

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 20, 2016 - 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
JOHN AVALOS, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, AARON PESKIN, KATY TANG, SCOTT WIENER,
NORMAN YEE
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Tang, Yee	Wednesday 10:00 AM
Government Audit and Oversight Committee Supervisors Peskin, Yee, Breed	1st and 3rd Thursday 9:30 AM
Land Use and Transportation Committee Supervisors Cohen, Wiener, Peskin	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Kim, Avalos, Campos	2nd Thursday 2:30 PM
Rules Committee Supervisors Tang, Mar, Cohen	2nd and 4th Thursday 11:00 AM

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Aaron Peskin, Katy Tang, Scott Wiener, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, September 20, 2016, 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 Mar and Tang were noted not present. There was a quorum.

COMMUNICATIONS

There were no communications.

AGENDA CHANGES

There were no agenda changes.

Supervisor Tang was noted present at 2:06 p.m.

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Land Use and Transportation Committee

160851 [Street Vacation Order - Parkmerced Development Project]

Sponsor: Yee

Ordinance ordering the conditional vacation of portions of streets (along with public service easements within those streets) that exist within the Subphases 1A and 1B of the Parkmerced Development Project area, an approximately 152 acre site located in the Lake Merced District in the southwest corner of San Francisco and generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue, and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; reserving various easement rights in favor of the City and third party utilities, subject to conditions specified in this ordinance; delegating authority to the Director of Real Estate to execute certain quit claim deeds; adopting findings under the California Environmental Quality Act; adopting findings that the vacations are consistent with the Parkmerced Development Agreement, the General Plan, and the eight priority policies of Planning Code, Section 101.1; directing the Clerk of the Board of Supervisors to make certain transmittals; and authorizing actions by City officials in furtherance of this Ordinance, as defined herein.

Ordinance No. 183-16

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener, Yee

Absent: 1 - Mar

Recommendation of the Budget and Finance Committee

Supervisor Mar was noted present at 2:07 p.m.

160890 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2016-2017]

Sponsor: Farrell

Ordinance levying property taxes at a combined rate of \$1.1792 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District, and establishing a pass-through rate of \$0.0840 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2017.

(Fiscal Impact)

Ordinance No. 184-16

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

160892 [Administrative Code - San Francisco City College Enrollment Fee Assistance Fund]

Sponsors: Kim; Yee

Ordinance amending the Administrative Code to establish the San Francisco City College Enrollment Fee Assistance Fund.

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

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

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

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Yee, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 14-15, by adding 'The agreement shall designate an agency to provide administrative support for the Oversight Committee.'; and on Page 4, Lines 17-18, by striking 'The Department shall provide administrative support for the Oversight Committee.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160693 [Accept and Expend In-Kind Gift - Codex, the Stanford Center for Legal Informatics - Data Analytics and Research Support - \$13,000]

Sponsor: Cohen

Resolution retroactively authorizing the Office of the District Attorney to accept and expend an in-kind gift estimated at \$13,000 from Codex, The Stanford Center for Legal Informatics, for data analytics and research support for the project term of April 20, 2016, through April 19, 2018. (District Attorney)

Resolution No. 406-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

President Breed requested File Nos. 160867, 160868, and 160850 be called together.

160867 [Issuance of Taxable and Tax-Exempt General Obligation Bonds (Affordable Housing, 2015) - Not to Exceed \$310,000,000]

Sponsors: Mayor; Breed

Resolution providing for the issuance of not to exceed \$310,000,000 aggregate principal amount of City and County of San Francisco Taxable and Tax-Exempt General Obligation Bonds (Affordable Housing, 2015); authorizing the issuance and sale of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and Administrative Code, Chapter 31; finding that the proposed project is in conformity with the priority policies of Planning Code, Section 101.1(8), and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; ratifying certain actions previously taken, as defined herein; and granting general authority to city officials to take necessary actions in connection with the issuance and sale of said bonds, as defined herein. (Fiscal Impact)

Resolution No. 407-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160868 [Sale of Taxable General Obligation Bonds (Affordable Housing, 2015), Series 2016F - Not to Exceed \$77,000,000]

Sponsors: Mayor; Breed

Resolution authorizing the issuance and sale of not to exceed \$77,000,000 aggregate principal amount of City and County of San Francisco Taxable General Obligation Bonds (Affordable Housing, 2015), Series 2016F; prescribing the form and terms of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; authorizing the sale of said bonds by competitive or negotiated sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of Bond Purchase Contract; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein. (Fiscal Impact)

