

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, July 11, 2017 - 2:00 PM

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

Regular Meeting

LONDON BREED, PRESIDENT

MALIA COHEN, MARK FARRELL, SANDRA LEE FEWER, JANE KIM, AARON PESKIN,
HILLARY RONEN, AHSHA SAFAI, JEFF SHEEHY, KATY TANG, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee

Supervisors Cohen, Yee, Tang, Kim, Sheehy

Thursday

10:00 AM

Budget and Finance Federal Select Committee

Supervisors Cohen, Sheehy, Fewer

Thursday

1:00 PM

Budget and Finance Sub-Committee

Supervisors Cohen, Yee, Tang

Thursday

10:00 AM

Government Audit and Oversight Committee

Supervisors Kim, Peskin, Breed

1st and 3rd Wednesday

10:00 AM

Land Use and Transportation Committee

Supervisors Farrell, Peskin, Tang

Monday

1:30 PM

Public Safety and Neighborhood Services Committee

Supervisors Ronen, Sheehy, Fewer

2nd and 4th Wednesday

10:00 AM

Rules Committee

Supervisors Safai, Fewer, Yee

2nd and 4th Wednesday

2:00 PM

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

Volume 112 Number 23

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, July 11, 2017, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:02 p.m. On the call of the roll, Supervisors Kim and Tang were noted not present. There was a quorum.

COMMUNICATIONS

There were no communications.

Supervisors Kim and Tang were noted present at 2:03 p.m.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of May 23, 2017. There were no corrections.

Supervisor Peskin, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of May 23, 2017. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

170444 [Administrative Code - Kindergarten to College Fund]

Sponsor: Sheehy

Ordinance amending the Administrative Code to create the Kindergarten to College Fund.

Ordinance No. 144-17

FINALLY PASSED

170673 [Re-Appropriation - 2014 Transportation and Road Improvements General Obligation Bonds Series 2015B Projects - \$26,200,000 - FY2017-2018]**Sponsor: Mayor**

Ordinance re-appropriating \$26,200,000 of 2014 Transportation and Road Improvements General Obligation Bonds Series 2015B funded Better Market Street projects and Muni Forward and Pedestrian Safety Improvements Projects to Transit projects including Muni Facility Upgrades in FY2017-2018.

(Fiscal Impact)

Ordinance No. 151-17**FINALLY PASSED****170675 [Appropriation - Airport Hotel Project of \$70,060,000 and Re-Appropriation - Hotel Special Facility Revenue Bond of \$25,000,000 - Airport Commission - FY2016-2017]****Sponsor: Mayor**

Ordinance appropriating \$70,060,000, consisting of \$35,000,000 of proceeds from the sale of Airport Capital Plan Bonds and \$60,000 from fund balance, and \$35,000,000 of proceeds transfer from Hotel Special Facility Revenue Bonds, to support San Francisco International Airport Hotel Project and placing \$70,000,000 on Controller's Reserve pending receipt of proceeds of indebtedness; and de-appropriating and re-appropriating \$25,000,000 of Hotel Special Facility Revenue Bonds.

(Fiscal Impact)

Ordinance No. 152-17**FINALLY PASSED****Recommendations of the Government Audit and Oversight Committee****170350 [Police, Administrative Codes - Employer Consideration of Applicant's Salary History]****Sponsors: Farrell; Tang, Ronen, Cohen, Breed and Peskin**

Ordinance amending the Police and Administrative Codes to ban employers, including City contractors and subcontractors, from considering current or past salary of an applicant in determining whether to hire an applicant or what salary to offer the applicant, and from asking applicants about their current or past salary; to prohibit employers, including City contractors and subcontractors, from disclosing a current or former employee's salary history without that employee's authorization unless the salary history is publicly available; authorizing the Office of Labor Standards Enforcement to implement and enforce these provisions; and authorizing the City to bring a civil action against an employer for violations.

Ordinance No. 142-17**FINALLY PASSED**

170582 [Settlement of Lawsuit - Peter Cuddihy and Joan Cuddihy - \$43,000]

Ordinance authorizing settlement of the lawsuit filed by Peter Cuddihy and Joan Cuddihy against the City and County of San Francisco for \$43,000; the lawsuit was filed on July 1, 2016, in San Francisco Superior Court, Case No. CGC-16-552818; entitled Peter Cuddihy and Joan Cuddihy v. City and County of San Francisco; the lawsuit involves widespread flooding to the area surrounding the intersection of 15th Avenue and Wawona Street due to heavy rains on December 3, 2014. (City Attorney)

Ordinance No. 145-17

FINALLY PASSED

170583 [Settlement of Lawsuit - Raymond Choy - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by Raymond Choy against the City and County of San Francisco for \$30,000; the lawsuit was filed on May 28, 2015, in San Francisco Superior Court, Case No. CGC-15-546044; entitled Raymond Choy v. City and County of San Francisco, et al.; the lawsuit involves an alleged civil rights violation. (City Attorney)

