

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, December 12, 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, 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, December 12, 2017, with President London Breed presiding.*

## ROLL CALL AND PLEDGE OF ALLEGIANCE

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

## COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, informed the Board that she was in receipt of a statement from the Mayor's Office of Communications announcing that at 1:11 a.m. this morning, Tuesday, December 12, 2017, the 43rd Mayor of San Francisco, Edwin M. Lee, died unexpectedly at Zuckerberg San Francisco General Hospital. In accordance with the City Charter, Board of Supervisors President London Breed became Acting Mayor of San Francisco, effective immediately.*

*The Clerk of the Board further informed the Board that she was in receipt of a communication from Supervisor Sandra Lee Fewer, dated December 11, 2017, requesting that her absence from today's Board meeting be excused.*

*Supervisors Kim, Ronen and Yee were noted present at 2:05 p.m.*

## Supervisor Fewer Excused from Attendance

**Supervisor Kim, seconded by Supervisor Farrell, moved that Supervisor Fewer be excused from attending the Board of Supervisors meeting of December 12, 2017. The motion carried by the following vote:**

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

## APPROVAL OF MEETING MINUTES

*President Breed inquired whether any Board Member had any corrections to the November 6, 2017, Meeting Minutes at the Land Use and Transportation Committee Meeting, or the November 7, 2017, Special Meeting Minutes at the Rules Committee, which constituted quorums of the Board of Supervisors. There were no corrections.*

**Supervisor Farrell, seconded by Supervisor Sheehy, moved to approve the November 6, 2017, Meeting Minutes at the Land Use and Transportation Committee Meeting, and the November 7, 2017, Special Meeting Minutes at the Rules Committee, which constituted quorums of the Board of Supervisors. The motion carried by the following vote, following general public comment:**

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

## AGENDA CHANGES

*There were no agenda changes.*

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

*President Breed, on behalf of the entire Board, expressed their collected sorrow and deepest condolences over the sudden and unexpected passing of Mayor Edwin M. Lee earlier that morning at age 65. President Breed further spoke on his life, accomplishments, and many contributions to the City and County of San Francisco. As the son of working class immigrants, he led a life of service and early on developed a profound sense of community and commitment to helping others. During his three decades of public service - as the Director of the Human Rights Commission, the Director of the Department of Public Works, the City Administrator, and finally as the City's first Asian-American Mayor - he always exemplified San Francisco values and believed in the power of opportunity. He leaves behind a profound legacy and will be tremendously missed by all those who had the pleasure of working with and beside him.*

*President Breed made a motion to adjourn today's Board meeting in honor of the late Mayor Edwin M. Lee, on behalf of the entire Board. The motion carried without objection.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

#### **171153 [Business and Tax Regulations, Health Codes - Permit, License and Inspection Fees for Cannabis Businesses]**

**Sponsor: Mayor**

Ordinance amending the Business and Tax Regulations and Health Codes to require the Director of the Office of Cannabis to collect permit application fees of \$2,000 and annual license fees of \$5,000 for cannabis business permits; authorize the Department of Public Health to impose fees relating to the inspection of cannabis businesses; and establish annual license fees for cannabis consumption permits; and require the Director of the Office of Cannabis and the Department of Public Health to waive certain fees for Equity Applicants.

**FINALLY PASSED**

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

### **170985 [Public Works and Subdivision Codes - City Maintenance of Street Trees]**

**Sponsors: Sheehy; Safai**

Ordinance amending the Public Works Code to implement Charter, Section 16.129, (Proposition E, November 2016) and generally provide that the City shall maintain Street Trees and be liable for injuries and property damage resulting from the failure to maintain Street Trees; amending the Subdivision Code to incorporate conforming changes regarding Street Tree maintenance; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

**FINALLY PASSED**

### **171134 [General Plan Amendment - 1629 Market Street]**

Ordinance amending the General Plan to revise Maps 1 and 3 and Policy 7.2.5 of the Market and Octavia Area Plan to reflect the 1629 Market Street 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 Planning Code, Section 101.1. (Planning Commission)

**FINALLY PASSED**

### **170938 [Planning Code, Zoning Map - 1629 Market Street Special Use District]**

**Sponsors: Mayor; Kim and Sheehy**

Ordinance amending the Planning Code and the Zoning Map to add the 1629 Market Street Special Use District; making findings 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**FINALLY PASSED**

### **170939 [Development Agreement - Strada Brady, LLC - Market and Colton Streets]**

**Sponsors: Mayor; Kim**

Ordinance approving a Development Agreement between the City and County of San Francisco and Strada Brady, LLC, a California limited liability company, for the development project at the approximately 2.2-acre site located at Market, 12th, Stevenson, Chase Court, and Brady Streets, with various public benefits including improved open spaces and supportive affordable housing; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); setting the impact fees and exactions as set forth in the Development Agreement; and confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B, 41, and 56; and ratifying certain actions taken in connection therewith.

**FINALLY PASSED**

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

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

Excused: 1 - Fewer

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the Public Safety and Neighborhood Services Committee

#### **170599 [Public Works, Police Codes - Permit for Testing of Autonomous Delivery Devices on Sidewalks]**

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

Ordinance amending the Public Works Code to require a permit for the testing of autonomous delivery devices on sidewalks and to set rules governing the operations of such devices; amending the Public Works Code and Police Code to provide for administrative, civil, and criminal penalties for unlawful operation of such devices; and affirming the Planning Department's determination under the California Environmental Quality Act.

