

Noes: 5 - Breed, Farrell, Safai, Sheehy, Tang

Excused: 2 - Cohen, Peskin

**Motion No. M17-175**

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

Ayes: 6 - Breed, Farrell, Safai, Sheehy, Tang, Yee

Noes: 3 - Fewer, Kim, Ronen

Excused: 2 - Cohen, Peskin

**171055 [Conditionally Reversing the Categorical Exemption Determination - 20 Nobles Alley]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 20 Nobles Alley 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 Kim, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 6, 2018. The motion FAILED by the following vote:**

Ayes: 4 - Fewer, Kim, Ronen, Yee

Noes: 5 - Breed, Farrell, Safai, Sheehy, Tang

Excused: 2 - Cohen, Peskin

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

Ayes: 6 - Breed, Farrell, Safai, Sheehy, Tang, Yee

Noes: 3 - Fewer, Kim, Ronen

Excused: 2 - Cohen, Peskin

**171056 [Preparation of Findings to Reverse the Categorical Exemption Determination - 20 Nobles Alley]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 20 Nobles Alley is categorically exempt from further environmental review. (Clerk of the Board)

**Supervisor Kim, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 6, 2018. The motion FAILED by the following vote:**

Ayes: 4 - Fewer, Kim, Ronen, Yee

Noes: 5 - Breed, Farrell, Safai, Sheehy, Tang

Excused: 2 - Cohen, Peskin

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

Ayes: 6 - Breed, Farrell, Safai, Sheehy, Tang, Yee

Noes: 3 - Fewer, Kim, Ronen

Excused: 2 - Cohen, Peskin

## **Appointment of President Pro Tempore**

*At the request of President Breed, Supervisor Safai assumed the chair at 5:10 p.m. The President resumed the chair at 5:25 p.m.*

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

*President Breed requested File Nos. 171128, 171129, 171130, and 171131 be called together.*

### **171128 [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 2161-2165 Irving Street]**

Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Sections 303, and 732, for a proposed project located at 2161-2165 Irving Street, Assessor's Parcel Block No. 1777, Lot No. 037, identified in Case No. 2016-002424CUA, issued by the Planning Commission by Motion No. 20027 dated October 12, 2017, to establish a Medical Cannabis Dispensary, dba Barbary Coast Dispensary, within the Irving Street Neighborhood Commercial District and a 65-A height and bulk district. (District 4) (Appellant: Flo Kimmerling for Mid-Sunset Neighborhood Association) (Filed October 17, 2017). (Clerk of the Board)

*Angela Calvillo, Clerk of the Board, called the item and informed the Board of a second appeal received on the same project. Clerk Calvillo further requested the Board continue this appeal to December 5, 2017, at 4:30 p.m. in order to consider both appeals at the same meeting. President Breed opened the public hearing and inquired as to whether any individual wished to address the Board regarding the continuance. There were no speakers. President Breed closed public comment on the continuance.*

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of December 5, 2017, at 4:30 p.m. The motion carried by the following vote:**

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

### **171129 [Approving Conditional Use Authorization - Proposed Project at 2161-2165 Irving Street]**

Motion approving the decision of the Planning Commission by its Motion No. 20027, approving a Conditional Use Authorization identified as Planning Case No. 2016-002424CUA for a proposed project located at 2161-2165 Irving Street; and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of December 5, 2017, at 4:30 p.m. The motion carried by the following vote:**

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

**171130 [Conditionally Disapproving Conditional Use Authorization - Proposed Project at 2161-2165 Irving Street]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20027, approving a Conditional Use Authorization identified as Planning Case No. 2016-002424CUA for a proposed project located at 2161-2165 Irving Street, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board) (Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds of the members of the Board.)