Ordinance No. 146-17

FINALLY PASSED

170584 [Settlement of Lawsuit - Jason Douglas and Carol Grindley - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Jason Douglas and Carol Grindley against the City and County of San Francisco for \$60,000; the lawsuit was filed on April 27, 2016, in San Francisco Superior Court, Case No. CGC-16-551699; entitled Jason Douglas, Carol Grindley v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a motorcycle collision with a Police Department patrol car. (City Attorney)

Ordinance No. 147-17

FINALLY PASSED

170585 [Settlement of Lawsuit - Devaughn Frierson - \$29,500]

Ordinance authorizing settlement of the lawsuit filed by Devaughn Frierson against the City and County of San Francisco for \$29,500; the lawsuit was filed on June 9, 2015, in the United States District Court, Case No. 15-cv-02573; entitled Devaughn Frierson v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations; other material terms of the settlement are the dismissal of all defendants. (City Attorney)

Ordinance No. 148-17

FINALLY PASSED

170644 [Settlement of Lawsuit - Ambac Assurance Corp. and Ambac Financial Group Inc. - City to Receive \$679,202]

Ordinance authorizing a settlement of the lawsuit filed by the City and County of San Francisco against Ambac Assurance Corp. and its affiliate, Ambac Financial Group Inc. for \$679,202; the lawsuit was filed on October 8, 2008, in San Francisco Superior Court, Case No. CGC-08-480708; entitled City and County of San Francisco v. Ambac Financial Group Inc., et al.; the lawsuit involves breach of contract, fraud and antitrust claims against bond insurance companies; this partial settlement applies only to claims against the two Ambac entities. (City Attorney)

Ordinance No. 149-17

FINALLY PASSED

170645 [Settlement of Lawsuit - United Airlines, Inc. - City to Receive \$165,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against United Airlines, Inc. for \$165,000; the lawsuit was filed on August 2, 2016, in San Mateo County Superior Court, Case No. 16CIV00748, entitled City and County of San Francisco v. United Airlines, Inc., and removed to the United States District Court for the Northern District of California on September 13, 2016, Case No. 3:16-cv-05234-MEJ; the lawsuit involves claims against United Airlines, Inc. for negligence and breach of contract for causing damage to City-owned computer equipment; other material terms of the settlement are each side to bear its own fees and costs, the City will dismiss its complaint with prejudice, and the parties will enter into mutual releases. (City Attorney)

Ordinance No. 150-17

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee**170296 [Planning Code, Zoning Map - Corona Heights Large Residence Special Use District]**

Sponsor: Sheehy

Ordinance amending the Planning Code and Sectional Maps SU06 and SU07 of the Zoning Map to create the Corona Heights Large Residence Special Use District (the area 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; and in addition, all additional parcels fronting States Street), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the district; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Ordinance No. 143-17

FINALLY PASSED

170702 [Fee Waiver - LMC San Francisco I Holdings, LLC - 1515 South Van Ness Avenue]

Sponsors: Mayor; Ronen

Ordinance approving a fee waiver under Building Code, Section 106A.4.13, for LMC San Francisco I Holdings, LLC's project at 1515 South Van Ness Avenue; and adopting findings under the California Environmental Quality Act.

Ordinance No. 155-17

FINALLY PASSED

Recommendation of the Rules Committee

170776 [Appointment, Eastern Neighborhoods Citizens Advisory Committee - Theresa Imperial]

Motion appointing Theresa Imperial, term ending October 19, 2019, to the Eastern Neighborhoods Citizens Advisory Committee. (Rules Committee)

Motion No. M17-107

APPROVED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

President Breed requested File Nos. 170677 and 170678 be called together.

170677 [Appropriation - Proceeds from Water Enterprise Revenue Bonds - Property Purchase Located at Rollins Road - FY2017-2018 - \$9,132,962]

Sponsor: Mayor

Ordinance appropriating \$9,132,962 of proceeds from Water Enterprise Revenue Bonds to purchase the property located at 1657-1663 Rollins Road, Burlingame that has served as the primary work location for San Francisco Public Utilities Commission (SFPUC) staff from the Water Quality Division, the Natural Resources & Land Management Division, and the Water Supply & Treatment Division in FY2017-2018; and placing \$9,132,962 of proceeds on Controller's Reserve pending receipt of proceeds of indebtedness.