**FINALLY PASSED by the following vote:**

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

Excused: 1 - Fewer

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*President Breed requested File Nos. 170254 and 170255 be called together.*

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

Resolution retroactively approving Amendment No. 1 to the International Terminal Food and Beverage Concession Lease No. 16-0017 between SSP America, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, increasing the minimum annual guarantee to \$279,000 and the annual promotional charge to \$2,100 with no change to the term length to expire on May 4, 2027. (Airport Commission)

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

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

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

**ADOPTED by the following vote:**

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

**171014 [Accept and Expend Grant - Association of Bay Area Governments - Energy Efficiency Program - \$447,370]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of \$447,370 from the Association of Bay Area Governments to develop and test pilot software and perform energy technical assistance for deep energy retrofits in small commercial buildings for the period of October 1, 2016, through December 31, 2019. (Environment)

**ADOPTED by the following vote:**

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

**171043 [Revolving Fund Agreement - California Victim Compensation Board - Burial or Emergency Relocation of Crime Victims - \$75,000]**

**Sponsor: Safai**

Resolution retroactively authorizing the Office of the District Attorney of the City and County of San Francisco to renew its current agreement with the California Victim Compensation Board, an agent of the State of California, for a revolving fund in the amount of \$75,000 to be used to pay for verified funeral/burial, relocation, crime scene clean-up, and other emergency loss expenses for eligible victims for the period of July 1, 2017, through June 30, 2020.

**ADOPTED by the following vote:**

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

**171082 [Accept and Expend Three Gifts - Thomas G. Dragges, James Lund and Jon Simmonds - Airport - SFO Museum Collection - Total Gift Value of \$95,103]**

Resolution retroactively authorizing the Airport Director, or his/her designee, to accept three gifts for the SFO Museum collection: 1) 998 airline and airport timetables valued at \$47,435 from Thomas G. Dragges, 2) 73 scale model aircraft valued at \$36,500 from James Lund, and 3) 163 commercial aviation artifacts valued at \$11,168 from Jon Simmonds; for a total gift value of \$95,103. (Airport Commission)

**ADOPTED by the following vote:**

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

**171116 [Accept and Expend Grant - San Francisco Parks Alliance - Recreation and Park Department's Scholarship Program - \$110,000]****Sponsor: Mayor**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of \$110,000 from the San Francisco Parks Alliance to benefit the Department's scholarship program for the project term of December 1, 2017, through June 30, 2018. (Recreation and Park Department)

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

*President Breed requested File Nos. 171158 and 171196 be called together.*

**171158 [Memorandum of Understanding - Urban Areas Security Initiative]****Sponsor: Mayor**

Resolution retroactively approving a Memorandum of Understanding (MOU) with the Cities of Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin, Monterey, San Mateo, Santa Clara, and Sonoma that provides governance structures and procedures for application, allocation and distribution of federal Urban Areas Security Initiative (UASI) grant funds to the Bay Area Urban Area, as well as for other Federal grant funds to the Bay Area Urban Area as permitted under the MOU; and continues San Francisco as the primary grantee and fiscal agent for UASI grant funds to the Bay Area Urban Area, as well as for other Federal grant funds to the Bay Area Urban Area as permitted under the MOU for the period of December 1, 2017, through November 30, 2021. (Department of Emergency Management)

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

**171196 [Accept and Expend Grant - U.S. Department of Homeland Security - FY2017 Urban Areas Security Initiative Program - \$22,428,800]****Sponsor: Mayor**

Resolution retroactively authorizing the Department of Emergency Management (DEM), on behalf of the City and County of San Francisco, as the primary grantee of Urban Areas Security Initiative (UASI) funds for the Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to accept and expend a FY2017 Urban Areas Security Initiative Program grant in the amount of \$22,428,800 from the U.S. Department of Homeland Security through the California Office of Emergency Services, for a term beginning September 1, 2017, and ending May 31, 2020. (Department of Emergency Management)

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

*President Breed requested File Nos. 171201, 171202, and 171203 be called together.*

**171201 [Multifamily Housing Revenue Bonds - 909 and 921 Howard Street, 414 Tehama Street - Not to Exceed \$150,000,000]****Sponsor: Kim**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$150,000,000 for 909 and 921 Howard Street and 414 Tehama Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

**171202 [Multifamily Housing Revenue Bonds - 206-5th Street - Not to Exceed \$200,000,000]****Sponsor: Kim**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$200,000,000 for 206-5th Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer



**171203 [Multifamily Housing Revenue Bonds - 1990 Folsom Street - Not to Exceed \$90,000,000]****Sponsor: Ronen**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$90,000,000 for 1990 Folsom Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

**ADOPTED by the following vote:**

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

**Recommendations of the Government Audit and Oversight Committee****171016 [North of Market/Tenderloin Community Benefit District - Annual Reports to the City - FY2015-2016]****Sponsor: Kim**