Resolution No. 408-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160850 [Appropriation - Mayor's Office of Housing and Community Development - Proceeds from General Obligation Housing Bond - FY2016-2017 - \$77,000,000]
Sponsors: Mayor; Breed

Ordinance appropriating \$77,000,000 of proceeds from the General Obligation Housing Bond, Series 2016F to the Mayor's Office of Housing and Community Development for Public Housing, Low-Income Housing, Investment in Mission Neighborhood, and Middle Income Housing-DALP and TND in FY2016-2017, and placing these funds on Controller's Reserve pending sale of the bonds.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160869 [Multifamily Housing Revenue Bonds - 626 Mission Bay Boulevard North (also known as 1300 Fourth Street and Mission Bay South Block 6 East) - Not to Exceed \$52,500,000]

Sponsor: Kim

Resolution authorizing the issuance, sale and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$52,500,000 for the purpose of providing financing for the construction of a 143-unit multifamily rental housing project known as 626 Mission Bay Boulevard North; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; 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; authorizing the collection of certain fees; approving modifications, changes and additions to the documents, as defined herein; 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. (Mayor's Office of Housing and Community Development)

Resolution No. 386-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160885 [Real Property Acquisition - Easements from TSE Serramonte, L.P. - Regional Groundwater Storage and Recovery Project, San Mateo County - \$23,170]

Resolution approving and authorizing the acquisition of one temporary construction easement and one permanent subsurface easement for a sanitary sewer and electrical line, from TSE Serramonte, L.P., a California limited partnership for \$23,170 to be used by the City and County of San Francisco under the Water System Improvement Program for the access, installation, modification, removal, inspection, maintenance, repair, replacement, periodic scheduled maintenance, emergency repairs, and construction of the project known as the Regional Groundwater Storage and Recovery Project, Project No. CUW30103; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and approving the Agreement and authorizing the Director of Property and/or the San Francisco Public Utilities Commission General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Public Utilities Commission)

Resolution No. 409-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160887 [Financing - Portsmouth Plaza Parking Corporation - Not to Exceed \$12,500,000]

Resolution authorizing a financing to be undertaken by the City of San Francisco Portsmouth Plaza Parking Corporation on behalf of the City in an amount not to exceed \$12,500,000 and approving the forms of and authorizing the execution and delivery of documents reasonably necessary for such financing; ratifying and approving any action heretofore taken in connection with the financing; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Recreation and Park Department)
(Fiscal Impact)

Resolution No. 410-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160895 [Real Property Lease - SFP2 1360 Mission St., LLC - 1360 Mission St., First and Second Floors - \$763,110 Annual Base Rent]

Sponsors: Mayor; Kim

Resolution authorizing the lease of approximately 16,958 square feet at 1360 Mission Street, first and second floors, with SFP2 1360 Mission St., LLC, a California limited liability company, for a four year term to commence following Board approval through August 17, 2020, with one option to extend for one year, at the monthly base rent of \$63,592.50, for a total annual base rent of \$763,110.

(Fiscal Impact)

Resolution No. 387-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160929 [Agreement Amendment - PRWT Services, Inc. - Citation Processing and Support Services - Not to Exceed \$76,777,789]

Resolution approving the Fifth Amendment to the Agreement with PRWT Services, Inc., for citation processing and support services by increasing the contract amount by \$14,051,854, for a total contract amount not to exceed \$76,777,789 over the agreement term of November 1, 2008, through October 31, 2018. (Municipal Transportation Agency)

(Fiscal Impact)

Resolution No. 411-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Public Safety and Neighborhood Services Committee

President Breed requested File Nos. 160138 and 160356 be called together.

160138 [Liquor License - 482-488 Hayes Street]

Resolution determining that the issuance of a Type 48 on-sale general public premises license to Burgers 355, LLC dba Brass Tacks, located at 482-488 Hayes Street (District 5), 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)

Resolution No. 403-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160356 [Liquor License Transfer - 50 Mason Street]

Resolution determining that the issuance of a Type 48 on-sale general public premises license to Pandora Karaoke, Inc. dba Pandora Karaoke, located at 50 Mason (District 6), 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)

Resolution No. 404-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160910 [Confirming Reappointment, Public Utilities Commission - Francesca Vietor]

Sponsor: Mayor

Motion confirming the mayoral reappointment of Francesca Vietor, to the Public Utilities Commission, Seat No. 1, for the unexpired portion of a four-year term ending August 1, 2020. (Charter, Section 4.112, provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors. Transmittal date: August 8, 2016.)