(Fiscal Impact)

Ordinance No. 153-17

FINALLY PASSED by the following vote:

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

170678 [Ordinance Amendment - Public Utilities Commission - Water Revenue Bond Issuance - Not to Exceed \$274,130,430]**Sponsor: Mayor**

Ordinance amending Ordinance No. 112-16 to authorize an increase of the issuance and sale of tax-exempt or taxable Water Revenue Bonds and other forms of indebtedness (as described below) by the San Francisco Public Utilities Commission (Commission) to an aggregate principal amount not to exceed \$274,130,430 to finance the costs of various capital water projects benefitting the Water Enterprise, including new funding to finance the cost of the acquisition of the Rollins Road Property (as described below) pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; authorizing the issuance of Water Revenue Refunding Bonds; declaring the Official Intent of the Commission to reimburse itself with one or more issues of tax-exempt or taxable bonds or other forms of indebtedness; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)
(Fiscal Impact)

Ordinance No. 154-17

FINALLY PASSED by the following vote:

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

Recommendation of the Budget and Finance Sub-Committee**170271 [Administrative Code - Transfer of Moscone Center Garage and Performing Arts Garage to Municipal Transportation Agency]**

Ordinance amending the Administrative Code to transfer the Moscone Center Garage (255-3rd Street) and the Performing Arts Garage (360 Grove Street) from the Parking Authority to the Municipal Transportation Agency; assigning a ground lease for certain Public Works property for access between the Performing Arts Garage and Gough Street; affirming the 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. (Municipal Transportation Agency)

Supervisor Kim, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Line 2, by adding 'At the present time, San Francisco Municipal Transportation Agency, Office of Economic and Workforce Development, and Mayor's Office of Housing and Community Development have been developing a proposal for the Moscone Garage that includes potential development of a hotel and associated uses, and affordable housing units. The current proposed scenario, which is subject to change based on public input, environmental review, and other factors including discussions around Central SoMa community facilities and Yerba Buena Gardens benefits, includes 650 hotel rooms and 100 units of affordable housing.' after 'Board of Supervisors.' The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

161351 [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; 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.

Privilege of the floor was granted unanimously to Jon Givner and Kate Stacy (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Safai, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding a new Planning Code 'Section 207.7 - Required Minimum Dwelling Unit Mix.' The motion carried by the following vote:

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

Noes: 1 - Yee

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 require minimum dwelling unit mix in most residential districts; 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.

Supervisor Kim, seconded by Supervisor Yee, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Before the vote was taken, Supervisor Kim withdrew this motion.

Supervisor Kim, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 24, Line 17-19, by striking 'For any affordable units with purchase prices set at 130% of Area Median Income or above, studio units shall not be allowed.'; on Page 25, Lines 9-10, by striking 'For any affordable units with rental rates set at 110% of Area Median Income or above, studio units shall not be allowed.'; on Page 38, Lines 4-5, by striking 'For any affordable units with rental rates set at 100% of Area Median Income or above, studio units shall not be allowed.'; on Page 39, Lines 3-5, by striking 'For any affordable units with rental rates set at 100% of Area Median Income or above, studio units shall not be allowed.'; further amending Section 415.6(a)(2); and making other clarifying and conforming changes in Sections 415.6(a)(3), 415.7(a)(3), and 415.7(a)(4). The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Referred Without Recommendation from the Land Use and Transportation Committee**170349 [Administrative Code - Owner Move-In Reporting Requirements]****Sponsors: Farrell; Sheehy, Cohen and Breed**

Ordinance amending the Administrative Code regarding owner move-in and relative move-in ("OMI") evictions to require a landlord seeking to recover possession of a unit for an OMI to provide a declaration under penalty of perjury stating that the landlord intends to occupy the unit for use as the principal place of residence of the landlord or the landlord's relative for at least 36 continuous months; require a landlord to provide the tenant with a form prepared by the Rent Board to be used to advise the Rent Board of any change in address; clarify the evidentiary standard for finding that an OMI was not performed in good faith; require a landlord to file documentation with the Rent Board regarding the status of an OMI, with a penalty for not filing such documentation, and requiring the Rent Board to transmit a random sampling of such documentation to the District Attorney; extend from three to five years the time period after an OMI during which a landlord who intends to re-rent the unit must first offer the unit to the displaced tenant; provide that a landlord who charges above the maximum allowable rent during the five-year period after an OMI is guilty of a misdemeanor; require the Rent Board to annually notify the unit occupant of the maximum rent for the unit for five years after an OMI, and authorize the occupant to sue for three times any excess rent charged; extend the statute of limitations for wrongful eviction claims based on an unlawful OMI from one year to five years; and making clarifying changes.

Supervisor Peskin, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 17, Lines 1-8, by adding a 'Severability' clause. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

President Breed requested File Nos. 170653, 170654, 170093, 170672, 170676, 170679, 170680, 170681, 170682, 170656, 170658, 170683, 170684, 170686, 170687, 170690, and 170691 be called together.

170653 [Budget and Appropriation Ordinance for Departments - FYs 2017-2018 and 2018-2019]

Sponsor: Mayor

Proposed Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2017, for the FYs ending June 30, 2018, and June 30, 2019.

(Fiscal Impact.)