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

**ADOPTED by the following vote:**

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

*President Breed requested File Nos. 171098 and 171104 be called together.*

**171098 [Mills Act Historical Property Contract - 215 and 229 Haight Street, Formerly 55 Laguna Street]**

Resolution approving an historical property contract between Alta Laguna, LLC, the owners of 215 and 229 Haight Street, formerly 55 Laguna Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute the historical property contract. (Historic Preservation Commission)

**ADOPTED by the following vote:**

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

**171104 [Mills Act Historical Property Contract - 973 Market Street]**

Resolution approving an historical property contract between Raintree 973 Market Newco LLC, the owners of 973 Market Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute the historical property contract. (Historic Preservation Commission)

**ADOPTED by the following vote:**

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

**171112 [Grant Acceptance Agreement and Permit to Enter - Asian Art Museum Foundation - Indemnification for Claims Related to Construction Improvements to Asian Art Museum]****Sponsors: Mayor; Kim**

Resolution authorizing the Asian Art Commission to execute a Grant Acceptance Agreement and Permit to Enter with the Asian Art Museum Foundation, whereby the City would indemnify Asian Art Museum Foundation trustees, officers, and employees for claims related to construction improvements to the Asian Art Museum.

**ADOPTED by the following vote:**

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

**171198 [Agreement - Owners' Association - Administration/Management of Japantown Community Benefit District]****Sponsor: Breed**

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the "Japantown Community Benefit District," pursuant to the California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, through June 30, 2027.

**ADOPTED by the following vote:**

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

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

*President Breed requested File Nos. 170830 and 170931 be called together.*

**170830 [Transportation Code - Motorized Scooter and Moped Parking Restrictions]**

Ordinance amending the Transportation Code to permit motorized scooters and mopeds to park in designated motorcycle parking spaces; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

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

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

**170931 [Transportation Code - Shared Vehicle Parking Restrictions]**

Ordinance amending the Transportation Code to change the term “Car Share Vehicle” to “Shared Vehicle” and permit Shared Vehicles to Park in designated Parking Spaces; and affirming the Planning Department’s determination under the California Environmental Quality Act. (Municipal Transportation Agency)

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

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

Excused: 1 - Fewer

**Recommendations of the Rules Committee****171106 [Administrative Code - Reauthorizing Sentencing Commission]**

**Sponsor: Cohen**

Ordinance amending the Administrative Code to reauthorize the San Francisco Sentencing Commission; and waive the provisions of Board Rule 2.21 to extend the sunset date to June 30, 2023.

(Board Rule 5.2, provides that any rule may be suspended by the affirmative vote of eight Supervisors unless there are fewer than eight Supervisors present, in which case the unanimous consent of the Supervisors present, but not less than six, shall be required.)

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

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

Excused: 1 - Fewer

**171107 [Administrative Code - Appraisals for Jurisdictional Transfers of Real Property for Affordable Housing]**

**Sponsor: Peskin**

Ordinance amending the Administrative Code to exempt certain City jurisdictional transfers for affordable housing from appraisal requirement.

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

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

Excused: 1 - Fewer

**171272 [Appointments, Inclusionary Housing Technical Advisory Committee - John Elberling, Fernando Marti, Whitney Jones, and Shannon Way]**

Motion appointing John Elberling, Fernando Marti, Whitney Jones, and Shannon Way (residency requirement waived) to the Inclusionary Housing Technical Advisory Committee, for terms expiring three months after the date the City Controller produces the Economic Feasibility Analysis of the inclusionary affordable housing obligations required by Planning Code, Section 415.10. (Rules Committee)

*Privilege of the floor was granted unanimously to Ben Rosenfield, Controller (Office of the City Controller), and Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.*

*Supervisor Cohen, seconded by Supervisor Tang, moved that this Motion be CONTINUED to a Board of Supervisors meeting in January 2018. Before the vote was taken, Supervisor Cohen withdrew this motion.*

*Supervisor Farrell requested the question be DIVIDED to consider the appointment of John Elberling separately.*

*The remaining balance of the Motion to appoint Fernando Marti, Whitney Jones, and Shannon Way was APPROVED by the following vote:*

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

*The divided question to appoint John Elberling was APPROVED by the following vote:*

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

*Upon passage of both the divided portion and the remaining balance, the Motion was approved as a whole.*

**Motion No. M17-199**

**APPROVED by the following vote:**

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

**171273 [Appointment, Local Homeless Coordinating Board - Kelley Cutler]**

Motion appointing Kelley Cutler, term ending October 21, 2019, to the Local Homeless Coordinating Board. (Rules Committee)

**Motion No. M17-200**

**APPROVED by the following vote:**

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

**171274 [Mayoral Appointment, Aging and Adult Services Commission - Michael Pappas]**

Motion approving the Mayor's appointment of Michael Pappas to the Aging and Adult Services Commission, term ending July 1, 2020. (Clerk of the Board)

(Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the 30-day period shall result in the appointee continuing to serve as appointed. Transmittal date: November 30, 2017.)

