

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, October 25, 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, October 25, 2016, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:05 p.m. On the call of the roll, Supervisor Cohen was noted not present. There was a quorum.

COMMUNICATIONS

There were no communications.

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

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of September 20, 2016. There were no corrections.

Supervisor Campos, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of September 20, 2016. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Land Use and Transportation Committee

160960 [Planning Code - Temporary Homeless Shelters in Certain Industrial and Mixed-Use Districts]

Sponsor: Mayor

Ordinance amending the Planning Code to allow temporary Homeless Shelters in the Production, Distribution, and Repair, the WSoMa Mixed Use-Office, and the Service/Arts/Light Industrial zoning districts, subject to conditional use authorization; affirming the Planning Commission's determination under the California Environmental Quality Act; making findings of public convenience, necessity, 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.

Ordinance No. 213-16

FINALLY PASSED

160961 [Summary Street Vacation - 25th Street - Temporary Navigation Center for Homeless Residents]

Sponsor: Mayor

Ordinance ordering the summary street vacation of a portion of 25th Street, which is generally bounded by Assessor's Parcel Block No. 4241, Lot No. 002 to the north, Seawall Lot 355 (portions of Assessor's Parcel Block No. 4298, Lot No. 002, Assessor's Parcel Block No. 4299, Lot No. 001, and Assessor's Parcel Block No. 4300, Lot No. 001) to the south, Michigan Street to the west, and Seawall Lot 356 (Assessor's Parcel Block No.1399, Lot No. 000) to the east, to facilitate construction of a temporary Navigation Center for homeless residents; authorizing the operation of a Navigation Center on the vacated portion of 25th Street for more than two years pursuant to Administrative Code, Section 106.3(b); affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

Ordinance No. 214-16

FINALLY PASSED

Recommendation of the Rules Committee

161080 [Appointment, Bicycle Advisory Committee - Charles Deffarges]

Motion appointing Charles Deffarges, term ending November 19, 2018, or for the tenure of the nominating Supervisor, whichever is shorter in duration, to the Bicycle Advisory Committee. (Rules Committee)

Motion No. M16-143

APPROVED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Government Audit and Oversight Committee

160963 [Appropriation - General Reserve to Department of Emergency Management - Earthquake Relief in Italy - \$100,000]

Sponsor: Peskin

Ordinance appropriating \$100,000 from the General Reserve to Department of Emergency Management to provide relief to earthquake victims in Italy for FY2016-2017.

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Campos, Cohen, Kim, Mar, Peskin, Wiener, Yee

Noes: 3 - Breed, Farrell, Tang

Supervisor Cohen, seconded by Supervisor Farrell, 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

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Kim, Mar, Peskin, Wiener, Yee

Noes: 3 - Cohen, Farrell, Tang

Supervisor Breed, seconded by Supervisor Farrell, 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

Ordinance No. 215-16

FINALLY PASSED by the following vote:

Ayes: 7 - Avalos, Campos, Kim, Mar, Peskin, Wiener, Yee

Noes: 4 - Breed, Cohen, Farrell, Tang

Recommendations of the Government Audit and Oversight Committee

160749 [Administrative Code - Neighborhood Property Crime Units in Police Department]

Sponsors: Yee; Campos

Ordinance amending the Administrative Code to create Neighborhood Property Crime Units at District stations in the Police Department.

FINALLY PASSED by the following vote:

Ayes: 7 - Avalos, Breed, Campos, Kim, Mar, Peskin, Yee

Noes: 4 - Cohen, Farrell, Tang, Wiener

160789 [Administrative Code - Updating Job Classifications and Bargaining Units]**Sponsor: Mayor**

Ordinance amending the Administrative Code to reflect changes in job classifications in bargaining units.

Privilege of the floor was granted unanimously to Suzanne Mason (Department of Human Resources) who responded to questions raised throughout the discussion.

Supervisor Peskin, seconded by Supervisor Yee, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 30, Line 4, by striking '3246 Pianist.'