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Ordinance be AMENDED by accepting the Technical Amendments to Line Item Nos. 6, 10, 12, 13, 17, 19, 20, 24, 43, 44, 50, 54, 61, 65, 66, 68, 69, 75, 86, 94, 95, 96, 98, 100, 101, 119, 135, 136, 138, 139, 140, 142, 148, 149, 150, 151, 152, 153, 154, 155, 157, 158, 160, 161, 169, 171, 176, 179, 183, 188, 187, 190, 191, 199, 202, 208, 218, 219, 220, 221, and 222, including an additional amendment as proposed by Supervisor Fewer to Line Item No. 69 to change the program to 'Domestic Violence Services' and department to 'MOHCD.' The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee
Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2017, for the FYs ending June 30, 2018, and June 30, 2019.

(Fiscal Impact)

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170654 [Annual Salary Ordinance - FYs 2017-2018 and 2018-2019]

Sponsor: Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2018, and June 30, 2019, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

(Fiscal Impact)

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170093 [Planning Code - Establish Fee for Monitoring of Student Housing - Mayor's Office of Housing and Community Development]**Sponsor: Mayor**

Ordinance amending the Planning Code to establish a fee for the Mayor's Office of Housing and Community Development to monitor Student Housing; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170672 [Administrative Code - Board of Appeals Surcharges - Permit Fees]**Sponsor: Mayor**

Ordinance amending the Administrative Code to adjust existing surcharges on permit fees, license fees, permit review fees, and permit and license renewal fees for permits and licenses issued by the Planning Department, Department of Building Inspection, Department of Public Health, and Police Department that may be appealed to the Board of Appeals.

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170676 [Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling - Tax Year 2017]**Sponsor: Mayor**

Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2017.

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170679 [Administrative Code - Arts Commission Contracting Authority]**Sponsor: Mayor**

Ordinance amending the Administrative Code to authorize the Arts Commission to contract for the development, fabrication, maintenance, conservation, removal, or installation of art work.

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170680 [Business and Tax Regulations Code - Emergency Medical Services Fees]**Sponsor: Mayor**

Ordinance amending the Business and Tax Regulations Code to require that payment of emergency medical services fees be made to the Department of Public Health rather than the Department of Emergency Management.

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170681 [Health Code - Patient Rates - FYs 2017-2018 and 2018-2019]**Sponsor: Mayor**

Ordinance amending the Health Code to set patient rates and other services provided by the Department of Public Health for patient and other services rendered, starting July 1, 2017, and continuing through June 30, 2019.

(Pursuant to Charter, Section A8.423, this matter requires three-fourths vote of the full membership of the Board of Supervisors (9 votes) for passage.)

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170682 [Fire Code - Fire Department Fees]**Sponsor: Mayor**

Ordinance amending the Fire Code to increase the fees for certain Fire Department services; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170656 [Treasure Island Development Authority Budget - FYs 2017-2018 and 2018-2019]**Sponsor: Mayor**

Resolution approving the Budget of the Treasure Island Development Authority for FYs 2017-2018 and 2018-2019.

(Fiscal Impact; No Budget and Legislative Analyst Report.)

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170658 [Office of Community Investment and Infrastructure, Operating as Successor Agency to the San Francisco Redevelopment Agency - FY2017-2018 Budget]**Sponsor: Mayor**

Resolution approving the FY2017-2018 Budget of the Office of Community Investment and Infrastructure, operating as the Successor Agency to the San Francisco Redevelopment Agency.

(Fiscal Impact; No Budget and Legislative Analyst Report.)

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170683 [Access Line Tax Adjustment - Consumer Price Index of 2017]**Sponsor: Mayor**

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2017, and adjusting the Access Line Tax by the same rate.

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170684 [Authorization to Examine Prepaid Mobile Telephony Service Surcharge and Local Charge Records]**Sponsor: Mayor**

Resolution authorizing the Controller's Office and Office of the Treasurer and Tax Collector to examine the prepaid mobile telephony services surcharge and local charges collected by the State Board of Equalization.

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170686 [Proposition J Contract Certification - Specified Contracted-Out Services Previously Approved]**Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: budget analyst (Board of Supervisors); citywide custodial services (excluding City Hall), citywide security services, central shops security, convention facilities management (General Services Agency-City Administrator); mainframe system support (General Services Agency-Technology); security services (Human Services Agency); food services for jail inmates (Sheriff); and assembly of vote-by-mail envelopes (Department of Elections).

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170687 [Accept and Expend Grants - Recurring State Grant Funds - Department of Public Health - FY2017-2018]**Sponsor: Mayor**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2017-2018.

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170690 [Homelessness and Supportive Housing Fund - FYs 2017-2018 and 2018-2019 Expenditure Plans]**Sponsor: Mayor**

Resolution approving the FYs 2017-2018 and 2018-2019 Expenditure Plans for the Department of Homelessness and Supportive Housing Fund.

(Fiscal Impact; No Budget and Legislative Analyst Report.)