**Motion No.** M17-201

**APPROVED** by the following vote:

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

Excused: 1 - Fewer

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

*There were no commendations.*

## SPECIAL ORDER 3:00 P.M.

*President Breed requested File Nos. 171222, 171223, 171224, 171225, 171226, 171227, 171228, and 171229 be called together.*

### Appointment of President Pro Tempore

*At the request of President Breed, Supervisor Peskin assumed the chair as President Pro Tem at 4:50 p.m. President Breed resumed the chair at 5:25 p.m.*

*Supervisor Kim was noted absent at 5:10 p.m.*

### 171222 [Hearing - Appeal of Determination of Exemption From Environmental Review - 218-27th Avenue]

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on June 29, 2017, approved on October 12, 2017, for the proposed project at 218-27th Avenue, to demolish an existing two-story single-family home and construct a four-story building containing three residences and three parking spaces. (District 2) (Appellant: Robia Crisp of Hanson Bridgett, LLP, on behalf of Alex Bernstein and Sonia Daccarett) (Filed November 13, 2017) (Clerk of the Board)

*President Breed opened the public hearing and inquired as to whether any individual wished to address the Board regarding the consolidated appeals. Robia Crisp (Hanson Bridgett, LLP), Randy Popp, Alex Bernstein, and Sonia Daccarett (on behalf of the Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Karen Clopton; Joanne Showmanship; Dan Newman; John Mulligan; Sophie Stevenson; Diane Rossi; Ray Laguna; John Forest; Marianne Shell; Dave Johnson; Speaker; spoke in support of the appeal. Aaron Starr, Jeanie Poling, and Laura Ajello (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Steven Vettel (Farella Braun + Martel) and Michael Levitt (on behalf of the 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. Joe Atolli; Michael Antonini; Shavonne; Lavine; Sean Kieghran (SF Residential Building Association); spoke in support of the project and in opposition to the appeal. Randy Popp and Robia Crisp (Hanson Bridgett, LLP) (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers.*

*President Pro Tem Peskin closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

**171223 [Affirming the Categorical Exemption Determination - 218-27th Avenue]**

Motion affirming the determination by the Planning Department that the proposed project at 218-27th Avenue is categorically exempt from further environmental review. (Clerk of the Board)

**Motion No. M17-203**

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

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

Excused: 1 - Fewer

Absent: 1 - Kim

**171224 [Conditionally Reversing the Categorical Exemption Determination - 218-27th Avenue]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 218-27th Avenue is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

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

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

Excused: 1 - Fewer

Absent: 1 - Kim

**171225 [Preparation of Findings to Reverse the Categorical Exemption Determination - 218-27th Avenue]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 218-27th Avenue is categorically exempt from further environmental review. (Clerk of the Board)

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

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

Excused: 1 - Fewer

Absent: 1 - Kim

**SPECIAL ORDER 3:00 P.M.****171226 [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 218-27th Avenue]**

Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Sections 303 and 317, for a proposed project located at 218-27th Avenue, Assessor's Parcel Block No. 1386, Lot No. 038, identified in Case No. 2016-003258CUA, issued by the Planning Commission by Motion No. 20025 dated October 12, 2017, to demolish an existing two-story, single-family dwelling and construct a new four-story, three-unit building within the RM-1 (residential, mixed, low density) district and a 40-X height and bulk district. (District 2) (Appellant: Robia Crisp of Hanson Bridgett, LLP, on behalf of Alex Bernstein and Sonia Daccarett) (Filed November 13, 2017) (Clerk of the Board)

*President Breed opened the public hearing and inquired as to whether any individual wished to address the Board regarding the consolidated appeals. Robia Crisp (Hanson Bridgett, LLP), Randy Popp, Alex Bernstein, and Sonia Daccarett (on behalf of the Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Karen Clopton; Joanne Showmanship; Dan Newman; John Mulligan; Sophie Stevenson; Diane Rossi; Ray Laguna; John Forest; Marianne Shell; Dave Johnson; Speaker; spoke in support of the appeal. Aaron Starr, Jeanie Poling, and Laura Ajello (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Steven Vettel (Farella Braun + Martel) and Michael Levitt (on behalf of the 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. Joe Atolli; Michael Antonini; Shavonne; Lavine; Sean Kieghran (SF Residential Building Association); spoke in support of the project and in opposition to the appeal. Randy Popp and Robia Crisp (Hanson Bridgett, LLP) (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers.*

*President Pro Tem Peskin closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

**171227 [Approving Conditional Use Authorization - Proposed Project at 218-27th Avenue]**

Motion approving the decision of the Planning Commission by its Motion No. 20025, approving a Conditional Use Authorization identified as Planning Case No. 2016-003258CUA for a proposed project located at 218-27th Avenue; and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

**Motion No. M17-204**

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

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

Excused: 1 - Fewer

Absent: 1 - Kim



**171228 [Conditionally Disapproving Conditional Use Authorization - Proposed Project at 218-27th Avenue]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20025, approving a Conditional Use Authorization identified as Planning Case No. 2016-003258CUA for a proposed project located at 218-27th Avenue, 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 Farrell, seconded by Supervisor Tang, moved that this Motion be TABLED. The motion carried by the following vote:**

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

Excused: 1 - Fewer

Absent: 1 - Kim

**171229 [Preparation of Findings Related to Conditional Use Authorization Appeal - Proposed Project at 218-27th Avenue]**

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. 2016-003258CUA for a proposed project located at 218-27th Avenue. (Clerk of the Board)