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

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)

Ordinance No. 216-16

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

160967 [Agreements - Motorola, Inc. - Public Safety Radio System Project; Partial Financing - Total Amount Not to Exceed \$76,000,000]

Sponsor: Mayor

Resolution authorizing the Department of Emergency Management and the Department of Technology to enter into a Purchase and Installation Agreement, and a Maintenance and Support Agreement for a Citywide 800 MHz Radio System with Motorola, Inc., for a total amount not to exceed \$76,000,000 with the term of the Purchase and Installation Agreement to commence following Board approval through June 30, 2021, and the term of the Maintenance and Support Agreement to commence following Board approval through September 1, 2035; and to authorize the Director of the Office of Public Finance to procure financing for a portion of the costs of the system through the State of California Department of General Services Golden State Financial Marketplace Program in an amount not to exceed \$35,000,000; and determining other matters as defined herein.

(Fiscal Impact)

Resolution No. 452-16

ADOPTED by the following vote:

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

160968 [Accept and Expend Grant - California Governor's Office of Emergency Services, Elder Abuse Program - \$400,000]

Sponsor: Farrell

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$400,000 from the California Governor's Office of Emergency Services for the Elder Abuse Program for the grant period July 1, 2016, through June 30, 2018. (District Attorney)

Resolution No. 460-16

ADOPTED by the following vote:

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

President Breed requested File Nos. 161035, 161036, 161037, 161038, and 161039 be called together. Privilege of the floor was granted unanimously to Bob Beck, Director (Treasure Island Development Authority), who responded to questions raised throughout the discussion on these matters.

161035 [Resolution of Intention to Establish Infrastructure and Revitalization Financing District No. 1 (Treasure Island)]

Sponsors: Mayor; Kim

Resolution of Intention to establish City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island) and project areas therein to finance the construction and/or acquisition of facilities on Treasure Island and Yerba Buena Island; to provide for annexation; to call a public hearing on December 6, 2016, at 3:00 p.m. on the formation of the district and project areas therein, and to provide public notice thereof; and determining other matters in connection therewith.

(Fiscal Impact)

Supervisor Peskin, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of November 15, 2016. The motion carried by the following vote:

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

161036 [Authorizing the Director of the Office of Public Finance to Prepare an Infrastructure Financing Plan - Infrastructure and Revitalization Financing District No. 1 (Treasure Island)]

Sponsors: Mayor; Kim

Resolution authorizing and directing the Director of the Office of Public Finance, or designee thereof, to prepare an infrastructure financing plan for City and County of San Francisco Infrastructure Financing District No. 1 (Treasure Island) and project areas therein; and determining other matters in connection therewith.

(Fiscal Impact)

Supervisor Peskin, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of November 15, 2016. The motion carried by the following vote:

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

161037 [Resolution of Intention to Issue Bonds Related to Infrastructure and Revitalization Financing District No. 1 (Treasure Island)]

Sponsors: Mayor; Kim

Resolution of intention to issue bonds for City and County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island); and determining other matters in connection therewith.

(Fiscal Impact)

Supervisor Peskin, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of November 15, 2016. The motion carried by the following vote:

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

161038 [Resolution of Intention to Establish Community Facilities District No. 2016-1 (Treasure Island)]**Sponsors: Mayor; Kim**

Resolution of Intention to establish City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island), Improvement Area No. 1 and a Future Annexation Area; to call a public hearing on December 6, 2016, at 3:00 p.m. on the formation of the district, and to provide public notice thereof; and determining other matters in connection therewith.

Supervisor Peskin, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of November 15, 2016. The motion carried by the following vote:

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

161039 [Resolution of Intention to Incur Bonded Indebtedness - Communities Facilities District No. 2016-1 (Treasure Island) - Not to Exceed \$5,000,000,000]**Sponsors: Mayor; Kim**

Resolution of intention to incur bonded indebtedness and other debt in an amount not to exceed \$5,000,000,000 for the City and County of San Francisco Community Facilities District No. 2016-1 (Treasure Island); and determining other matters in connection therewith.

