



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

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

Tuesday, September 26, 2017 - 2:00 PM

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

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Cohen, Yee, Tang

Budget and Finance Federal Select Committee
Supervisors Cohen, Sheehy, Fewer

Government Audit and Oversight Committee
Supervisors Kim, Peskin, Breed

Land Use and Transportation Committee
Supervisors Farrell, Peskin, Tang

Public Safety and Neighborhood Services Committee
Supervisors Ronen, Sheehy, Fewer

Rules Committee
Supervisors Safai, Fewer, Yee

Meeting Days

Thursday
10:00 AM

Thursday
1:00 PM

1st and 3rd Wednesday
10:00 AM

Monday
1:30 PM

2nd and 4th Wednesday
10:00 AM

2nd and 4th Wednesday
2:00 PM

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

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AGENDA PACKET: Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B Goodlett Place, Room 244, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Peggy Nevin at (415) 554-5184.

所有常規及特別市參事委員會會議 (Board meetings) 除委員會會議 (Committee meetings) 將予以提供西班牙文, 菲律賓文, 及中文的語言服務, 但須在會議前最少48小時作出請求, 旨在確保服務屆時可予以提供。更多資訊或請求有關服務, 請致電 (415) 554-7719聯絡Linda Wong.

AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Intsik at Tagalog para sa lahat ng mga regular at espesyal na pulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Filipino na maaaring i-request sa pinakmababa na di bababa sa 48 oras bago ang pulong upang matiyak na matutugunan and inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

AGENDA CHANGES

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

1. **170834** **[Planning Code - Inclusionary Affordable Housing Fee and Dwelling Unit Mix Requirements]**

Sponsors: Breed; Kim, Peskin, Safai and Tang

Ordinance amending the Planning Code to revise the amount of the Inclusionary Affordable Housing Fee and the On-Site and Off-Site Affordable Housing Alternatives and other Inclusionary Housing requirements; to clarify Inclusionary Housing requirements in the Transbay C-3 Special Use District; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

07/18/2017; DUPLICATED.

07/18/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/18/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/18/2017; PASSED ON FIRST READING AS AMENDED.

07/25/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/25/2017; PASSED ON FIRST READING AS AMENDED.

09/05/2017; CONTINUED ON FINAL PASSAGE.

09/12/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/12/2017; PASSED ON FIRST READING AS AMENDED.

09/19/2017; CONTINUED ON FINAL PASSAGE.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Yee, Tang

2. **170862** **[Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2017-2018]**

Sponsor: Mayor

Ordinance levying property taxes at a combined rate of \$1.1723 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 \$0.0890 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2018.

(Fiscal Impact)

09/19/2017; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Farrell, Peskin, Tang

3. **170419** **[Planning Code - North Beach, Telegraph Hill, Broadway and Chinatown Area Controls]**

Sponsor: Peskin

Ordinance amending the Planning Code to support Legacy Businesses; expand the definition of historic buildings and impose additional requirements in the Broadway Neighborhood Commercial District (NCD) and North Beach Special Use District (SUD); prohibit certain uses in the North Beach SUD; reduce the lot size limit in the North Beach SUD; modify the requirements for approval of parking garages in the Telegraph Hill-North Beach Residential SUD, the North Beach NCD, and Chinatown Mixed Use Districts; reduce off-street parking spaces permitted for residential uses in the Telegraph Hill-North Beach Residential SUD, and the Broadway and North Beach NCDs; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

09/19/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/19/2017; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

4. [170837](#) **[Building Code - Mandatory Disability Access Improvements - Extension of Time For Compliance and Report to the Board of Supervisors]**

Sponsor: Tang

Ordinance amending Chapter 11D of the Building Code to extend the time for compliance with the requirement that an existing building with a place of public accommodation either have all primary entries and path of travel into the building accessible by persons with disabilities or receive from the City a determination of equivalent facilitation, technical infeasibility, or unreasonable hardship, the Department of Building Inspection's report to the Board of Supervisors, and the limitation on granting extensions of time; restating the findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission upon final passage.

09/19/2017; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety and Neighborhood Services Committee

Present: Supervisors Ronen, Sheehy, Fewer

5. [161065](#) **[Police Code - Rental Car Disclosure Requirements]**

Sponsors: Breed; Yee, Farrell, Ronen, Sheehy and Kim

Ordinance amending the Police Code to require rental car companies to provide written disclosures to customers advising them to remove valuables from the rental vehicle and lock the doors.

09/19/2017; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. [170421](#) **[Police Code - Rental Car Restrictions to Reduce Burglaries]**

Sponsors: Yee; Ronen, Sheehy, Kim and Breed

Ordinance amending the Police Code to restrict visible barcodes and advertising on rental cars rented in the City or at San Francisco International Airport.