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

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

Excused: 1 - Fewer

Absent: 1 - Kim

*Supervisor Kim was noted present at 5:30 p.m.*

**SPECIAL ORDER 3:00 P.M. - CLOSED SESSION****CONFERENCE WITH LABOR NEGOTIATORS****171169 [Closed Session - Labor Negotiations - December 12, 2017]**

Closed Session for the Board of Supervisors to convene on December 12, 2017, at 3:00 p.m., with the Department of Human Resources under Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding labor negotiations of the City's open labor contracts; scheduled pursuant to Motion No. M17-172, approved October 31, 2017. (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Safai, moved that this Closed Session be CONTINUED to the Board of Supervisors meeting of January 9, 2018. The motion carried by the following vote:**

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

Excused: 1 - Fewer

## COMMITTEE REPORTS

### Recommendations of the Budget and Finance Committee

#### **170943 [Accept Gift - Alta Laguna, LLC - 55 Laguna Street; In-Kind Agreement]**

**Sponsor: Sheehy**

Ordinance accepting as a gift to the City from Alta Laguna, LLC certain costs of constructing public open space and community facility improvements at 55 Laguna Street, pursuant to an In-Kind Agreement with the City; accepting as a gift the costs associated with maintaining the improvements; and making findings under the California Environmental Quality Act.

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

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

Excused: 1 - Fewer

#### **171250 [Appropriation - State and Federal Contingency Reserve - Backfill the Loss of Funding of Various Programs - \$9,559,117 - FY2017-2018]**

**Sponsors: Mayor; Cohen**

Ordinance appropriating \$9,559,117 from State and Federal Contingency Reserve to the Human Service Agency to backfill the loss of State In-Home Supportive Services (IHSS) revenue at \$4,450,000 and fund unanticipated payment liability to the State for the IHSS Maintenance of Effort due to unanticipated changes at the State level at \$4,350,000; to the Department of Public Health to fund the Center of Disease Control's HIV/AIDS program due to loss of funding at \$686,503; and to the Department of Administrative Services to support recipients of the Deferred Action for Childhood Arrival program at \$72,614 for FY2017-2018.

(Fiscal Impact)

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

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

Excused: 1 - Fewer

#### **171077 [Real Property Lease Renewal - 1145 Market LP - 1145 Market Street - San Francisco Law Library - \$1,180,000 Initial Annual Base Rent]**

Resolution authorizing the exercise of an option to extend the term of a Lease for approximately 20,000 square feet, consisting of a portion of the second floor and entire fourth floor at 1145 Market Street, for the San Francisco Law Library, with 1145 Market Street LP, a California limited partnership, for five years, subject to City's right to terminate, for the period of July 1, 2018, to June 30, 2023, at a monthly base rent of \$98,333.33 for a total annual base rent of 1,180,000 in the initial year with 3% annual increases. (Real Estate Department)

(Fiscal Impact)

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

**171144 [Apply for Grant - Centers for Disease Control - Integrated HIV Surveillance and Prevention Programs for Health Departments - \$7,257,408]****Sponsor: Sheehy**

Resolution authorizing the Department of Public Health to submit a one-year application for calendar year 2018 to continue to receive funding for the Integrated HIV Surveillance and Prevention Programs for Health Departments grant from the Centers for Disease Control and Prevention, requesting \$7,257,408 in HIV prevention funding for San Francisco from January 1, 2018, through December 31, 2018. (Public Health Department)

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

**171145 [Apply for Grant - Health Resources Services Administration - Ryan White Act HIV/AIDS Emergency Relief Grant Program - \$16,601,550]****Sponsor: Sheehy**

Resolution authorizing the Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program grant from the Health Resources Services Administration, requesting \$16,601,550 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2018, through February 28, 2019. (Public Health Department)

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

**171199 [Real Property Lease, Access License and Access Easement - State of California Department of Transportation - Property Near Cesar Chavez and Indiana Streets - Islais Creek Motor Coach Operation and Maintenance Facility - \$191,241 Initial Annual Rent]****Sponsor: Cohen**

Resolution authorizing an Airspace Lease for approximately 63,747 square feet of land under the Highway 280 freeway structure near Cesar Chavez and Indiana Streets (Lease Parcel) for the Islais Creek Motor Coach Operation and Maintenance Facility (Bus Facility) with the State of California, acting by and through its Department of Transportation (Caltrans), at an initial term of 50 years with two 15-year extension options and an initial annual rent of \$191,240 with 3% annual increases and subject to certain fair market rent adjustments; authorizing an Indiana Street Access License Agreement (License Agreement) for Caltrans access over the Bus Facility from Indiana Street to the Lease Parcel during the Airspace Lease term or any later date allowed under the License Agreement; authorizing a Cesar Chavez Access Easement Agreement (Easement Agreement) for Caltrans access over a 2,098 square foot portion of the Bus Facility from Cesar Chavez Street to the Lease Parcel after the License Agreement terminates; affirming the Planning Department's determination under the California Environmental Quality Act; and finding the Airspace Lease, Easement Agreement and License Agreement are in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Municipal Transportation Agency)

(Fiscal Impact)

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

**171200 [Grant of Easement - Pacific Gas and Electric Company - 68.25 Square Feet at Northern Edge of Parcel - 1101 Connecticut - At No Cost]****Sponsor: Cohen**

Resolution approving and authorizing the grant of an easement on the City's property, consisting of 68.25 square feet of land at the northern edge of the parcel located at 1101 Connecticut Street (Assessor's Parcel Block No. 4287, Lot No. 076), between the City and County of San Francisco and Pacific Gas and Electric Company (PG&E), at no cost, for a term to commence upon Board approval and until PG&E surrenders or abandons the easement area, the agreement is terminated, or PG&E realigns its electrical facilities such that it no longer requires the use of the easement area; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution, as defined herein.