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of December 5, 2017, at 4:30 p.m. The motion carried by the following vote:**

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

**171131 [Preparation of Findings Related to Conditional Use Authorization Appeal - Proposed Project at 2161-2165 Irving 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. 2016-002424CUA for a proposed project located at 2161-2165 Irving Street. (Clerk of the Board)

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of December 5, 2017, at 4:30 p.m. The motion carried by the following vote:**

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

## COMMITTEE REPORTS

### Recommendation of the Budget and Finance Committee

#### **171119 [Multifamily Housing Revenue Notes - 171 Loehr Street and 1250 Sunnydale Avenue ("Britton Courts Apartments") - Not to Exceed \$76,000,000]**

**Sponsor: Cohen**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$76,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 92-unit multifamily rental housing project located at 171 Loehr Street and 1250 Sunnydale Avenue, in San Francisco, California, known as "Britton Courts Apartments;" approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the loan from the funding lender to the City and the execution and delivery of the note; approving the form of and authorizing the execution of a borrower 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 back-to-back loans, the note and the project; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

**ADOPTED by the following vote:**

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

## **Referred Without Recommendation from the Land Use and Transportation Committee**

*President Breed requested File Nos. 171041 and 171042 be called together. During these discussions, privilege of the floor was granted unanimously to Nicole Elliott, Director (Office of Cannabis), Jon Givner and Victoria Wong (Office of the City Attorney), and Israel Nieves-Rivera (Department of Public Health) who responded to questions raised.*

*Supervisor Cohen was noted absent at 3:46 p.m. and for the remainder of the meeting.*

## **Supervisor Cohen Excused from Attendance**

**Supervisor Tang, seconded by Supervisor Kim, moved that Supervisor Cohen be excused beginning at 3:46 p.m. and for the remainder of the meeting. The motion carried by the following vote:**

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

## **171041 [Planning Code - Cannabis Regulation]**

**Sponsors: Mayor; Sheehy**

Ordinance amending the Planning Code to 1) regulate cannabis land uses, including, among other things, adult use cannabis retail, Medical Cannabis Dispensaries, delivery-only services, manufacture of cannabis products, cannabis cultivation, and cannabis testing; 2) allow Medical Cannabis Dispensaries in additional zoning districts; 3) establish a land use process for the conversion of existing Medical Cannabis Dispensaries to Cannabis Retail establishments; 4) establish location and operating conditions for cannabis uses; 5) repeal Ordinance No. 186-17, which limited the number of medical cannabis dispensaries in Supervisorial District 11; 6) create a limit of three Medical Cannabis Dispensaries and Cannabis retail uses, in any combination, in the Excelsior Outer Mission Street Neighborhood Commercial District; 7) delete superseded Planning Code provisions; 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, and public necessity, convenience and welfare findings pursuant to Planning Code, Section 302.

*Supervisor Cohen moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of November 28, 2017. Before a second was attained, Supervisor Cohen was excused from the remainder of the meeting and the motion was re-made later in the discussion by Supervisor Sheehy.*

*Supervisor Sheehy moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE. Before a second was attained, Supervisor Sheehy withdrew this motion.*

*Supervisor Fewer, seconded by Supervisor Tang, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by requiring the Director of Cannabis to adopt rules, regulations and guidelines to ensure Cannabis Retailers and maintain and sell an inventory that is sufficient in volume and variety for medicinal customers. The motion carried by the following vote:*

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

*(Editor's Note: Upon further consultation with the Office of the City Attorney, the previous motion made by Supervisor Fewer was actually a proposed amendment to File No. 171042.)*

Supervisor Farrell, seconded by Supervisor Tang, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Pages 10 and 12 by allowing one medical cannabis dispensary or cannabis retail within every 600 feet, without a conditional use authorization. The motion carried by the following vote:

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

Supervisor Peskin, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Pages 10 and 12 by changing the authorizing authority from the 'City's Office of Cannabis' to 'Department of Public Health' for sites where cannabis may be consumed or smoked. The motion carried by the following vote:

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

Supervisor Sheehy, seconded by Supervisor Tang, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, in Planning Code, Section 102, by including 'Cannabis Retail' as one of the listed uses under 'Retail Sales and Service Uses.' The motion carried by the following vote:

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

Supervisor Sheehy, seconded by Supervisor Ronen, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to the Board of Supervisors meeting of November 28, 2017. The motion carried by the following vote:

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

Noes: 1 - Peskin

Excused: 1 - Cohen

#### **171187 [Planning Code - Cannabis Regulation]**

##### **Sponsors: Mayor; Sheehy**

Ordinance amending the Planning Code to 1) regulate cannabis land uses, including, among other things, adult use cannabis retail, Medical Cannabis Dispensaries, delivery-only services, manufacture of cannabis products, cannabis cultivation, and cannabis testing; 2) allow Medical Cannabis Dispensaries in additional zoning districts; 3) establish a land use process for the conversion of existing Medical Cannabis Dispensaries to Cannabis Retail establishments; 4) establish location and operating conditions for cannabis uses; 5) repeal Ordinance No. 186-17, which limited the number of medical cannabis dispensaries in Supervisorial District 11; 6) limit the number of Medical Cannabis Dispensaries and Cannabis Retail Uses in various Neighborhood Commercial Districts and other commercial corridors; 7) allow Medical Cannabis Dispensaries and Cannabis Retail Uses with conditional use authorization in NC-1 Districts south of Lincoln Way and West of Sunset Boulevard; 8) prohibit and Medical Cannabis Dispensaries and Cannabis Retail Uses in the Chinatown Mixed-Use Districts; 9) delete superseded Planning Code provisions; 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, and public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

*This item was not sent as a committee report.*

## **Recommendation of the Rules Committee**

### **171042 [Various Codes - Regulation of Cannabis Businesses]**

#### **Sponsors: Mayor; Sheehy**

Ordinance amending the Administrative, Business and Tax Regulations, Health, and Police Codes to comprehensively regulate commercial activities relating to the cultivation, manufacture, distribution, testing, sale, and delivery of medicinal and adult use cannabis by, among other things: 1) requiring businesses that engage in commercial cannabis activities to obtain a permit from the Office of Cannabis; 2) requiring the Director of the Office of Cannabis to implement an Equity Program to promote equitable ownership and employment opportunities in the cannabis industry by providing priority permitting for Equity Applicants and Equity Incubators, as defined; 3) defining eligibility for temporary and permanent cannabis business permits; 4) establishing priorities for the review of cannabis business permit applications; 5) establishing operating standards for cannabis businesses; 6) establishing criteria for granting, denying, suspending, and revoking cannabis business permits; 7) requiring all cannabis businesses to ensure that 50% of work hours are performed by San Francisco residents, and cannabis businesses with ten or more employees to adopt labor peace agreements; 8) authorizing the imposition of fines and penalties for violation of local and state laws governing cannabis businesses, and establishing procedures by which cannabis businesses may appeal a fine or permit penalty; 9) allowing pre-existing non-conforming cannabis operators to register with the Office of Cannabis and apply for cannabis business permits in 2018; 10) prohibiting the consumption of cannabis and cannabis products on the premises of all cannabis businesses, except Storefront Cannabis Retailers and Cannabis Microbusinesses that obtain consumption permits from the Department of Public Health; 11) prohibiting until January 1, 2019, tours of cannabis cultivators, manufacturers, and cannabis microbusinesses, and authorizing the Director of Cannabis to extend the prohibition on tours, or establish guidelines for the operation of tours; 12) prohibiting the acceptance of new applications for medical cannabis dispensary permits, starting January 1, 2018; 13) allowing medical cannabis dispensaries to sell adult use cannabis, starting January 1, 2018, and prohibiting medical cannabis dispensaries from cultivating cannabis under the authority of a medical cannabis dispensary permit, starting April 1, 2018; 14) establishing a sunset date of December 31, 2018, for Article 33 of the Health Code ("Medical Cannabis Act"); 15) requiring the Department of Public Health to implement an ongoing public health education campaign about the safe consumption and health benefits of cannabis; 16) requiring the Controller to submit a report to the Board of Supervisors within one year of the effective date of Article 16 recommending whether the issuance of cannabis business permits should be subject to any limits; 17) establishing an Equity Operator Fund to receive any monies appropriated for the purpose of assisting Equity Operators; 18) eliminating the duty of the Clerk of the Board of Supervisors to send letters annually to state and federal officials requesting that cannabis be regulated and taxed; and affirming the Planning Department's determination under the California Environmental Quality Act.