Motion No. M16-122

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160911 [Confirming Reappointment, Public Utilities Commission - Ann Moller Caen]

Sponsor: Mayor

Motion confirming the mayoral reappointment of Ann Moller Caen, to the Public Utilities Commission, Seat No. 3, for the unexpired portion of a four-year term ending August 1, 2020. (Charter, Section 4.112, provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors. Transmittal date: August 8, 2016.)

Motion No. M16-123

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160912 [Confirming Reappointment, Public Utilities Commission - Vince Courtney, Jr.]**Sponsor: Mayor**

Motion confirming the mayoral reappointment of Vince Courtney, Jr., to the Public Utilities Commission, Seat No. 5, for the unexpired portion of a four-year term ending August 1, 2020. (Charter, Section 4.112, provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors. Transmittal date: August 8, 2016.)

Motion No. M16-124

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160913 [Confirming Appointment, Treasure Island Development Authority Board of Directors - Sam Moss]**Sponsor: Mayor**

Motion approving the mayoral appointment of Sam Moss to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending April 28, 2018. (Appointments of Directors who are not City officers are effective only upon approval by a majority of the Board of Supervisors. Transmittal date: August 10, 2016.)

Motion No. M16-125

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160915 [Appointments, Child Care Planning and Advisory Council - Beverly Melugin and Graham Dobson]

Motion appointing Beverly Melugin (residency requirement waived), term ending March 19, 2019, and Graham Dobson, term ending March 19, 2018, to the Child Care Planning and Advisory Council. (Rules Committee)

Motion No. M16-126

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Tang Excused from Voting

Supervisor Peskin, seconded by Supervisor Mar, moved that Supervisor Tang be excused from voting on File No. 160917. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Wiener, Yee

Excused: 1 - Tang

160917 [Appointment, Children and Families First Commission - Supervisor Katy Tang]

Motion appointing Supervisor Katy Tang, for an indefinite term, to the Children and Families First Commission. (Rules Committee)

Motion No. M16-127

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Wiener, Yee

Excused: 1 - Tang

Supervisor Avalos Excused from Voting

Supervisor Peskin, seconded by Supervisor Yee, moved that Supervisor Avalos be excused from voting on File No. 160927. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Excused: 1 - Avalos

160927 [Appointment, Reentry Council - Supervisor John Avalos]

Motion appointing Supervisor John Avalos, term ending June 7, 2018, to the Reentry Council. (Rules Committee)

Motion No. M16-128

APPROVED by the following vote:

Ayes: 10 - Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
Excused: 1 - Avalos

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

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

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Kim introduced and presented a posthumous Certificate of Honor for Rose Pak in recognition of her countless accomplishments advocating for the City and County of San Francisco and her lifetime of achievements and community support. Phil Chin (Chinese Chamber of Commerce), Police Commissioner Victor Hwang, and former Commissioner Cindy Wu accepted the Certificate in her honor. Supervisors Peskin, Yee, Wiener, Mar, Avalos, Tang, Farrell, Cohen, Campos, and Breed shared in this commendation.

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 160918, 160919, 160920 and 160921 be called together.

160918 [Hearing - Appeal of Conditional Use Authorization - 2785 San Bruno 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 at 2785 San Bruno Avenue, Assessor's Parcel Block No. 5450, Lot No. 018, identified in Planning Case No. 2014-003173CUA, issued by the Planning Commission by Motion No. 19702 dated July 14, 2016, to demolish a one-story single family dwelling with an unauthorized unit, and to construct a four-story mixed-use building at 2785 San Bruno Avenue within an NC-2 (Neighborhood Commercial, Small Scale) Zoning District and a 40-X Height and Bulk District. (District 9) (Appellant: Stephen M. Williams) (Filed August 15, 2016). (Clerk of the Board)

President Breed opened the public hearing and inquired as to whether any member of the public wished to address the Board. Stephen Williams (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Ray Hartz (see additional information submitted on page 790); Male Speaker; Paul Gioninni; Felicia Bradley; Sherman Lee; Female Speaker; Len Lee; Fong Soo Yen; Lisa Lee; Gene Hon; Audrey Lin; Jeffrey; Teresa Duque; spoke in support of the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. David Silverman (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. Stephen Williams (Appellant) provided a rebuttal and further requested the Board to approve the appeal. Robert Collins, Acting Executive Director (Rent Board), and Jon Givner (Office of the City Attorney) responded to questions raised throughout the discussion. There were no other speakers. President Breed declared the public hearing closed.