**ADOPTED by the following vote:**

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

**171204 [Ground Lease - 1296 Shotwell Housing, L.P. - 1296 Shotwell Street - \$15,000 Annual Base Rent]****Sponsor: Ronen**

Resolution approving and authorizing a long term Ground Lease with 1296 Shotwell Housing, L.P., on City owned land at 1296 Shotwell Street for a term of 75 years with one 24-year option to extend, and with an annual base rent of \$15,000 in order to construct a 100% affordable, 94-unit multifamily rental housing development for low-income seniors and formally homeless seniors; adopting findings that the Ground Lease is consistent with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property and Acting Director of MOHCD to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Mayor's Office of Housing and Community Development)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

*President Breed requested File Nos. 171205, 171206, 171207, 171208, and 171209 be called together.*

**171205 [Accept and Expend Grant - California Department of Parks and Recreation - Geneva Car Barn and Powerhouse Improvements - \$3,500,000]****Sponsor: Safai**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a Specified Grant from the California Department of Parks and Recreation in the amount of \$3,500,000 for the Geneva Car Barn and Powerhouse for a total term of July 1, 2017, through June 30, 2020. (Recreation and Park Department)

**ADOPTED by the following vote:**

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

**171206 [Development Services Agreement - Community Arts Stabilization Trust - Renovation of the Powerhouse Building - 2301 San Jose Avenue]**

**Sponsor: Safai**

Resolution authorizing a Development Services Agreement with an affiliate of the Community Arts Stabilization Trust for the payment of City's construction costs and related expenses, as defined herein, for the renovation of the Powerhouse building of the Geneva Car Barn and Powerhouse. (Fiscal Impact)

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

**171207 [Funding Agreement - Community Arts Stabilization Trust - Renovation of the Powerhouse Building - 2301 San Jose Avenue]**

**Sponsor: Safai**

Resolution authorizing a Funding Agreement with the Community Arts Stabilization Trust to finance the renovation of the Powerhouse building of the Geneva Car Barn and Powerhouse. (Fiscal Impact)

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

**171208 [Real Property Lease - Community Arts Stabilization Trust - Geneva Car Barn and Powerhouse - 2301 San Jose Avenue - \$0 Initial Rent]**

**Sponsor: Safai**

Resolution authorizing a 55-year lease for the Powerhouse building of the Geneva Car Barn and Powerhouse and a portion of adjacent City property with \$0 initial rent with an affiliate of the Community Arts Stabilization Trust; affirming the Planning Department's determination under the California Environmental Quality Act; and finding the lease is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Fiscal Impact)

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

**171209 [Indemnification Agreement - Renovation of the Powerhouse Building]**

**Sponsor: Safai**

Resolution authorizing an Indemnification Agreement in favor of the parties financing the renovation of the Powerhouse building of the Geneva Car Barn and Powerhouse. (Fiscal Impact)

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

**171255 [Corrective Actions in Connection with Proposed Federal Tax Reform - Multifamily Housing Revenue Bonds - Various Multifamily Rental Housing Projects]****Sponsor: Mayor**

Resolution authorizing corrective actions by the Mayor and the Director of the Mayor's Office of Housing and Community Development to mitigate, ameliorate or avoid the negative consequences of proposed federal tax reform on multifamily housing revenue bonds of the City and on the multifamily rental housing projects financed thereby; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with such corrective actions; 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: 10 - Breed, Cohen, Farrell, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 1 - Fewer

*President Breed requested File Nos. 171258 and 171259 be called together.*

**171258 [Apply for Grant - 1950 Mission Housing Associates, L.P. - Assumption of Liability - Affordable Housing and Sustainable Communities Program - 1950 Mission Street Project]****Sponsor: Ronen**

Resolution authorizing the Mayor's Office of Housing and Community Development on behalf of the City and County of San Francisco to execute a grant application, grant agreement, and related documents, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities (AHSC) Program as a joint applicant with 1950 Mission Housing Associates L.P., a California limited partnership for the project at 1950 Mission Street; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code. (Mayor's Office of Housing and Community Development)

**Supervisor Ronen, seconded by Supervisor Kim, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding language requiring separate Board approval for a subsequent Standard Agreement, if the grant is awarded; adding authorization for documents necessary to complete the application process; and making clarifying and conforming changes. The motion carried by the following vote:**

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

Excused: 1 - Fewer

Resolution authorizing the Mayor's Office of Housing and Community Development on behalf of the City and County of San Francisco to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities (AHSC) Program as a joint applicant with 1950 Mission Housing Associates L.P., a California limited partnership for the project at 1950 Mission Street; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code. (Mayor's Office of Housing and Community Development)

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

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

Excused: 1 - Fewer

**171259 [Apply for Grant - 2060 Folsom Housing, L.P. - Assumption of Liability - Affordable Housing and Sustainable Communities Program - 2060 Folsom Street Project]****Sponsor: Ronen**