*Supervisor Cohen moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of November 28, 2017. Before a second was attained, Supervisor Cohen was excused from the remainder of the meeting and the motion was re-made later in the discussion by Supervisor Sheehy.*

*Supervisor Sheehy moved that this Ordinance be AMENDED in Health Code, Section 3322, by adding restrictions and requirements to the 'Transition Provisions' for medical cannabis dispensaries that apply for a permit to sell adult use cannabis. Before a second was attained, Supervisor Sheehy withdrew this motion.*

**Supervisor Fewer, seconded by Supervisor Tang, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by requiring the Director of Cannabis to adopt rules, regulations and guidelines to ensure Cannabis Retailers and maintain and sell an inventory that is sufficient in volume and variety for medicinal customers. The motion carried by the following vote:**

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

Supervisor Tang, seconded by Supervisor Peskin, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, in Health Code, Section 3322, by adding restrictions and requirements to the 'Transition Provisions' for medical cannabis dispensaries. The motion carried by the following vote:

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

Supervisor Safai, seconded by Supervisor Yee, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, in Police Code, Section 1618, by requiring cannabis businesses that previously held a medical cannabis dispensary permit to ensure that at least 35% of all business work hours are performed by local residents. The motion carried by the following vote:

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

Supervisor Safai, seconded by Supervisor Farrell, moved that this Ordinance be **AMENDED** by adding a new 'Health Code, Section 3322(d)(4)' that requires a medical cannabis dispensary that wishes to sell adult use cannabis to submit a 'Good Neighbor Policy' and 'Security Policy.' The motion **FAILED** by the following vote:

Ayes: 5 - Breed, Farrell, Safai, Sheehy, Tang

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

Excused: 1 - Cohen

Supervisor Sheehy, seconded by Supervisor Ronen, moved that this Ordinance be **CONTINUED AS AMENDED ON FIRST READING** to the Board of Supervisors meeting of November 28, 2017. The motion carried by the following vote:

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

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

*Supervisor Farrell was noted absent at 5:52 p.m. and for the remainder of the meeting.*

## PUBLIC COMMENT

*Wynship W. Miller; requested that the members of the Board resign due to concerns regarding Citywide Case Management.*

*Male Speaker; shared concerns regarding politics and the media.*

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

*Russell Kyle; shared concerns regarding the livability of San Francisco.*

*Male Speaker; shared historical information on the USS San Francisco.*

*Karen Shain; expressed support of the Resolution urging the prioritization of non-profit contracts and grants for reentry services fund (File No. 171165).*

*Jose Bernal; expressed support of the Resolution urging the prioritization of non-profit contracts and grants for reentry services fund (File No. 171165).*

*Linda Connelly; spoke on concerns related to the Resolution urging the prioritization of non-profit contracts and grants for reentry services fund (File No. 171165).*

*Jennine McFarlane; expressed opposition to the Resolution urging the prioritization of non-profit contracts and grants for reentry services fund (File No. 171165).*

*Kenneth Melton; expressed opposition to the Resolution urging the prioritization of non-profit contracts and grants for reentry services fund (File No. 171165).*

*Maria Richard; expressed opposition to the Resolution urging the prioritization of non-profit contracts and grants for reentry services fund (File No. 171165).*

*Female Speaker; expressed the need for understanding and compassion.*

*Female Speaker; shared concerns regarding equal application of time and hearings.*

*Female Speaker; shared concerns regarding the sister city relationship with Osaka, Japan.*