HEARD AND FILED

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Peskin assumed the chair at 3:56 p.m. President Breed resumed the chair at 4:21 p.m.

160919 [Approving Conditional Use Authorization - 2785 San Bruno Avenue Project]

Motion approving the decision of the Planning Commission by its Motion No. 19702, approving a Conditional Use Authorization identified as Planning Case No. 2014-003173CUA for a proposed project located at 2785 San Bruno Avenue, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

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

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160920 [Disapproving Conditional Use Authorization - 2785 San Bruno Avenue Project]

Motion disapproving the decision of the Planning Commission by its Motion No. 19702, approving a Conditional Use Authorization identified as Planning Case No. 2014-003173CUA for a proposed project located at 2785 San Bruno Avenue. (Clerk of the Board)

Motion No. M16-129

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

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160921 [Preparation of Findings Related to Conditional Use Authorization Appeal - 2785 San Bruno Avenue Project]

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. 2014 003173CUA for a proposed project located at 2785 San Bruno Avenue. (Clerk of the Board)

Motion No. M16-130

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

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 160930 and 160988 be called together.

Board of Supervisors Sitting as a Committee of the Whole**160930 [Hearing - Management District Plan Modification and Assessment Ballot Proceeding - Central Market Community Benefit District]**

Hearing to consider an Assessment Ballot Proceeding to consider modifying the Management District Plan and Engineer's Report to remove the district-wide cap on annual assessment revenues levied on properties located in the Business Improvement District known as the "Central Market Community Benefit District," scheduled pursuant to Resolution No. 288-16, adopted on July 26, 2016. (Clerk of the Board)

President Breed opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to the Resolution modifying the Management District Plan and Engineer's Report for the Central Market Community Benefit District (File No. 160988). Rick Kurylo (Mayor's Office of Economic and Workforce Development) provided an overview of the proposed community benefit district and responded to questions raised throughout the discussion. Tracy Everwine, Executive Director (Central Market Community Benefit District); Tim Stephen; Male Speaker; spoke in support of the modifications to the Community Benefit District. Ray Hartz (see additional information submitted on page 790); spoke in opposition to the modifications to the Community Benefit District. There were no other speakers. President Breed declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

160988 [Management District Plan and Engineer's Report Modification - Central Market Community Benefit District]

Sponsor: Kim

Resolution modifying the Management District Plan and Engineer's Report to remove the district-wide cap on annual assessment revenues levied on properties located in the property-based business improvement district (community benefit district) known as the "Central Market Community Benefit District;" and making environmental findings.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the modifications to the Central Market Community Benefit District was 71.75%, and the returned weighted ballots voting against the modifications to the Central Market Community Benefit District was 28.25%, further indicating there was no majority protest.

Resolution No. 402-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

COMMITTEE REPORTS

Recommendation of the Government Audit and Oversight Committee

160614 [Board Response - Civil Grand Jury - Maintenance Budgeting and Accounting Challenges for General Fund Departments: Maintenance Economics Versus Maintenance Politics: Pay Now or Pay More Later]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2015-2016 Civil Grand Jury Report, entitled "Maintenance Budgeting and Accounting Challenges for General Fund Departments: Maintenance Economics Versus Maintenance Politics: Pay Now or Pay More Later;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

Resolution No. 405-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed concerns regarding improper conduct of police officers.

Peter Warfield; expressed concerns regarding the San Francisco Public Library and proposed expansions.

Ray Hartz; expressed concerns regarding the San Francisco Public Library and the Friends of the San Francisco Public Library (see additional information submitted on page 790).

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

Male Speaker; shared concerns and experiences being homeless in San Francisco.

Karen Fleshman; requested the Board to attend a workshop on being mindful of racial biases.

Christopher Dahl; expressed various concerns and experiences with the Board.

Mike Miller; spoke in support of the Resolution regarding the historic preservation of the Van Ness Corridor (File No. 160993).

Ms. Segal; spoke in support of the Resolution regarding the historic preservation of the Van Ness Corridor (File No. 160993).

Darcy Brown; spoke in support of the Resolution regarding the historic preservation of the Van Ness Corridor (File No. 160993).

Varna Sheen; spoke in support of the Resolution regarding the historic preservation of the Van Ness Corridor (File No. 160993).

Greg Scott; spoke in support of the Resolution regarding the historic preservation of the Van Ness Corridor (File No. 160993).