Supervisor Peskin, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of November 15, 2016. The motion carried by the following vote:

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

161040 [Communications Agreement - Bay Area Rapid Transit - Extend Commercial Fiber and Cellular Infrastructure to San Francisco Municipal Transportation Agency Underground System]**Sponsors: Breed; Tang**

Resolution authorizing the San Francisco Municipal Transportation Agency (SFMTA) to execute a Communications Agreement with Bay Area Rapid Transit District (BART) allowing BART to negotiate license agreements with telecommunications carriers on behalf of the SFMTA to extend BART's existing underground commercial fiber and cellular infrastructure to the SFMTA underground system for a 15-year term plus two five-year options.

Resolution No. 463-16**ADOPTED by the following vote:**

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

Recommendations of the Land Use and Transportation Committee

160962 [Police Code - Limited Live Performance Permits - Union Street Neighborhood Commercial District]

Sponsor: Farrell

Ordinance amending the Police Code to allow the Director of the Entertainment Commission to extend from 10:00 p.m. until 11:00 p.m. the hours during which Live Performances may be presented at Limited Live Performance Locales in the Union Street Neighborhood Commercial District; and affirming the Planning Department's determination under the California Environmental Quality Act.

PASSED, ON FIRST READING by the following vote:

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

160965 [Planning, Green Building Codes - Better Roof Requirements, Including Living Roofs]

Sponsors: Wiener; Cohen and Mar

Ordinance amending the Planning Code and Green Building Code to establish requirements for certain new building construction facilitating development of renewable energy facilities and living roofs; setting an operative date of January 1, 2017; providing findings as to local conditions pursuant to the California Health and Safety Code; 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.

Supervisor Cohen 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

160989 [Interim Zoning Controls - Large Residential Projects in RH-1, RH-2, and RH-3 Zoning Districts]

Sponsor: Wiener

Resolution extending, for an additional six-month period, interim zoning controls in the RH-1, RH-2, and RH-3 zoning districts within a perimeter established by Market Street, Clayton Street, Ashbury Street, Clifford Terrace, Roosevelt Way, Museum Way, the eastern property line of Assessor's Parcel Block No. 2620, Lot No. 063, the eastern property line of Assessor's Parcel Block No. 2619, Lot No. 001A, and Douglass Street, requiring Conditional Use authorization for: any residential development on a vacant parcel that will result in total residential square footage exceeding 3,000 gross square feet; any new residential development on a developed parcel that will increase the existing gross square footage in excess of 3,000 square feet and by more than 75% without increasing the existing legal unit count, or more than 100% if increasing the existing legal unit count; and for any residential development that results in greater than 55% total lot coverage; and affirming the Planning Department's determination under the California Environmental Quality Act.

Resolution No. 461-16

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. 160210 and 160344 be called together.

160210 [Liquor License - 644 Broadway Street]

Resolution determining that the issuance of a Type 64 general theatre license to Boxcar Theatre, Inc. dba Boxcar Theatre, located at 644 Broadway Street (District 3), will serve the public convenience or necessity of 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. 458-16

ADOPTED by the following vote:

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

160344 [Liquor License Transfer - 3499 Mission Street]

Resolution determining that the transfer of a Type 21 off-sale general license to Billy Goat Liquor, LLC dba Billy Goat Liquor, LLC, located at 3499 Mission Street (District 9), 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. 459-16

ADOPTED by the following vote:

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

161023 [Portola as San Francisco's Garden District - Supporting the Portola Green Plan]

Sponsors: Campos; Avalos, Cohen and Mar

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

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

Resolution No. 462-16

ADOPTED by the following vote:

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

Recommendations of the Rules Committee**160964 [Administrative Code - Pedestrian Safety Advisory Committee]**

Sponsors: Wiener; Cohen

Ordinance amending the Administrative Code to change the membership requirements for the Pedestrian Safety Advisory Committee, and to establish a sunset date for the Advisory Committee.