09/19/2017; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. [170442](#) **[Public Works, Administrative Codes - Requirements for Surface-Mounted Facility Site Permits]**

Sponsor: Cohen

Ordinance amending the Public Works Code to modify the exceptions to the Surface-Mounted Facility Site Permit requirement; to allow a permittee to choose to pay an “in-lieu” fee instead of installing a street tree; to allow a permittee to choose to pay an “in-lieu” fee instead of permitting the installation of a mural on its Surface-Mounted Facility; to repeal the requirements that a permittee install landscaping or pay an “in-lieu” fee and maintain the required landscaping; to repeal the requirement that an applicant for a Surface-Mounted Facility Site Permit make reasonable efforts to locate the facility on private property before submitting an application; to require Public Works to submit a report to the Board of Supervisors every two years on the number of applications for Surface-Mounted Facility Site Permits submitted and issued and on maintenance and graffiti abatement activities at existing Surface-Mounted Facilities; to amend the requirement that a permittee maintain any required street tree; and to amend the Administrative Code to require that the mural “in-lieu” fees be deposited in the Public Works Street Beautification Fund to be used to fund murals and other beautification projects in the public right-of-way.

07/18/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/18/2017; RE-REFERRED AS AMENDED to the Public Safety and Neighborhood Services Committee.

09/19/2017; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. [170556](#) **[Park Code - Using Glass Beverage Containers in Parks]**

Sponsor: Sheehy

Ordinance amending the Park Code to prohibit the use of glass beverage containers, with certain exceptions, in all City parks.

09/19/2017; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Safai, Fewer, Yee

9. [170741](#) **[Business and Tax Regulations Code - Central Market Street and Tenderloin Area Citizen's Advisory Committee]**

Sponsor: Kim

Ordinance amending the Business and Tax Regulations Code to reduce the size of the Central Market Street and Tenderloin Area Citizen's Advisory Committee from eleven seats to five, set a sunset date for the Committee, prohibit the City Administrator from executing a Community Benefit Agreement subject to the Committee's review until the Committee has had an opportunity to review the proposed agreement and make recommendations; and make other administrative changes.

09/19/2017; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Yee, Tang

10. [170553](#) **[Public Works Code - Waiver of Temporary Street Space Occupancy Fee for Small Business Week Sidewalk Sales]**
Sponsor: Fewer
Ordinance retroactively waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy permits on certain City streets on Saturday, May 20, 2017, as part of Small Business Week sidewalk sales.
Question: Shall this Ordinance be PASSED ON FIRST READING?
11. [170688](#) **[Grant Agreement - Department of Public Health - Proposition 47 Grant Program]**
Sponsor: Mayor
Resolution retroactively authorizing the Director of Health to execute a grant agreement, on behalf of the City and County of San Francisco, with the California Board of State and Community Corrections for participation in the Proposition 47 Grant Program for the period of June 16, 2017, through August 15, 2020.
Question: Shall this Resolution be ADOPTED?
12. [170736](#) **[Designation Agreement - McAuley Adolescent Behavioral Health Unit - Dignity Health-St. Mary's Medical Center-San Francisco-Psychiatric Facility]**
Resolution designating McAuley Adolescent Behavioral Health Unit at Dignity Health-St. Mary's Medical Center-San Francisco as an Evaluation and Treatment Facility, pursuant to California Welfare and Institutions Code, Sections 5150, 5585.50, and 5585.55, for minors; and authorizing the Director of Behavioral Health Services at the Department of Public Health to enter into a Designation Agreement with said facility. (Public Health Department)
Question: Shall this Resolution be ADOPTED?
13. [170831](#) **[Lease Agreement - IDEO, LP - Pier 26 - Initial Total Monthly Base Rent of \$90,118.35]**
Sponsor: Mayor
Resolution approving Lease No. L-16159 between IDEO, LP, and the Port for approximately 26,901 square feet of office space located at Pier 26 Annex Building, for a term of eight years to commence following Board approval, with an initial total monthly base rent of \$90,118.35 subject to an annual 3% increase. (Port)
Question: Shall this Resolution be ADOPTED?