Joanne Keen; expressed concerns regarding the police shooting of Mario Woods.

Dan Weaver; spoke in support of the Resolution regarding the historic preservation of the Van Ness Corridor (File No. 160993).

Moe Jamil; spoke in support of the Resolution regarding the historic preservation of the Van Ness Corridor (File No. 160993).

David Gabrina; spoke in support of the newly introduced Resolution regarding the Garden District and the Portola Green Plan.

Bonnie Bridges; spoke in support of the newly introduced Resolution regarding the Garden District and the Portola Green Plan.

Female Speaker; spoke in support of the newly introduced Resolution regarding the Garden District and the Portola Green Plan.

Female Speaker; spoke in support of the newly introduced Resolution regarding the Garden District and the Portola Green Plan.

Tom Hayden; spoke in support of the newly introduced Resolution regarding the Garden District and the Portola Green Plan.

Kelly Torres; spoke in support of the newly introduced Resolution regarding the Garden District and the Portola Green Plan.

Female Speaker; spoke in support of the newly introduced Resolution regarding the Garden District and the Portola Green Plan.

Ken Dole; spoke in support of the newly introduced Resolution regarding the Garden District and the Portola Green Plan.

Robyn Huey; spoke in support of the newly introduced Resolution regarding the Garden District and the Portola Green Plan.

Alesha Bishop; spoke in support of the newly introduced Resolution regarding the Garden District and the Portola Green Plan.

Alex Hobbs; spoke in support of the newly introduced Resolution regarding the Garden District and the Portola Green Plan.

Alicia Coleman; spoke in support of the newly introduced Resolution regarding the Garden District and the Portola Green Plan.

Tom Gilberty; expressed concerns regarding global warming, police-involvement with the community, gun-less police officers, tooth decay, and housing.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**160990 [Approval of an Additional 90-Day Extension for Planning Commission Review of Inclusionary Affordable Housing Program (File No. 150911)]****Sponsors: Mayor; Farrell and Tang**

Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 150911) amending the Planning Code to provide revised geographic, timing, pricing, and other requirements for the off-site alternative to the Inclusionary Housing Fee; create a new option for off-site projects that qualify as Nonprofit Provider Partner Projects; create a new alternative for project sponsors of smaller market-rate projects to direct the Affordable Housing Fee to small sites projects; create an option for project sponsors of on- and off-site housing to provide higher amounts of affordable housing at higher levels of affordability termed "dialing up;" revise certain definitions and operating procedures related to the Inclusionary Housing Program and make conforming changes; 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 the Planning Code, Section 101.1.

Resolution No. 412-16**ADOPTED****160991 [Dr. Rolland and Kathryn Lowe Day - September 10, 2016]****Sponsors: Peskin; Yee and Mar**

Resolution declaring September 10, 2016, Dr. Rolland and Kathryn Lowe Day in the City and County of San Francisco.

Supervisors Yee and Mar requested to be added as co-sponsors.

Resolution No. 413-16**ADOPTED****160992 [Report of Delinquent Real Property Transfer Taxes]****Sponsors: Peskin; Tang**

Resolution confirming report of delinquent real property transfer tax under Business and Tax Regulations Code, Section 1115.1(c), for Assessor's Parcel Block No. 0330, Lot No. 026 (55 Cyril Magnin Street), and directing transmission of said report to the Controller and Tax Collector for collection and deposit into the General Fund.

Resolution No. 414-16**ADOPTED****160994 [Designating San Francisco a Bee City USA and Affirming San Francisco's Commitment to Supporting Pollinator Health]****Sponsor: Tang**

Resolution designating San Francisco a Bee City USA to promote healthy, sustainable habitats and communities for bees and other pollinators.

Resolution No. 416-16**ADOPTED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Peskin requested that File No. 160993 be severed so that it may be considered separately.

160993 [Urging the San Francisco Municipal Transportation Agency to Preserve the Historic Character of the Van Ness Corridor]

Sponsor: Peskin

Resolution urging the San Francisco Municipal Transportation Agency to make all efforts to preserve the historic character of the Van Ness Corridor through reuse as well as replication of the Van Ness Avenue historic streetlamps.

Supervisor Peskin, seconded by Supervisor Avalos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 7, by striking '259' and adding 'over 200', and Line 13-14, by striking 'Bay' and adding 'North Point'; on Page 2, Line 17, by striking '255', adding 'over 200', striking '22', and adding '27'; and on Page 3, Line 17, by striking 'Phase 2' and adding 'construction phase'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Resolution No. 415-16

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Wiener requested that File No. 160995 be severed so that it may be considered separately.