Resolution authorizing the Mayor's Office of Housing and Community Development on behalf of the City and County of San Francisco to execute a grant application, grant agreement, and related documents, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities (AHSC) Program as a joint applicant with 2060 Folsom Housing, L.P., a California limited partnership for the project at 2060 Folsom Street; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act (CEQA), the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code. (Mayor's Office of Housing and Community Development)

**Supervisor Ronen, seconded by Supervisor Kim, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding language requiring separate Board approval for a subsequent Standard Agreement, if the grant is awarded; adding authorization for documents necessary to complete the application process; and making clarifying and conforming changes. The motion carried by the following vote:**

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

Excused: 1 - Fewer

Resolution authorizing the Mayor's Office of Housing and Community Development on behalf of the City and County of San Francisco to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities (AHSC) Program as a joint applicant with 2060 Folsom Housing, L.P., a California limited partnership for the project at 2060 Folsom Street; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act (CEQA), the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code. (Mayor's Office of Housing and Community Development)

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

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

Excused: 1 - Fewer

**171260 [Multifamily Housing Revenue Bond - 2675 Folsom Street and 970 Treat Avenue - Not to Exceed \$110,000,000]****Sponsor: Ronen**

Resolution authorizing the issuance and sale of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$110,000,000 for the purpose of providing financing for the acquisition, development and construction of a 117-unit, mixed income, multifamily rental housing project located at 2675 Folsom Street and 970 Treat Avenue; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds and authorizing the issuance thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; approving the form of and authorizing the execution of a bond purchase agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters, as defined herein.

**ADOPTED by the following vote:**

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

Excused: 1 - Fewer

**171157 [Emergency Declaration - Design and Construction of Department of Homelessness and Supportive Housing's Administrative Offices and Access Point - 440 Turk Street]**

**Sponsor: Mayor**

Resolution declaring an emergency, and authorizing and directing the Director of Public Works, or designee thereof, to construct an access point to front-door services, case management, medical attention, and mental health counseling to individuals affected by homelessness at the Department of Homelessness and Supportive Housing property at 440 Turk Street, pursuant to Administrative Code, Section 6.60(a).

(Fiscal Impact)

*Privilege of the floor was granted unanimously to Jeff Kositsky, Director (Department of Homelessness and Supportive Housing), and Edgar Lopez (Public Works) who responded to questions raised throughout the discussion.*

**Supervisor Kim, seconded by Supervisor Cohen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of January 9, 2018. The motion carried by the following vote:**

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

Excused: 1 - Fewer

**171256 [Emergency Declaration - Declaration of Homeless Shelter Emergency and Authorizing Certain Emergency Contracting Provisions]**

**Sponsors: Mayor; Ronen, Sheehy, Yee and Safai**

Resolution declaring a homeless shelter emergency, and authorizing the Director of Public Works to construct, improve, or repair facilities pursuant to Administrative Code, Section 6.60(a); and the Director of the Department of Homelessness and Supportive Housing to contract for homeless services and to offer such services to protect the health, safety, and welfare of individuals affected by homelessness and all San Francisco citizens in accordance with the requirements in Administrative Code, Section 21.15.

(Fiscal Impact)

*Privilege of the floor was granted unanimously to Jeff Kositsky, Director (Department of Homelessness and Supportive Housing), who responded to questions raised throughout the discussion.*

**ADOPTED by the following vote:**

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

Noes: 1 - Cohen

Excused: 1 - Fewer



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

### **171015 [Interim Zoning Controls - Off-Street Parking in the “Market Street Hub” Area]**

**Sponsors: Breed; Kim and Peskin**

Resolution imposing for 18 months interim zoning controls limiting off-street parking for new development projects to the principally-permitted accessory parking ratios established under the Planning Code, and removing the possibility to apply for a conditional use authorization to increase such parking, in the area known as “the Hub” or the “Market Street Hub,” which covers the eastern-most portions of the Market and Octavia Plan area, and is bounded generally by Fell and Hayes Streets to the north; Market and Howard Streets to the east; Highway 101 to the south and southeast; and Haight, Gough, Page, and Franklin Streets to the west; applying these interim zoning controls to development projects that have not received an approval of a development application prior to the effective date of this Resolution and will provide no on-site affordable housing under the City’s Inclusionary Affordable Housing Program; and making environmental findings and findings of consistency with the eight priority policies of Planning Code, Section 101.1.

**ADOPTED by the following vote:**

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

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

### **171243 [Special On-Sale General Liquor License - Verifying Completion of Preapplication Meeting - 942 Geneva Avenue]**

**Sponsor: Safai**

Motion verifying that A Careless Match, LLC, doing business as The Dark Horse Inn, located at 942 Geneva Avenue, has completed the preapplication meeting requirement under California Business and Professions Code, Section 23826.13, for the issuance of a new, non-transferable, Type-87 neighborhood-restricted special on-sale general liquor license.

**Motion No. M17-202**

**APPROVED by the following vote:**

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

## **Recommendation of the Rules Committee**

### **170937 [Administrative Code - Tenant Assistance Fund for Hazardous Housing]**

#### **Sponsors: Mayor; Safai and Ronen**

Ordinance amending the Administrative Code to establish the Tenant Assistance Fund for Hazardous Housing and to allow certain eligible tenants displaced due to administrative orders to vacate issued by the Department of Building Inspection or the Fire Department to receive financial assistance from the Fund for up to two years.