14. [170947](#) **[Accept and Expend Grant - National Endowment for the Arts Our Town - Market Street Prototyping Festival - \$75,000]**

Sponsor: Farrell

Resolution retroactively authorizing the Arts Commission to accept and expend a grant from the National Endowment for the Arts Our Town for the Market Street Prototyping Festival in the amount of \$75,000 with a grant cycle from October 1, 2015, through September 30, 2017. (Arts Commission)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Kim, Peskin, Breed

15. [170663](#) **[Board Response - Civil Grand Jury Report - The San Francisco Retirement System - Increasing Understanding and Adding Voter Oversight]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations in the 2016-2017 Civil Grand Jury Report entitled "The San Francisco Retirement System - Increasing Understanding and Adding Voter Oversight;" 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. (Clerk of the Board)

Question: Shall this Resolution be ADOPTED?

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

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

(Public hearing continued from July, 25, 2017.)

16. [170808](#) [Hearing - Appeal of Determination of Community Plan Evaluation - 1726-1730 Mission Street]

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

07/25/2017; CONTINUED.

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

17. [170809](#) [Affirming the Community Plan Evaluation - 1726-1730 Mission Street]

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

07/25/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

18. [170810](#) **[Conditionally Reversing the Community Plan Evaluation - 1726-1730 Mission Street]**

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

07/25/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

19. [170811](#) **[Preparation of Findings to Reverse the Community Plan Evaluation - 1726-1730 Mission Street]**

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

07/25/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

(Public hearing continued from September 12, 2017.)

20. [170812](#) **[Hearing - Appeal of Final Environmental Impact Report Certification - 1500-1540 Market Street (One Oak Street)]**

Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for the proposed project at 1500-1540 Market Street (One Oak Street) identified in Planning Case No. 2009.0159E, certified by the Planning Commission through Motion No. 19938 dated June 15, 2017. (District 5) (Appellant: Sue Hestor, on behalf of Jason Henderson) (Filed July 17, 2017) (Clerk of the Board)

09/05/2017; CONTINUED OPEN.

09/12/2017; CONTINUED.

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

21. [170813](#) [Affirming the Final Environmental Impact Report Certification - 1500-1540 Market Street (One Oak Street)]

Motion affirming the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project at 1500-1540 Market Street (One Oak Street). (Clerk of the Board)

09/05/2017; CONTINUED.

09/12/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

22. [170814](#) [Conditionally Reversing the Final Environmental Impact Report Certification - 1500-1540 Market Street (One Oak Street)]

Motion conditionally reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project at 1500-1540 Market Street (One Oak Street), subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

09/05/2017; CONTINUED.

09/12/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

23. [170815](#) [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - 1500-1540 Market Street (One Oak Street)]

Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission's certification of the Final Environmental Impact Report for the proposed project at 1500-1540 Market Street (One Oak Street). (Clerk of the Board)

09/05/2017; CONTINUED.

09/12/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.**24. [170889](#) [Hearing - Appeal of Determination of Revocation for a Flower-Vending Stand Permit - 250 Post Street]**

Hearing of persons interested in or objecting to the determination of Public Works dated June 22, 2017, regarding the recommendation of revocation for the flower-vending stand permit allowing for the placement and operation of a flower-vending stand on the sidewalk at 250 Post Street. (District 3) (Appellant: Harold Hoogasian) (Filed July 3, 2017)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)**25. [170890](#) [Approving the Decision of the Public Works Director to Revoke a Flower-Vending Stand Permit - 250 Post Street]**

Motion approving the decision of the Public Works Director to revoke the Flower-Vending Stand Permit authorizing placement and operation of a flower-vending stand on the sidewalk at 250 Post Street, and rejecting the appeal of Harold Hoogasian. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

26. [170891](#) [Conditionally Disapproving the Decision of the Public Works Director to Revoke a Flower-Vending Stand Permit - 250 Post Street]

Motion conditionally disapproving the decision of the Public Works Director to revoke the Flower-Vending Stand Permit authorizing placement and operation of flower-vending stand on sidewalk at 250 Post Street, and upholding the appeal of Harold Hoogasian, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

27. [170892](#) [Preparation of Findings Related to Board's Disapproval of the Decision of Public Works Director to Revoke Flower-Vending Stand Permit - 250 Post Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the decision of Public Works Director to revoke the Flower-Vending Stand Permit authorizing placement and operation of flower-vending stand on sidewalk at 250 Post Street, and uphold the appeal of Harold Hoogasian. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Hearing scheduled pursuant to Motion No. M16-164 (File No. 161231) approved on November 15, 2016.)