Supervisor Cohen 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

President Breed requested File Nos. 161058, 161059 and 161061 be called together.

161058 [Reappointment, Cannabis State Legalization Task Force - Jennifer Garcia]

Motion appointing Jennifer Garcia (residency requirement waived), term ending August 31, 2017, to the Cannabis State Legalization Task Force. (Rules Committee)

Motion No. M16-144

APPROVED by the following vote:

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

161059 [Reappointments, Health Authority - Eddie Chan and Maria Luz Torre]

Motion reappointing Eddie Chan and Maria Luz Torre, terms ending January 15, 2019, to the San Francisco Health Authority. (Rules Committee)

Motion No. M16-145

APPROVED by the following vote:

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

161061 [Appointments, Workforce Community Advisory Committee - Elizabeth Jackson-Simpson, Debra Gore-Mann, and Villy Wang]

Motion appointing Elizabeth Jackson-Simpson, Debra Gore-Mann (residency requirement waived), and Villy Wang, for two-year terms ending October 25, 2018, to the Workforce Community Advisory Committee. (Rules Committee)

Motion No. M16-146

APPROVED 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. 161001, 161002, 161003 and 161004 be called together.

161001 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed Project at 1515 South Van Ness Avenue]

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act, issued as a Community Plan Exemption by the Planning Department on July 12, 2016, and approved by Planning Commission Motion No. 19727 on August 11, 2016, for the proposed project located at 1515 South Van Ness Avenue, to allow demolition of an existing building and new construction of a 55- to 65-foot-tall, five- to six-story development with a total area of 180,277 square feet that includes 138,922 square feet of residential uses for up to 157 dwelling units, 5,241 square feet of commercial space, and a 32,473 square-foot garage for parking. (District 9) (Appellant: J. Scott Weaver, on behalf of the Calle 24 Latino Cultural District Community Council) (Filed September 12, 2016). (Clerk of the Board)

President Breed inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of November 15, 2016. The motion carried by the following vote:

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

161002 [Affirming the Community Plan Exemption Determination for a Proposed Project at 1515 South Van Ness Avenue]

Motion affirming the determination by the Planning Department that a proposed project at 1515 South Van Ness Avenue is exempt from further environmental review under a Community Plan Exemption. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 15, 2016. The motion carried by the following vote:

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

161003 [Reversing the Community Plan Exemption Determination for a Proposed Project at 1515 South Van Ness Avenue]

Motion reversing the determination by the Planning Department that a proposed project at 1515 South Van Ness Avenue is exempt from further environmental review under a Community Plan Exemption. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 15, 2016. The motion carried by the following vote:

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

161004 [Preparation of Findings to Reverse the Community Plan Exemption Determination for a Proposed Project at 1515 South Van Ness Avenue]

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Exemption determination by the Planning Department that a proposed project at 1515 South Van Ness Avenue is exempt from further environmental review. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of November 15, 2016. The motion carried by the following vote:

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

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Supervisor Tang, seconded by Supervisor Mar, 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

FILIPINO AMERICAN HISTORY MONTH

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Filipino American History Month, their accomplishments, and their continued community support as referenced below:

Supervisor Mar recognized Allyson Cubales (San Francisco State University);

Supervisor Tang recognized Ian Enriquez (Abraham Lincoln High School);

Supervisor Farrell recognized Evan Kidera and Gil Payumo (Senior Sisig);

Supervisor Peskin recognized Al Ribaya;

Supervisor Kim provided a posthumous commendation for Alicia Pena Bulos;

Supervisor Kim also recognized Deanna Sison (Farmer Brown, Little Skillet, and Victory Hall);

Supervisor Breed recognized Janet Alvarado (The Alvarado Project);

Supervisor Yee recognized Madonna Valencia, Chief Nursing Officer (Laguna Honda Hospital);

Supervisor Wiener recognized retired SFPD Sergeant Richard Alves;

Supervisor Campos recognized Tina Del Mar Moss (CNA Representative, California Pacific Medical Center);

Supervisor Cohen recognized Alisa Somera (Office of the Clerk of the Board); and

Supervisor Avalos recognized Terry Valen, Executive Director (Filipino Community Center).