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170691 [Accept and Expend Grant - Friends of San Francisco Public Library - Annual Grant Award - FY2017-2018 - Up to \$753,851 of In-Kind Gifts, Services, and Cash Monies]**Sponsor: Mayor**

Resolution authorizing the San Francisco Public Library to accept and expend a grant in the amount of up to \$753,851 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services in FY2017-2018.

Supervisor Cohen, seconded by Supervisor Sheehy, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 18, 2017. The motion carried by the following vote:

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

170709 [Department of Children, Youth and Their Families 2016 Community Needs Assessment and 2018-2023 Services Allocation Plan]**Sponsor: Cohen**

Resolution approving the 2016 Community Needs Assessment and 2018-2023 Services Allocation Plan developed by the Department of Children, Youth and Their Families in accordance with Charter, Section 16.108.

Resolution No. 276-17**ADOPTED by the following vote:**

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

Recommendations of the Budget and Finance Sub-Committee**170762 [Health Service System Plans and Contribution Rates - Calendar Year 2018]****Sponsor: Farrell**

Ordinance approving Health Service System plans and contribution rates for calendar year 2018. (Health Service System)

(Pursuant to Charter, Section A8.423, this matter requires three-fourths vote of the full membership of the Board of Supervisors (9 votes) for passage.)

PASSED ON FIRST READING by the following vote:

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

President Breed requested File Nos. 170572 and 170573 be called together.

170572 [Accept and Expend Grant - Centers for Disease Control and Prevention - National HIV Behavioral Surveillance-San Francisco - \$783,091]

Sponsor: Sheehy

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase of \$295,205 for a total amount of \$783,091 from Centers for Disease Control and Prevention to participate in a program entitled National HIV Behavioral Surveillance-San Francisco for the period of January 1, 2017, through December 31, 2017. (Public Health Department)

Resolution No. 274-17

ADOPTED by the following vote:

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

170573 [Accept and Expend Grant - Centers for Disease Control and Prevention - San Francisco STD Surveillance Network Project - \$225,000]

Sponsor: Sheehy

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase of \$75,000 for a total amount of \$225,000 from the Department of Health and Human Services, Centers for Disease Control and Prevention to participate in a program entitled San Francisco STD Surveillance Network Project for the period of September 30, 2016, through September 29, 2017. (Public Health Department)

ADOPTED by the following vote:

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

Supervisor Sheehy, seconded by Supervisor Fewer, moved to rescind the previous vote to allow further discussions. The motion carried by the following vote:

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

Resolution No. 275-17

ADOPTED by the following vote:

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

170765 [Multifamily Housing Revenue Bonds - 1500-1580 Mission Street and 77 South Van Ness Avenue (also known as "Goodwill") - Not to Exceed \$475,000,000]

Sponsor: Mayor

Resolution approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$475,000,000 for the purpose of providing financing for the construction of approximately 550 units of residential rental housing located at 1500-1580 Mission Street and 77 South Van Ness Avenue, also known as Goodwill; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein.

Resolution No. 277-17

ADOPTED by the following vote:

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

170766 [Accept and Expend Grant - Bay Area Air Quality Management District - Proposition 1B: Goods Movement Emission Reduction Program - \$1,371,250]**Sponsors: Mayor; Ronen**

Resolution retroactively authorizing the Port of San Francisco to accept and expend a grant in the amount of \$1,371,250 from the Bay Area Air Quality Management's Proposition: 1B Goods Movement Emission Reduction Program to purchase a new Tier 4 low emission locomotive for the period of May 1, 2017, through December 31, 2018. (Port)

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

Resolution No. 278-17**ADOPTED by the following vote:**

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

170769 [Multifamily Housing Revenue Bonds - Alice Griffith Phase 4 Apartments Project - Not to Exceed \$14,450,000]**Sponsor: Cohen**

Resolution authorizing the issuance, sale and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$14,450,000 for the purpose of providing financing for the acquisition and construction of a 31-unit multifamily rental housing project known as Alice Griffith Phase 4 Apartments Project; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Mayor's Office of Housing and Community Development)

Resolution No. 279-17**ADOPTED by the following vote:**

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

Recommendations of the Land Use and Transportation Committee**170430 [Planning Code - Landmark Designation - 1970 Ocean Avenue (aka El Rey Theater)]****Sponsors: Yee; Peskin and Safai**

Ordinance amending the Planning Code to designate 1970 Ocean Avenue (aka El Rey Theater), in Assessor's Parcel Block No. 3280, Lot No. 018, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

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

PASSED ON FIRST READING by the following vote:

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

170434 [Planning Code - Construction of Accessory Dwelling Units]**Sponsor: Peskin**

Ordinance amending the Planning Code to modify the requirements and procedures for authorizing the construction of Accessory Dwelling Units (ADUs) to include ADUs in RH-1(D) zoning districts in the Citywide program, apply the cap on number of ADUs to lots rather than buildings and remove the cap on buildings undergoing seismic retrofitting, allow the construction of ADUs expanding into the buildable or habitable area under certain conditions, make an exception to the prohibition against constructing an ADU where there has been a no-fault eviction in those cases where the tenant has been temporarily evicted in order for the owner to perform capital improvements, rehabilitation work, or lead remediation or abatement work, require modification of the project if construction of the ADU would have adverse impacts on any known historic resource, and require the Planning Department to apply all enacted design guidelines to ensure architectural compatibility of the ADU with existing buildings on the subject lot; 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 findings of public convenience, necessity, and welfare under Planning Code, Section 302; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development after adoption pursuant to state law requirements.