*Female Speaker; shared concerns regarding freedom of speech and the need for justice.*

*Male Speaker; expressed the need for a complete picture before making decisions.*

*Male Speaker; expressed concerns regarding intervening in another country's politics.*

*Female Speaker; shared concerns regarding false confessions.*

*Male Speaker; shared concerns regarding public art promoting multi-culture.*

*Tom Gilberty; shared concerns regarding carbon imprint, housing for public servants, and affordable housing.*

## Supervisor Farrell Excused from Attendance

Supervisor Ronen, seconded by Supervisor Tang, moved that Supervisor Farrell be excused beginning at 5:52 p.m. and for the remainder of the meeting. The motion carried by the following vote:

Ayes: 9 - Breed, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Cohen, Farrell

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### 171167 [Urging the Federal Government to Extend Temporary Protected Status for All Nations Currently Under the Program]

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

Resolution urging the Federal Government to extend Temporary Protected Status for all thirteen nations currently included in the program, and to establish a pathway to permanency for these recipients.

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

**ADOPTED**

**171185 [Approval of a 90-Day Extension for Planning Commission Review of Fulton Street Grocery Store Special Use District Ordinance (File No. 170514)]****Sponsor: Breed**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 170514) amending the Planning Code to allow a grocery store that may be defined as a formula retail use in the Fulton Street Grocery Store Special Use District, and adding criteria for approval; extending the duration of the controls; and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**ADOPTED****171181 [Final Map 8897 - 570 Jessie Street]**

Motion approving Final Map 8897, a 47 residential unit condominium project, located at 570 Jessie Street, being a subdivision of Assessor's Parcel Block No. 3703, Lot No. 086, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-176****APPROVED****171182 [Final Map 9296 - 1785-15th Street]**

Motion approving Final Map 9296, a nine residential unit condominium project, located at 1785-15th Street, being a subdivision of Assessor's Parcel Block No. 3555, Lot No. 036, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-177****APPROVED****171183 [Final Map 9246 - 131 Missouri Street]**

Motion approving Final Map 9246, a nine residential unit condominium project, located at 131 Missouri Street, being a subdivision of Assessor's Parcel Block No. 3985, Lot No. 024, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-178****APPROVED****171184 [Final Map 9302 - 4171-24th Street]**

Motion approving Final Map 9302, a five residential unit and one commercial unit, mixed-use condominium project, located at 4171-24th Street, being a subdivision of Assessor's Parcel Block No. 6506, Lot No. 032, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-179****APPROVED****The foregoing items were acted upon by the following vote:**

Ayes: 9 - Breed, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Cohen, Farrell

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

*Supervisor Fewer requested that File No. 171165 be severed so that it may be considered separately.*

**171165 [Urging City Departments to Prioritize Non-Profit Contracts and Grants for Reentry Services]**

**Sponsor: Fewer**

Resolution urging City departments to prioritize non-profit contracts and grants for reentry services funded through the City and County of San Francisco.

*Privilege of the floor was granted unanimously to Karen Shain (Adult Probation Department) who responded to questions raised throughout the discussion.*

**ADOPTED by the following vote:**

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

**IMPERATIVE AGENDA**

*There were no imperative agenda items.*

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

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

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

## **Introduced at the Request of a Department**

*Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.*

## **PROPOSED ORDINANCES**

### **171171 [Administrative Code - Shelter Monitoring Committee - Composition of Membership, Powers and Duties, and Sunset Date]**

Ordinance amending the Administrative Code to change the qualifications for members of the Shelter Monitoring Committee, create staggered terms for members, establish a sunset date for the Committee, and to allow shelters that contract with the City to provide clients with clean blankets if clean sheets are unavailable. (Public Health Department)

11/06/17; RECEIVED FROM DEPARTMENT.

11/14/17; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/14/2017.