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Wiener assumed the chair at 3:37 p.m. The President resumed the chair at 4:04 p.m.

COMMITTEE REPORTS

Recommendations of the Land Use and Transportation Committee

President Breed requested File Nos. 160424 and 160553 be called together.

160424 [Planning Code, Zoning Map - Sign Regulations]

Sponsors: Peskin; Cohen

Ordinance amending the Planning Code to correct and update provisions, delete obsolete or redundant sections, amend the definitions of Historic Sign and Wind Sign, reinstate the distinction between Historic and Vintage Signs, and further restrict the areas where General Advertising Signs are permitted; amending the Zoning Map to delete the Showplace Square Special Sign District, the South of Market General Advertising Special Sign District, the Hamm's Building Historic Special Sign District, and the Candlestick Park Special Sign District, and to delete the related Code sections; 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.

Supervisor Cohen 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

160553 [Planning Code - Signs - Exemptions and General Advertising Sign Penalties]

Sponsors: Peskin; Mar

Ordinance amending the Planning Code to clarify that all noncommercial Signs are exempt from regulation pursuant to Planning Code, Article 6; increase penalties for repeat violations for the display of illegal General Advertising Signs; shorten the time before penalties for General Advertising Sign violations begin to accrue; allow property liens for such penalties that go unpaid; 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 a finding of public necessity, convenience, and welfare under Planning Code, Section 302.

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Joseph Cohen; expressed his support for the establishment of a park and children's garden.

Male Speaker; shared various religious concerns.

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

Christopher Dahl; shared concerns regarding climate change and sea level rise.

Bob Poole; expressed support for the homeless navigation centers.

Thomas McDunham; shared concerns regarding the economy and climate change.

Ronald Johnson; shared his experiences with a landlord.

Female Speaker; shared concerns regarding the residents of Treasure Island and the Treasure Island Development Authority.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

161135 [Supporting the Standing Rock Sioux Tribe's Opposition to the Dakota Access Pipeline]

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

Resolution supporting the Standing Rock Sioux Tribe's opposition to the construction of the Dakota Access Pipeline.

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

Resolution No. 465-16

ADOPTED

161102 [Final Map 8363 - 1 Henry Adams Street]

Sponsor: Cohen

Motion approving Final Map 8363, a three vertical lot subdivision and a mixed-use condominium project: Lot 1 containing up to 156 residential units, Lot 2 containing up to 85 residential units, and Lot 3 containing up to two commercial units condominium project, located at 1 Henry Adams Street, being a subdivision of Assessor's Parcel Block No. 3911, Lot No. 001; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Supervisor Cohen requested to be added as the sponsor.

Motion No. M16-147

APPROVED

161103 [Final Map 8299 - 299 Fremont Street]

Motion approving Final Map 8299, a 409 residential and three commercial unit mixed-use condominium project, located at 299 Fremont Street, being a subdivision of Assessor's Parcel Block No. 3738, Lot No. 016; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-148

APPROVED

161104 [Final Map 8753 - 158-162A Linda Street]

Motion approving Final Map 8753, a six residential unit condominium project, located at 158-162A Linda Street, being a subdivision of Assessor's Parcel Block No. 3597, Lot No. 049; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M16-149

APPROVED

161105 [Final Map 8499 - 338 Potrero Avenue]

Sponsor: Cohen

Motion approving Final Map 8499, a 70 residential unit and a maximum of two commercial unit, mixed-use condominium project, located at 338 Potrero Avenue, being a subdivision of Assessor's Parcel Block No. 3962, Lot No. 008; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Supervisor Cohen requested to be added as the sponsor.