160995 [Urging the Department of Health and Human Services to Adopt Title X Rule 937-AA04]

Sponsor: Wiener

Resolution urging the Department of Health and Human Services to adopt its proposed rule 937-AA04, precluding state and local jurisdictions from withholding Title X Family Planning grants to health care providers, including Planned Parenthood, for reasons unrelated to the provider's ability to deliver public health and women's health services.

Resolution No. 417-16

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Campos requested that File No. 160996 be severed so that it may be considered separately.

160996 [Urging the Establishment of the LGBTQ Nightlife and Culture Working Group]

Sponsor: Wiener

Resolution urging the establishment of the LGBTQ Nightlife and Culture Working Group, and urging the Office of Economic and Workforce Development and the Entertainment Commission to convene the working group with a goal of protecting, preserving, and expanding LGBTQ nightlife, including drafting and enact a plan to create the Citywide LGBTQ Cultural Heritage Strategy.

Supervisor Campos requested this Resolution be REFERRED to the Public Safety and Neighborhood Services Committee.

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.

Ordinances

160478 [Campaign and Governmental Conduct Code - Requiring Commissioners to File Behested Payment Reports]

Sponsor: Peskin

Ordinance amending the Campaign and Governmental Conduct Code to require members of City boards and commissions to file behested payment reports regarding the solicitation of charitable contributions.

05/03/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/2/2016.

05/11/16; REFERRED TO DEPARTMENT.

07/28/16; RESPONSE RECEIVED.

09/20/16; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

161014 [Planning Code - Exempting Certain Historic Landmarks From November 2016 Ballot Measure Requiring Conditional Use Authorization to Replace Production, Distribution, and Repair, Institutional Community, and Arts Activities Uses]

Sponsor: Kim

Ordinance amending Planning Code, Section 202.8, included in the November 8, 2016, General Election as Proposition X, to exempt certain designated historic landmarks from obtaining conditional use authorization to remove certain Production, Distribution, and Repair, Institutional Community, and Arts Activities Uses, and providing replacement space for such uses; 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.

09/20/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/20/2016.

161015 [Appropriation - Real Property Transfer Tax for Funding Community College Fund - FY2016-2017 - \$9,000,000]

Sponsors: Kim; Campos, Avalos, Yee, Mar and Peskin

Ordinance appropriating a total of \$9,000,000 of Real Property Transfer Tax in FY2016-2017 for funding the Community College Fund to support students attending the City College of San Francisco and placing funds on Controller's Reserve pending the outcome of General Fund tax revenue measures in the November 8, 2016, Election.

(Fiscal Impact; No Budget and Legislative Analyst Report)

09/20/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/20/2016.

161016 [Administrative Code - Street Tree Maintenance Fund]

Sponsors: Yee; Avalos and Kim

Ordinance amending the Administrative Code to establish the Street Tree Maintenance Fund.

09/20/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/20/2016.

161017 [Appropriation - Real Property Transfer Tax for Maintaining Street Trees and Surrounding Sidewalks - FY2016-2017 - \$4,900,621]

Sponsors: Yee; Avalos and Kim

Ordinance appropriating a total of \$4,900,621 of Real Property Transfer Tax in FY2016-2017 for implementation of additional work associated with the Responsibility for Maintaining Street Trees and Surrounding Sidewalks November 8, 2016, ballot measure known as Proposition E, and placing funds on Controller's Reserve pending the outcome of General Fund tax revenue measures at that election.

(Fiscal Impact; No Budget and Legislative Analyst Report)

09/20/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/20/2016.

161018 [Public Employment - Amendment to the Annual Salary Ordinance for Public Works - Maintaining Street Trees and Surrounding Sidewalks - FYs 2016-2017 and 2017-2018]

Sponsors: Yee; Avalos and Kim

Ordinance amending Ordinance No. 146-16 (Annual Salary Ordinance FYs 2016-2017 and 2017-2018) to reflect the addition of 14 new positions (7 FTEs in FY2016-2017) in Public Works for implementation of additional work associated with the Responsibility for Maintaining Street Trees and Surrounding Sidewalks November 8, 2016, ballot measure known as Proposition E.

(Fiscal Impact; No Budget and Legislative Analyst Report)

09/20/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/20/2016.