Supervisor Peskin, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 6, Lines 18-19, by striking '(a) expand into the buildable area on the ground floor or (b)' after 'ADU may'; and on Page 9, Lines 10-17, by striking 'except that an ADU may (a) expand into the buildable area on the ground floor or (b) expand into habitable space on the ground or basement floors provided that it does not exceed 25% of the gross square footage of such space, and the Zoning Administrator may waive this 25% limitation if (1) the resulting space would not be usable or would be impractical to use for other reasonable uses included but not limited to storage or bicycle parking or (b) waiving the limitation would help relieve any negative layout issues for the proposed ADU; the allowable area shall include any residential space added under permit as "rooms down."' The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee
Ordinance amending the Planning Code to modify the requirements and procedures for authorizing the construction of Accessory Dwelling Units (ADUs) to include ADUs in RH-1(D) zoning districts in the Citywide program, apply the cap on number of ADUs to lots rather than buildings and remove the cap on buildings undergoing seismic retrofitting, allow the construction of ADUs expanding into the habitable area under certain conditions, make an exception to the prohibition against constructing an ADU where there has been a no-fault eviction in those cases where the tenant has been temporarily evicted in order for the owner to perform capital improvements, rehabilitation work, or lead remediation or abatement work, require modification of the project if construction of the ADU would have adverse impacts on any known historic resource, and require the Planning Department to apply all enacted design guidelines to ensure architectural compatibility of the ADU with existing buildings on the subject lot; 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 findings of public convenience, necessity, and welfare under Planning Code, Section 302; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development after adoption pursuant to state law requirements.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

170626 [Fire Code - Fire Safety Disclosure, Posting, and Training Requirements]**Sponsors: Tang; Peskin**

Ordinance amending the Fire Code requirements for fire safety disclosure, posting, and training; making findings as to local conditions pursuant to the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to transmit this Ordinance to appropriate state officials.

Supervisor Tang, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Lines 1-3, by striking '(d) This Section 409.2 shall become operative March 10, 2017. The amendments to this Section 409.2 contained in the ordinance in Board of Supervisors File No. shall become operative on January 1, 2018.', Lines 18-19, by striking '(c) This Section 409.3 shall become operative six months after the effective date of this Section 409.2'; on Page 7, Lines 18-19, by adding 'provided in writing. If provided in hard copy, it shall be' after 'shall be'; and on Page 9, Lines 3-4, by striking 'its effective date, except the amendments to Section 409.2 shall become operative on' after 'operative on'. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

170569 [Extending Interim Zoning Controls - Signs in Transit Center District Plan Area and Between Folsom, Harrison, Essex and Second Streets]**Sponsor: Kim**

Resolution extending interim zoning controls in the Transit Center District Plan Area ("Plan Area"), which is bounded by Market Street on the north, Folsom Street on the south, Steuart Street on the east, and between New Montgomery and Third Streets on the west, and in the area bounded by Folsom, Harrison, Essex and Second Streets, but excluding the planned City Park between Mission, Howard, Second and Beale Streets, and those portions of the Plan Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land bounded by Spear, Mission, Folsom and Second Streets, to restrict the size and height of new signs within 200 feet of and visible from an existing or planned public park or open space, and to restrict illumination of certain new signs in those areas; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

Resolution No. 273-17**ADOPTED by the following vote:**

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

Recommendation of the Public Safety and Neighborhood Services Committee

170443 [Police Code - Outdoor Amplified Sound Permits]

Sponsors: Sheehy; Safai

Ordinance amending the Police Code to recodify and revamp permit procedures for outdoor amplified sound by providing for distinct permits for Fixed Place Outdoor Amplified Sound, One Time Outdoor Amplified Sound, and Sound Trucks, and establishing fees for those permits, while also providing amplified sound requirements for Place of Entertainment and Limited Live Performance permits; to impose a fee for Sound Monitoring; to increase the fee for One Time Event permits; to declare operation of a business without these various permits (when required) to be a public nuisance; and to strengthen penalties for permit-related violations and noise violations; and making environmental findings.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee

170774 [Reappointment, Children, Youth and Their Families Oversight and Advisory Committee - Eddy Xaio Fei Zheng]

Motion reappointing Eddy Xaio Fei Zheng, term ending July 1, 2019, to the Children, Youth and Their Families Oversight and Advisory Committee. (Rules Committee)

Motion No. M17-109

APPROVED by the following vote:

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

170775 [Appointments, Immigrant Rights Commission - Amro Radwan, Nima Rahimi, Mario Paz, Celine Kennelly, and Michelle Wong]

Motion appointing Amro Radwan (residency requirement waived), term ending June 6, 2018, and Nima Rahimi, term ending June 6, 2019, and reappointing Mario Paz (residency requirement waived), Celine Kennelly, and Michelle Wong, terms ending June 6, 2019, to the Immigrant Rights Commission. (Rules Committee)

Motion No. M17-110

APPROVED by the following vote:

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

170777 [Reappointment, Pedestrian Safety Advisory Committee - Rebecca Hogue]

Motion reappointing Rebecca Hogue, term ending March 31, 2019, to the Pedestrian Safety Advisory Committee. (Rules Committee)

Motion No. M17-111

APPROVED by the following vote:

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

170778 [Appointments, Office of Early Care and Education Citizens' Advisory Committee - Patricia Sullivan and Candace Wong]

Motion appointing Patricia Sullivan and reappointing Candace Wong, terms ending May 1, 2019, to the Office of Early Care and Education Citizens' Advisory Committee. (Rules Committee)

Motion No. M17-112

APPROVED by the following vote:

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

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

Supervisor Yee, seconded by Supervisor Ronen, 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 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to Terry Lam, Park Station Crime Analyst (San Francisco Police Department), in recognition of their extraordinary work solving crimes and continued community support. Captain John Sanford (Park Station) provided additional commendatory remarks.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Leila Baradaran, Youth Program Director (Dance Mission Theater), on the occasion of her departure from the Theater and in recognition of her many accomplishments providing dance instruction programs to the youth of San Francisco.

Supervisor Fewer introduced, welcomed, and presented a Certificate of Honor to Nancy DeStafanis in recognition of her many accomplishments providing education and nature programs on the Great Blue Herons at Stow Lake.

SPECIAL ORDER 3:00 P.M.

President Breed requested File Nos. 170718, 170719, 170720, and 170721 be called together.

170718 [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed SFMTA - Upper Market Street Safety Project]

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on February 3, 2017, approved on May 2, 2017, for the San Francisco Municipal Transportation Agency's proposed Upper Market Street Safety Project, to include new curb extensions, parking-protected bicycle lanes, and ADA-compliant curb ramps, possible relocation of basins and manholes, and possible replacement of pull-boxes, along several locations between Castro Street and Octavia Street. (Districts 8 and 5) (Appellant: David Pilpel) (Filed June 1, 2017) (Clerk of the Board)

President Breed opened the public hearing and Supervisor Sheehy provided opening remarks. The President then inquired as to whether any member of the public wished to address the Board. David Pilpel (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Christopher Espiritu, Wade Wietgreffe and Devyani Jain (Planning Department); Tom Maguire and Luis Montoya (Municipal Transportation Agency); provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Tom Maguire and Casey Hildreth (Municipal Transportation Agency) (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Julia Cruz; Janelle Wong; Liz Summer; Natasha Hawkwell; Josie Erin; Amy Gunn; Anna O'Neil; Jessica Jenkins; Andrea Aiello; spoke in support of the project and in opposition to the appeal. Jon Givner (Office of the City Attorney) provided additional information and answered questions raised throughout the discussion. David Pilpel (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Breed closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

170719 [Affirming the Categorical Exemption Determination - Proposed San Francisco Municipal Transportation Agency - Upper Market Street Safety Project]

Motion affirming the determination by the Planning Department that the San Francisco Municipal Transportation Agency's proposed Upper Market Street Safety Project is categorically exempt from further environmental review. (Clerk of the Board)

Motion No. M17-108

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

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

170720 [Conditionally Reversing the Categorical Exemption Determination - Proposed San Francisco Municipal Transportation Agency - Upper Market Street Safety Project]

Motion conditionally reversing the determination by the Planning Department that the San Francisco Municipal Transportation Agency's proposed Upper Market Street Safety Project is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

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

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

170721 [Preparation of Findings to Reverse the Categorical Exemption Determination - Proposed San Francisco Municipal Transportation Agency - Upper Market Street Safety Project]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the San Francisco Municipal Transportation Agency's proposed Upper Market Street Safety Project is categorically exempt from further environmental review. (Clerk of the Board)

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

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Nancy Cross; shared concerns regarding the southeast homeless shelters.

Francisco Da Costa; shared concerns regarding public participation in the legislative process and contaminated properties.

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

Male Speaker; shared his various thoughts and experiences with the Board.

Darrell Rogers; spoke in support of Mario Woods Day and on concerns related to police brutality.

Male Speaker; spoke in support of Mario Woods Day and on concerns related to police brutality.

Daniel Kappler; spoke in support of Mario Woods Day and on concerns related to police brutality.

Maria Victoria Ahearne; spoke in support of Mario Woods Day and on concerns related to police brutality.