Motion No. M16-150

APPROVED

161106 [Final Map 8633 - 645 Texas Street]

Sponsor: Cohen

Motion approving Final Map 8633, a one lot subdivision for a 91 residential unit and one commercial unit mixed-use condominium project, located at 645 Texas Street, being a subdivision of Assessor's Parcel Block No. 4102, Lot No. 026; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Supervisor Cohen requested to be added as the sponsor.

Motion No. M16-151

APPROVED

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 Avalos requested that File No. 161133 be severed so that it may be considered separately.

161133 [Condemning Hate Speech Targeting Muslims]

Sponsors: Avalos; Kim, Farrell, Mar, Campos, Yee, Tang and Cohen

Resolution condemning violence and hate speech, expressing solidarity with Muslims and all those targeted for their ethnicity, race, or religion.

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

Resolution No. 464-16

ADOPTED by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

Ordinances

161065 [Police Code - Rental Car Disclosure Requirements]

Sponsors: Breed; Yee and Farrell

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.

10/04/16; ASSIGNED to Land Use and Transportation Committee.

10/13/16; REFERRED TO DEPARTMENT.

10/25/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

160019 [Planning Code - Child Care Requirements for Office and Residential Projects and Associated Fees]

Sponsors: Yee; Campos

Ordinance amending the Planning Code to require that if a developer elects to provide Designated Child Care Units in lieu of paying the Residential Child Care Impact Fee for a project with ten or more affordable units, any Designated Child Care Unit must be an affordable unit; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

01/12/16; DUPLICATED.

01/12/16; REFERRED to Land Use and Transportation Committee.

01/19/16; REFERRED TO DEPARTMENT.

10/25/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

161157 [Planning Code - Inclusionary Housing Small Sites Program]**Sponsors: Mayor; Campos**

Ordinance amending the Planning Code to create an alternative for project sponsors of smaller market rate projects to direct the Affordable Housing Fee to Small Sites Projects; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare under Planning Code, Section 302.

10/25/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/24/2016.

161158 [Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filing Requirements]**Sponsor: Breed**

Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements for the City, San Francisco Community College District, San Francisco Unified School District, and Successor Agency to the Redevelopment Agency, by adding, deleting, and changing titles of designated officials and employees to reflect organizational and staffing changes, and by refining disclosure requirements for designated officials and employees.

10/25/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 11/24/2016.

161159 [Planning Code - Potrero HOPE SF Special Use District]**Sponsor: Cohen**

Ordinance amending the Planning Code to create the Potrero HOPE SF Special Use District to facilitate development of the Potrero HOPE SF project by modifying requirements related to permitted uses, dwelling unit density, building height and bulk standards, and parking and streetscape matters; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, as proposed for amendment, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

10/25/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/24/2016.

161160 [Planning Code, Zoning Map - Potrero HOPE SF Zoning Map Amendments]**Sponsor: Cohen**

Ordinance amending the Planning Code by amending the Zoning Map Sheets SU-08 and HT-08 in connection with the Potrero HOPE SF project; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, as proposed for amendment, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

10/25/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/24/2016.

161161 [Development Agreement - BRIDGE Potrero Community Associates, LLC - Potrero HOPE SF Project]**Sponsor: Cohen**

Ordinance approving a Development Agreement between the City and County of San Francisco, the Housing Authority of the City and County of San Francisco, and BRIDGE Potrero Community Associates, LLC, for the Potrero HOPE SF Project at the approximately 38-acre irregularly-shaped site bounded by 23rd Street and Missouri Street to the north, Texas Street to the east, 25th Street and 26th Street to the south, and Wisconsin Street to the west; confirming the Development Agreement's compliance with, or waiving certain provisions of, Administrative Code, Chapters 14B, 29, and 56; approving the use of impact fees and exactions for improvements and other community benefits, as set forth in the Development Agreement, and waiving any conflicting fee provisions in Planning Code, Article 4; ratifying past actions taken in connection with the Development Agreement; authorizing further actions taken consistent with this Ordinance; making findings under the California Environmental Quality Act; and making findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b).