28. [171024](#) **[Hearing - Committee of the Whole - Findings and Recommendations Regarding Law Enforcement Practices - Update - September 26, 2017]**
Sponsors: Cohen; Ronen
Hearing of the Board of Supervisors sitting as a Committee of the Whole on September 26, 2017, to hear and receive updates on the final reports, findings, and recommendations of the Blue Ribbon Panel on Transparency, Accountability, and Fairness in Law Enforcement; the Department of Justice Initial Assessment Report of the San Francisco Police Department; the President's Task Force on 21st Century Policing; and the Civil Grand Jury's Report, entitled "Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings;" and requesting the Police Department, the Department of Human Resources, the Department of Police Accountability, and the Police Commission to report; scheduled pursuant to Motion No. M16-164, approved on November 15, 2016. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Budget and Finance Committee at a Regular Meeting on Thursday, September 21, 2017, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, September 26, 2017.

29. [170945](#) **[Adopting the Vision, Goals, and Objectives of The Bay Area Comprehensive Economic Development Strategy - Establish a County Regional Economic Development District]**
Sponsors: Mayor; Yee
Resolution adopting the Vision, Goals and Objectives of The Bay Area Comprehensive Economic Development Strategy to establish a nine county regional Economic Development District recognized by the United States Economic Development Administration, to improve access to economic and workforce related grants and technical assistance from federal and state agencies and private foundations to foster greater public and private collaboration in addressing economic, workforce and equity issues that no single jurisdiction, organization or enterprise can solve alone.

Question: Shall this Resolution be ADOPTED?

30. [170948](#) **[Issuance of Bonds - San Francisco Art Institute, a California Nonprofit Public Benefit Corporation - Not to Exceed \$20,000,000]**

Sponsor: Farrell

Resolution approving (a) in accordance with Internal Revenue Code, Section 147(f) the issuance of revenue bonds or a tax-exempt loan by the California Municipal Finance Authority (the "Authority") in an aggregate issue price not to exceed \$7,000,000 (the "Tax-Exempt Bonds") to (i) refinance all or a portion of certain outstanding debt obligations that originally financed and refinanced the acquisition, construction, equipping and furnishing of facilities, within the City and County of San Francisco (the "City"), owned and managed by San Francisco Art Institute, a California nonprofit public benefit corporation (the "Borrower"), in connection with the provision of educational and other services in the City, including the instruction of students enrolled in its undergraduate and graduate fine arts degree programs, (ii) finance additional improvements to such facilities, (iii) pay capitalized interest on the Tax-Exempt Bonds, and (iv) pay certain expenses incurred in connection with the issuance of the Tax-Exempt Bonds; and (b) in accordance with the Joint Exercise of Powers Agreement, dated as of January 1, 2004, among the Authority and certain local agencies, including the City, as amended from time to time, the issuance of revenue bonds or a loan by the Authority in an aggregate issue price not to exceed \$13,000,000 (the "Taxable Bonds" and, together with the Tax-Exempt Bonds, the "Bonds") to (i) refinance all or a portion of certain outstanding debt obligations that originally financed and refinanced the construction, equipping and furnishing of facilities, within the City, leased and occupied by the Borrower, in connection with the provision of educational and other services in the City, including the instruction of students enrolled in its undergraduate and graduate fine arts degree programs, (ii) finance additional improvements to such facilities, (iii) pay capitalized interest on the Taxable Bonds, and (iv) pay certain expenses incurred in connection with the issuance of the Bonds.

Question: Shall this Resolution be ADOPTED?

31. [170950](#) **[Approving Issuance of Bonds - California Statewide Communities Development Authority - San Francisco Museum of Modern Art - Not to Exceed \$30,000,000]**

Sponsor: Kim

Resolution approving in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance of tax-exempt obligations by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$30,000,000 for the financing or refinancing of various capital facilities owned or to be owned by San Francisco Museum of Modern Art.

Question: Shall this Resolution be ADOPTED?

32. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

33. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

Items 34 and 35

- 34. [171020](#) [Jean Alexander Day - September 26, 2017]**
Sponsor: Peskin
Resolution declaring September 26, 2017, as Jean Alexander Day in the City and County of San Francisco, in recognition of her many years of outstanding service in the City Attorney's Office and her well-deserved retirement.

09/19/2017; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. [171022](#) **[Adopting Findings Reversing the Final Mitigated Negative Declaration - 3516 and 3526 Folsom Street]**

Motion adopting findings reversing the approval by the Planning Commission of a final mitigated negative declaration under the California Environmental Quality Act for a proposed project at 3516 and 3526 Folsom Street. (Clerk of the Board)

09/19/2017; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

36. **IMPERATIVE AGENDA**

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

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

PROPOSED ORDINANCE**171004 [Settlement of Lawsuit - George Birmingham v. City and County of San Francisco - City to Receive \$1,500,000 For Sale of Surplus Parcels]**

Ordinance authorizing settlement of the lawsuit filed by George Birmingham against the City and County of San Francisco; the lawsuit was filed on September 9, 2015, in San Francisco Superior Court, Case No. CGC 15-547835; entitled George Birmingham v. City and County of San Francisco, et al.; the lawsuit involves plaintiff's attempts to gain street access for his parcel that is separated from Burnett Avenue by a paper street parcel owned by Public Works and a vacant Public Utilities Commission parcel; the material terms of the settlement are the City will pursue the legislative approvals necessary to sell those parcels to plaintiff, and plaintiff will purchase those parcels from the City for \$1,500,000; and affirming the Planning Department's determination under the California Environmental Quality Act. (City Attorney)

09/18/2017; RECEIVED FROM DEPARTMENT.