### **171172 [Authorizing Agreements - Purchase of Electricity and Related Products and Services for CleanPowerSF - Public Utilities Commission]**

Ordinance delegating authority under Charter, Section 9.118, to the General Manager of the Public Utilities Commission to enter into agreements with terms in excess of ten years or requiring expenditures of \$10,000,000 or more for power and related products and services required to supply San Francisco's community choice aggregation program, CleanPowerSF, subject to specified conditions, as defined herein; and authorizing deviations from certain otherwise applicable contract requirements in the Administrative Code and the Environment Code. (Public Utilities Commission)

11/06/17; RECEIVED FROM DEPARTMENT.

11/14/17; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/14/2017.

### **171173 [Planning Code - Mission Street Neighborhood Commercial Transit District] Sponsor: Ronen**

Ordinance amending the Planning Code to prohibit Non-Retail Professional Services uses, limit lot mergers, and allow Arts Activities and Catering uses within the Mission Street Neighborhood Commercial Transit District; 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 making findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Planning Commission)

11/01/17; RECEIVED FROM DEPARTMENT.

11/14/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/14/2017.

## PROPOSED RESOLUTIONS

### **171174 [Contract Amendment - Richmond Area Multi-Services, Inc. - Department of Public Health -**

#### **Vocational Rehabilitation Program - Not to Exceed \$22,603,930]**

Resolution approving amendment number two to the Department of Public Health contract for behavioral health services with Richmond Area Multi-Services, Inc., for Vocational Rehabilitation Program, to extend the contract by two years and ten months, from January 1, 2016, through December 31, 2017, to January 1, 2016, through October 31, 2020, with a corresponding increase of \$13,045,642 for a total amount not to exceed \$22,603,930. (Public Health Department)

11/06/17; RECEIVED FROM DEPARTMENT.

11/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **171175 [Contract Amendment - Richmond Area Multi-Services, Inc. - Department of Public Health -**

#### **Behavioral Health Services - Not to exceed \$20,769,611]**

Resolution approving amendment number one to the Department of Public Health contract for behavioral health services with Richmond Area Multi-Services, Inc., for Peer to Peer Employment Program, to extend the contract by two years and six months, from July 1, 2015, through December 31, 2017, to July 1, 2015, through June 30, 2020, with a corresponding increase of \$11,551,272 for a total amount not to exceed \$20,769,611. (Public Health Department)

11/06/17; RECEIVED FROM DEPARTMENT.

11/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **171177 [Prevailing Wages Rates - Various Workers Performing Work Under City Contracts]**

Resolution fixing prevailing wage rates for 1) workers performing work under City contracts for public work and improvement; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; 6) workers performing moving services under City contracts at facilities owned or leased by the City; 7) workers engaged in exhibit, display, or trade show work at special events on property owned by the City; 8) workers engaged in broadcast services on property owned by the City; 9) workers engaged in loading or unloading into or from a commercial vehicle on City property of materials, goods, or products in connection with a show or special event, or engaged in driving a commercial vehicle into which or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event; 10) workers engaged in security guard services under City contracts or at facilities or on property owned or leased by the City; and (11) motor bus service contracts. (Civil Service Commission)

10/25/17; RECEIVED FROM DEPARTMENT.

11/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**171178 [Real Property Lease - Vera Cort as Trustee -1380 Howard Street - Department of Public Health - \$3,417,862.50 Initial Annual Base Rent]**

Resolution authorizing the extension of an existing lease for approximately 79,950 square feet of office space at 1380 Howard Street for the Department of Public Health's Community Behavioral Health Services Division with the Vera Cort as Trustee of the Robert J. Cort Marital Trust (99%) and as Trustee of the Vera Cort Survivor's Trust (1%), as Landlord, at an annual rent of \$3,417,862.50 during the five year term of January 1, 2018, through December 31, 2022, and adding three further five year options to extend the term. (Real Estate Department)

10/30/17; RECEIVED FROM DEPARTMENT.

11/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**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)

11/03/17; RECEIVED FROM DEPARTMENT.

11/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 7:18 p.m.*