10/25/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/24/2016.

161162 [Planning Code - Sunnydale HOPE SF Special Use District]**Sponsor: Cohen**

Ordinance amending the Planning Code to create the Sunnydale HOPE SF Special Use District to facilitate development of the Sunnydale HOPE SF project by modifying specific requirements related to permitted uses, dwelling unit density, building height and bulk standards, and parking and streetscape matters; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, as proposed for amendment, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

10/25/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/24/2016.

161163 [Planning Code, Zoning Map - Sunnydale HOPE SF Zoning Map Amendments]**Sponsor: Cohen**

Ordinance amending the Planning Code by amending the Zoning Map Sheets SU-11 and HT-11 in connection with the Sunnydale HOPE SF project; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, as proposed for amendment, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

10/25/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/24/2016.

161164 [Development Agreement - Sunnydale Development Co., LLC - Sunnydale HOPE SF Project]**Sponsor: Cohen**

Ordinance approving a Development Agreement between the City and County of San Francisco, the Housing Authority of the City and County of San Francisco, and Sunnydale Development Co., LLC, for the Sunnydale HOPE SF Project at the approximately 50-acre site located in Visitacion Valley and generally bounded by McLaren Park to the north, Crocker Amazon Park to the west, Hahn Street to the east, and Velasco to the south; confirming the Development Agreement's compliance with, or waiving certain provisions of, Administrative Code, Chapters 14B, 29, and 56; approving the use of impact fees and exactions for improvements and other community benefits, as set forth in the Development Agreement, and waiving any conflicting fee provisions in Planning Code, Article 4; ratifying past actions taken in connection with the Development Agreement; authorizing further actions taken consistent with the Ordinance; making findings under the California Environmental Quality Act; and making findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

10/25/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/24/2016.

161165 [Subdivision Code - Requirements for Communications Services Facilities]**Sponsor: Farrell**

Ordinance amending the Subdivision Code to require that the design of a subdivision for a tentative map or parcel map provide for communications services facilities to each parcel; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/25/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/24/2016.

Resolutions**161166 [Term Sheet Endorsement and Exemption from Competitive Bidding Policy - National Park Service - Alcatraz Island Embarkation at Piers 31-33]****Sponsors: Mayor; Peskin and Farrell**

Resolution endorsing the term sheet between National Park Service (NPS) and the Port Commission for a Memorandum of Understanding outlining the business terms for an Alcatraz Island Ferry Embarkation site located at Piers 31-33 on The Embarcadero at Bay Street including a form lease for ferry service to Alcatraz Island with a future concessioner selected by NPS and a form lease with the Golden Gate National Parks Conservancy to provide associated amenities, and exempting the Memorandum of Understanding and leases from the competitive bidding policy set forth in Administrative Code, Section 2.6-1.

10/25/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

161167 [Accept and Expend Gift - Pastor Revocable Trust - Firefighting Equipment Purchase - \$72,400]**Sponsor: Wiener**

Resolution authorizing the Fire Department to accept and expend a donation of \$72,400 to purchase firefighting equipment, pursuant to the terms of the administration of the Pastor Revocable Trust and the estate of Russell Pastor.

10/25/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

161168 [Urging the Full Repayment of California Soldiers and Veterans for Time Served]
Sponsors: Farrell; Avalos, Mar, Yee, Cohen, Tang and Campos

Resolution urging Congressional leadership to pass legislation that will fully absolve California soldiers and veterans debt for time served.

10/25/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

161169 [Commending New York Governor Andrew Cuomo, State Senator Liz Krueger and State Assembly Member Linda Rosenthal for New York Assembly Bill A8704C]

Sponsor: Peskin

Resolution commending New York State Senator Liz Krueger and Assembly Member Linda Rosenthal for co-sponsoring and passing New York State Assembly Bill A8704C, relating to prohibiting advertising for the use of dwelling units in class A multiple-dwelling buildings in New York City, and New York Governor Andrew Cuomo for signing it into law on October 21, 2016.