09/26/2017; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS**171005 [Settlement of Unlitigated Claim - Ronald Terry - \$89,500]**

Resolution approving the settlement of the unlitigated claim filed by Ronald Terry against the City and County of San Francisco for \$89,500; the claim was filed on September 27, 2016; the claim involves an employment dispute. (City Attorney)

09/18/2017; RECEIVED FROM DEPARTMENT.

09/26/2017; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

171006 [Land Mobile Radio System Purchase, Installation, and Maintenance Agreement - Motorola Solutions Inc. - Not to Exceed \$10,906,297]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Agreement No. CS-1074 with Motorola Solutions Inc. for the purchase, installation, and maintenance of a land mobile radio system, for an amount not to exceed \$10,906,297, and with an anticipated term to commence December 1, 2017, through February 28, 2027. (Public Utilities Commission)

09/15/2017; RECEIVED FROM DEPARTMENT.

09/26/2017; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

171007

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

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

09/18/2017; RECEIVED FROM DEPARTMENT.

09/26/2017; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

171003 [Petitions and Communications]

Petitions and Communications received from September 11, 2017, through September 18, 2017, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 26, 2017.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor, pursuant to Charter, Section 300.18, making the following reappointments to the Civil Service Commission, terms ending June 30, 2023: Copy:

Each Supervisor. (2)
Douglas Chan
Kate Favetti
Scott Helfond

From CleanPowerSF, submitting releases of reserves for the Pacific Rod and Gun Club and the Power System Impact Mitigation Project. Copy: Each Supervisor. (2)

From the California Fish and Game Commission, pursuant to California Fish and Game Code, Sections 200, 202, 203 3960, 3960.2, and 3960.4, submitting notice of proposed regulatory action regarding Use of Dogs for Pursuit/Take of Mammals or for Dog Training. Copy: Each Supervisor. (3)

From Alexander M. Weyand of Weyand Law Firm, submitting notice of withdrawal of Appeal of Tentative Map Approval at 639 Peralta Avenue. Copy: Each Supervisor. (4)

From Tedi Vriheas, Assistant Vice President of External Affairs at AT&T Services, Inc., regarding a proposed legislation to amend Article 27 of the Public Works Code. File No. 170442. Copy: Each Supervisor. (5)

From SFMTA, pursuant to Administrative Code, Chapter 14B.15 (B), submitting a Chapter 14B Local Business Enterprise Annual Report. Copy: Each Supervisor. (6)

From the Office of the Controller's City Services Auditor, submitting a report on recommendations not implemented after more than two years on June 30, 2017. Copy: Each Supervisor. (7)

From concerned citizens, regarding the proposed legislation on rental car break-ins. 2 letters. File Nos. 170421 and 161065. Copy: Each Supervisor. (8)

From Hiroshi Fukuda, regarding automobile break-ins. Copy: Each Supervisor. (9)

From Ted Olsson, regarding the proposed legislation on One Oak Street. File Nos. 170812-15. Copy: Each Supervisor. (10)

From Shona Gochenaur, regarding the halt in cannabis permitting process for equity concerns. Copy: Each Supervisor. (11)

From concerned citizens, regarding the Closing of Skilled Nursing and Sub-Acute Unit at St. Luke's Hospital. File No. 170965. 2 letters. Copy: Each Supervisor. (12)

From Anastasia Glikshtern, regarding the trees at McLaren Park. Copy: Each Supervisor. (13)

From the Treasurer & Tax Collector's Office, submitting CCSF Monthly Pooled Investment Report for August 2017. Copy: Each Supervisor. (14)

From concerned citizens, regarding the proposed legislation designating September 22, 2017 as Comfort Women Day. Approx. 350 letters. File No. 170991. Copy: Each Supervisor. (15)

From Larry Barsetti of the Veteran Police Officers Association, Inc., regarding the San Francisco Employees Retirement System. Copy: Each Supervisor. (16)

ADJOURNMENT