Resolutions**160558 [Grant Agreement - Broadway Sansome Associates, L.P. - Municipal Transportation Authority Rent Subsidies - Not to Exceed \$1,192,320]****Sponsor: Peskin**

Resolution authorizing the Director of the Mayor's Office of Housing and Community Development to execute a Grant Agreement with Broadway Sansome Associates, L.P., to provide Municipal Transportation Authority rent subsidies for 12 permanently displaced low-income households at 255 Broadway Street, for a 30-year period to commence following Board approval, in an amount not to exceed \$1,192,320.

(Fiscal Impact)

05/17/16; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

05/20/16; TRANSFERRED to Government Audit and Oversight Committee.

09/20/16; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

161019 [Revenue Agreement Amendment - JC Decaux San Francisco, LLC - Extending Term to October 17, 2017]**Sponsor: Mayor**

Resolution approving the second amendment to the revenue agreement between Public Works and JC Decaux San Francisco, LLC, for the Automatic Public Toilet and Public Service Kiosk Program, extending the agreement term by one year for a total agreement term of August 2, 1994, through October 17, 2017. (Public Works)

09/20/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

161020 [Accept and Expend Gift - AAA Northern California, Nevada, & Utah - Neighborhood Emergency Response Team Supplies - \$25,000]**Sponsor: Mayor**

Resolution retroactively authorizing the Fire Department to accept and expend a donation of \$25,000 from AAA Northern California, Nevada, & Utah for Neighborhood Emergency Response Team supplies and Public Safety Education programs and materials. (Fire Commission)

09/20/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

161021 [Accept and Expend Gift - Estate of Nguey Woo - \$54,927.09]**Sponsor: Mayor**

Resolution authorizing the Fire Department to accept and expend a donation of \$54,927.09 pursuant to the order of final distribution of the estate of Nguey Woo.

09/20/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

161022 [Accept and Expend Gift - Fireman's Fund Insurance - Recruitment Video - \$12,000]**Sponsor: Mayor**

Resolution retroactively authorizing the Fire Department to accept and expend a donation of \$12,000 from Fireman's Fund Insurance Company for the development of a recruitment video.

09/20/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

161023 [Portola as San Francisco's Garden District - Supporting the Portola Green Plan]**Sponsors: Campos; Avalos**

Resolution recognizing the Portola neighborhood as San Francisco's Garden District and supporting the implementation of the Portola Green Plan.

09/20/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

161024 [Extending Interim Zoning Controls - New Ground Floor Office Uses Facing 2nd Street - King and Folsom Streets]**Sponsor: Kim**

Resolution extending interim zoning controls that require conditional use authorization for new office uses facing 2nd Street, from King to Folsom Streets, for specified Assessor's Parcel Block and Lot Nos. listed herein, for six months; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

09/20/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/20/2016.

161025 [Grant Application - Health Resources Services Administration - Ryan White Act HIV/AIDS Emergency Relief Grant Program - \$16,654,711]**Sponsor: Wiener**

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 and to request \$16,654,711 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2017, through February 28, 2018. (Public Health Department)

09/20/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

161026 [Expend Grants - Qualified Legacy Businesses - Legacy Business Program - Amounts Up to \$1,000,000]**Sponsors: Campos; Mar and Breed**

Resolution authorizing the Office of Small Business to expend grant funds in the amount of up to \$1,000,000 to disburse grants to Qualified Legacy Businesses who apply for business assistance grants between October 1, 2016, and December 15, 2016.

09/20/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

161027 [Urging the City to Convene a Working Group Around Modular Housing Options for the Homeless]**Sponsors: Kim; Campos**

Resolution urging the City and County of San Francisco to convene a working group comprised of affordable housing developers, homelessness experts, labor organizations, and City staff to develop a blueprint for a modular housing pilot program.

09/20/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

161028 [Youth Leadership Institute Day - September 22, 2016]**Sponsors: Mar; Yee**

Resolution declaring September 22, 2016, as Youth Leadership Institute Day and recognizing the organization's 25th anniversary in the City and County of San Francisco.

09/20/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion**161029 [Calling from Committee - Committee of the Whole - Hearing on the Blue Ribbon Panel Report (File No. 160806)]****Sponsor: Cohen**

Motion calling from the Public Safety and Neighborhood Services Committee, pursuant to Board Rule 3.37, a hearing on the final report, findings, and recommendations of the Blue Ribbon Panel on Transparency, Accountability, and Fairness in Law Enforcement, and requesting the Police Department and Police Commission to report; and scheduling the Board of Supervisors to convene a Committee of the Whole on Tuesday, October 4, 2016, at 3:00 p.m. to hold the public hearing.