10/25/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

161170 [Waiver Permitting City Employees to Assist the Department of Elections with the November 8, 2016 Election]

Sponsors: Breed; Campos

Motion granting a waiver from the prohibition imposed by Charter, Section 13.104.5, to permit City employees to assist the Department of Elections with the November 8, 2016, election. (Elections Department)

10/25/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

161171 [Committee of the Whole - Resolution of Necessity to Acquire a Lease by Eminent Domain - Central Shops Relocation - 1975 Galvez Avenue - November 29, 2016]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on November 29, 2016, at 3:00 p.m., to hold a public hearing on a Resolution of Necessity authorizing the acquisition of a lease at the real property commonly known as 1975 Galvez Avenue, Assessor's Parcel Block No. 5250, Lot No. 016, by eminent domain for the public purpose of completing and constructing the Central Shops Relocation. (Clerk of the Board)

10/25/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

161172 [Hearing - Status of the Old Potrero Police Station - 2300-3rd Street]

Sponsor: Cohen

Hearing on the status of the old Potrero Police Station on 2300-3rd Street, including cost estimates to adequately secure and protect the building and historic facade, and requesting the Real Estate Division to report.

10/25/16; RECEIVED AND ASSIGNED to Land Use and Transportation 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 ORDINANCES

161094 [Contract Amendment - Dominion Voting Systems, Inc. - Voting System - Not to Exceed \$21,980,691.25]

Ordinance authorizing the Department of Elections to enter into the Fourth Amendment to an agreement with Dominion Voting Systems, Inc., to extend the term of the agreement through December 31, 2018, and increase the total not-to-exceed amount by \$2,289,758 from \$19,690,933.25 to \$21,980,691.25. (Elections Department)
(Fiscal Impact; No Budget and Legislative Analyst Report)

10/17/16; RECEIVED FROM DEPARTMENT.

10/25/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/24/2016.

161095 [Planning Code, Zoning Map - 1493-1497 Potrero Avenue]

Ordinance amending the Planning Code to revise Sectional Map HT08 of the Zoning Map to rezone the height and bulk designation for 1493-1497 Potrero Avenue, Assessor's Parcel Block No. 4277, Lot No. 016, from Open Space (OS) to 40-X; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302. (Planning Commission)

10/13/16; RECEIVED FROM DEPARTMENT.

10/25/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/24/2016.

PROPOSED RESOLUTIONS

161096 [Emergency Declaration - Airport Runways 19L and 19R Seawall Erosion - Estimated Cost of Repairs Exceeds \$250,000]

Resolution approving the Airport Director's declaration of an emergency for seawall erosion at the ends of Airport Runways 19L and 19R, estimated to cost more than \$250,000 to repair, pursuant to Administrative Code, Section 6.60(b). (Airport Commission)
(Fiscal Impact)

10/07/16; RECEIVED FROM DEPARTMENT.

10/25/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

161101 [Authorizing the Acquisition of a Lease by Eminent Domain - Central Shops Relocation - 1975 Galvez Avenue]

Resolution authorizing the acquisition of a lease at the real property commonly known as 1975 Galvez Avenue, Assessor's Parcel Block No. 5250, Lot No. 016, by eminent domain for the public purpose of completing and constructing the Central Shops Relocation; affirming the Planning Department's Categorical Exemption 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. (Public Utilities Commission)
(Fiscal Impact)

10/17/16; RECEIVED FROM DEPARTMENT.

10/25/16; RECEIVED AND ASSIGNED to Board of Supervisors.

In Memoriams

King Rama IX - Supervisor Wiener

Alicia Peña Bulos - Supervisor Kim

Senator Tom Hayden - Supervisor Peskin

ADJOURNMENT

There being no further business, the Board adjourned at the hour 4:48 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 December 6, 2016.

Angela Calvillo, Clerk of the Board