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

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

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

Excused: 1 - Fewer

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## **PUBLIC COMMENT**

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

*Tom Gilberty; expressed mourning over the passing of Mayor Lee, and shared concerns regarding navigation centers and affordable housing.*

*Michael Cheng; requested the Board delay approval of the Motion to support the rescission of the tax sale of the Presidio Terrace Common Area (File No. 171281).*

*Speaker; expressed mourning over the passing of Mayor Lee, and shared concerns regarding the eviction of an elderly individual and the homicide of a child.*

*Charles Pitts; expressed condolences over the passing of Mayor Lee, and shared concerns regarding standards of care in homeless shelters.*

*Supervisor Tang was noted absent at 6:00 p.m. and for the remainder of the meeting.*

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

### **171289 [Urging Congress to Cosponsor House Concurrent Resolution 63 - Supporting Infrastructure and Community Development Efforts]**

#### **Sponsors: Ronen; Kim and Sheehy**

Resolution urging members of Congress to cosponsor House Concurrent Resolution 63, a national effort to create new jobs through public investment infrastructure improvements that benefit our communities.

**ADOPTED**

**171292 [Approval of a 30-Day Extension for Planning Commission Review of Amending the Zoning Map Pursuant to Settlement (File No. 171013)]****Sponsor: Sheehy**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 171013) amending the Planning Code by revising Zoning Map Sheet ZN06 to rezone Assessor's Parcel Block No. (AB) 2719C, Lot No. 023, located at Burnett Avenue and Burnett Avenue North, from Public (P) to Residential, Mixed Districts, Low Density (RM-1); rezoning a portion of Burnett Avenue North generally bounded by AB 2745, Lot No. 036, and AB 2719C, Lot No. 023, to RM-1; 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 findings under Planning Code, Section 302.

**ADOPTED****171281 [Adoption of Findings Related to Rescission of Tax Sale - Presidio Terrace Common Area]**

Motion adopting findings in support of the Board of Supervisors' decision to rescind the tax sale of the Presidio Terrace Common Area, Assessor's Block No. 1355, Lot No. 001, pursuant to California Revenue and Taxation Code, Section 3731. (Clerk of the Board)

**Motion No. M17-205****APPROVED****171293 [Committee of the Whole - Amendments to the Mission Bay South Redevelopment Plan - January 23, 2018]****Sponsor: Kim**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on January 23, 2018, at 3:00 p.m., to hold a public hearing to consider amendments to the Mission Bay South Redevelopment Plan as authorized by Assembly Bill 2796 (Chapter 529, Statutes 2016).

**Motion No. M17-206****APPROVED****The foregoing items were acted upon by the following vote:**

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

Excused: 1 - Fewer

Absent: 1 - Tang

**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

### **171275 [Appropriation and De-Appropriation - Airport NARC Forfeiture and Asset Seizure Fund Balance - Police Training Support Facility Capital Project - FY2017-2018 - \$1,100,000]**

Ordinance appropriating \$1,100,000, consisting of \$333,163 from fund balance in the Airport NARC Forfeiture and Asset Seizure Fund; and \$766,837 de-appropriated from Programmatic Projects - Budget in the Airport NARC Forfeiture and Asset Seizure Fund, and re-appropriated to Building, Structures, & Improvements Project - Budget; to support the Airport Commission's Police Training Support Facility capital project. (Airport Commission)

11/27/17; RECEIVED FROM DEPARTMENT.

12/12/17; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/11/2018.

### **171276 [Settlement of Lawsuit - Lai King Tam - \$142,500]**

Ordinance authorizing settlement of the lawsuit filed by Lai King Tam against the City and County of San Francisco for \$142,500; the lawsuit was filed on June 2, 2016, in San Francisco Superior Court, Case No. CGC-16-552527; entitled Lai King Tam v. City and County of San Francisco; the lawsuit involves personal injury allegedly caused by the dangerous condition of a City sidewalk. (City Attorney)

12/04/17; RECEIVED FROM DEPARTMENT.

12/12/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**171277 [Settlement of Lawsuit - Patricia Burley - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by Patricia Burley against the City and County of San Francisco for \$100,000; the lawsuit was filed on October 18, 2016, in San Francisco Superior Court, Case No. CGC-16-554887, and removed on November 22, 2016, to United States District Court, Case No. 16-cv-06762 JCS; entitled Patricia Burley vs. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

12/04/17; RECEIVED FROM DEPARTMENT.

12/12/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTION

**171278 [Emergency Declaration - Repair and Servicing of the Tesla Treatment Facility Flywheel Uninterruptible Power Supply Units - Hetch Hetchy Regional Water System - Not to Exceed Cost of \$500,000]**

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, for the repair and servicing of the Tesla Treatment Facility Flywheel Uninterruptible Power Supply Units of the Hetch Hetchy Regional Water System, with an estimated total not to exceed cost of \$500,000. (Public Utilities Commission)

12/04/17; RECEIVED FROM DEPARTMENT.

12/12/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour 6:12 p.m.*