09/20/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing**161030 [Hearing - Economic Impacts of Super Bowl 50 and Other Large Events]****Sponsor: Farrell**

Hearing on the economic impacts of Super Bowl 50 and other large and special City events; and requesting the Controller's Office and the Office of Economic and Workforce Development to report.

09/20/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced at the Request of a Department

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

PROPOSED ORDINANCE**160980 [Settlement of Lawsuit - Compania Mexicana de Aviacion S.A. de C.V., doing business as Mexicana Airlines - City to Receive \$110,249.74]**

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission, against Compania Mexicana de Aviacion S.A. de C.V., doing business as Mexicana Airlines for \$110,249.74; the bankruptcy case was filed on August 2, 2010, In re Compania Mexicana de Aviacion, S.A. de C.V., Case No. 10-14182, United States Bankruptcy Court for the Southern District of New York; the City's claim was filed on January 27, 2015. (City Attorney)

09/12/16; RECEIVED FROM DEPARTMENT.

09/20/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

160981 [Settlement of Unlitigated Claim - Darleen Lau - \$140,000]

Resolution approving the settlement of the unlitigated claim filed by Darleen Lau against the City and County of San Francisco for \$140,000; the claim was filed on January 22, 2015; the claim involves an alleged personal injury on a City street. (City Attorney)

09/12/16; RECEIVED FROM DEPARTMENT.

09/20/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160982 [Contract Amendment - Global Tel*Link - Inmate Telephone Services]

Resolution retroactively authorizing the Sheriff's Department to enter into a fourth amendment to the existing month-to-month contract with Global Tel*Link for inmate telephone services to reduce the calling rates and fees for inmate telephone calls per Federal Communications Commission Regulation, to modify the commission paid to the Sheriff's Department, which will result in an anticipated revenue to the Inmate Welfare Fund of \$34,000 per month. (Sheriff)

09/12/16; RECEIVED FROM DEPARTMENT.

09/20/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Rose Pak - Entire Board

Frank Taylor - Board President Breed

John Clayton Siri - Supervisor Cohen

ADJOURNMENT

There being no further business, the Board adjourned at the hour 6:11 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 25, 2016.

Angela Calvillo, Clerk of the Board

ADDENDUM

The following information is provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment for File No. 160930, as follows: As an advocate for open government I have repeatedly questioned the concept of Community Benefit Districts. As an example, when the SFPL passed a resolution to join the Civic Center CBD, I questioned what actual benefit the library would receive after committing \$250,000 to cover a 10 year period? Neither the SFPL nor the LC could respond with any specifics. After being a member for a number of years they are still unable to clearly state any benefit that the SFPL receives in return for this huge contribution of taxpayer funds. The Library Commissioners, when asked, sit in what I consider to be "dumb silence." In fact, when it comes to most questions raised by the public at their meetings, anyone who attends on a regular basis will understand they have little or no knowledge about many of the things placed before them for approval. They are just willfully blind!

Ray Hartz submitted the following additional information during Public Comment for File No. 160918, as follows: As it is my intention to attend weekly BOS meetings, when given the opportunity I will comment as I feel appropriate. Looking at the documents posted on the website associated with this agenda, I noticed that the planning department seem to have spent the weekend shoring up its case. A letter from the appellant's attorney states that the facts being presented to the BOS today are different from those approved by the Planning Commission. As several of the documents are listed as "post-packet material," this is true as a matter of fact! One thing I've noticed in many of these appeals, is the Planning Department tying itself into knots supporting developers and disregarding the desires of the neighborhood. Instead of being impartial, they have become active participants on behalf of the developer. I question both the propriety and legality of using City resources to side with one party over another!

Ray Hartz submitted the following additional information during General Public Comment, as follows: Last week I spoke regarding what I consider a fraud being perpetrated on the City of San Francisco and its citizens. This body approved a lease which gave credit to FFOL for a gift of \$720,000. In reality this gift was a much smaller \$410,200. As I mentioned then contributions from other donors totaling \$309,800 was credited falsely to FFOL. If you take the actual contribution and divide by the approximate spending of FFOL of more than \$6 million, the annual gift approved by this BOS is approximately 6.8% of what they're spending! If I is a citizen of San Francisco join as a basic member of FFOL, my \$60 contribution will be distributed to the SFPL the amount of \$4.08, while \$55.92 will go on fundraising. Sue Blackman, LC Sec. recently stated publicly that neither the SFPL or the LC have any "fiduciary responsibility" as relates to FFOL!