Male Speaker; shared concerns regarding the Dakota Access Pipeline and divesting in businesses with ties to the atrocity.

Male Speaker; shared concerns related to police brutality and a tenant eviction experience.

Tom Gilberty; shared ideas regarding a screenplay plot,

Male Speaker; spoke on concerns related to police brutality.

Otto Duffy; shared concerns regarding Muni and maintaining the culture in San Francisco.

Debra Byrne; shared concerns regarding maintaining diversity and culture in San Francisco.

Male Speaker; spoke in support of Mario Woods Day and requested the Board to attend an event.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

170785 [Asking Saves Kids Day - June 21, 2017]

Sponsor: Farrell

Resolution recognizing Brady Campaign's ASK (Asking Saves Kids) Campaign, which promotes a plan to prevent more children from dying due to access to unlocked guns by asking parents if there is an unlocked gun where their child is playing, and declaring June 21, 2017, as Asking Saves Kids Day in the City and County of San Francisco.

Resolution No. 280-17

ADOPTED

170786 [Recognizing the 35th Anniversary of the Murder of Vincent Chin]

Sponsors: Fewer; Peskin, Tang, Ronen, Cohen, Yee and Kim

Resolution recognizing the 35th anniversary of the murder of Vincent Chin, and declaring the City and County of San Francisco's support of Asian American communities against racialized hate and violence.

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

Resolution No. 281-17

ADOPTED

170787 [Urging the Recreation and Park Commission to Consider Naming the New Park at 2080 Folsom Street "In Chan Kaajal Park"]

Sponsor: Ronen

Resolution urging the Recreation and Park Commission to name the new park located at 2080 Folsom Street, on 17th and Folsom Streets, as "In Chan Kaajal Park."

Resolution No. 282-17

ADOPTED

The foregoing items were acted upon by the following vote:

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

170820 [Planning Code - Valencia Street Neighborhood Commercial Transit District Zoning Control Table]

Sponsor: Mayor

Ordinance amending the Planning Code to adopt the zoning control table for the Valencia Street Neighborhood Commercial Transit District, which was deleted inadvertently from Ordinance No. 129-17, the Article 7 Reorganization Ordinance; making environmental findings and 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.

07/11/17; ASSIGNED to Land Use and Transportation Committee.

170419 [Planning Code - North Beach, Telegraph Hill, Broadway and Chinatown Area Controls; Formula Retail]

Sponsor: Peskin

Ordinance amending the Planning Code to 1) support Legacy Businesses; 2) expand the definition of historic buildings and impose additional requirements in the Broadway Neighborhood Commercial District (NCD) and North Beach Special Use District (SUD); 3) prohibit certain uses in the North Beach SUD; 4) reduce the lot size limit in the North Beach SUD; 5) 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; 6) reduce off-street parking spaces permitted for residential uses in the Telegraph Hill - North Beach Residential SUD, and the Broadway and North Beach NCDs; 7) revise the definition of Formula Retail; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.

04/11/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/11/2017.

04/21/17; REFERRED TO DEPARTMENT.

04/28/17; RESPONSE RECEIVED.

07/11/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

Resolutions

170821 [Accept and Expend Grant - Public Health Foundation Enterprises, Inc. - Zika Response Resources Grant - \$225,366]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$225,366 from Public Health Foundation Enterprises, Inc., to participate in a program entitled Zika Response Resources Grant, for the period of March 1, 2017, through July 31, 2018. (Public Health Department)

07/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170822 [Sharing Agreement Amendment - Department of Veterans Affairs Medical Center, 4150 Clement Street - Emergency Communications Site - \$54,856.26 Annual Base Rent]

Sponsor: Mayor

Resolution authorizing and approving an Amendment to an existing Sharing Agreement for emergency radio telecommunications and associated equipment with the Department of Veterans Affairs Medical Center at 4150 Clement Street, for the Department of Emergency Management and the Department of Technology, commencing upon approval by the Board of Supervisors and Mayor at an annual base rent of \$54,856.26 in the initial year with 3% annual rent increases, with no change to the term length; adopting findings under the California Environmental Quality Act, Public Resources Code, Section 21000 et seq.; and finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

07/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170823 [Apply for, Accept, and Expend Grant - U.S. Department of Housing and Urban Development - Housing Opportunities for Persons with AIDS Program Supplemental - \$422,196 - FY2017-2018]

Sponsor: Mayor

Resolution retroactively approving the FY2017-2018 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2017-2018 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$422,196 for the period of July 1, 2017, through June 30, 2022.

07/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170824 [Accept Gift - Playworld Systems Inc. - Treasure Island Development Authority - New Playground Equipment - Valued at \$110,000]

Sponsor: Kim

Resolution authorizing the Treasure Island Development Authority to enter into a gift agreement with Playworld Systems Inc. for the installation of new playground equipment at Treasure Island valued at \$110,000.

07/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170825 [Professional Service Agreement - Associated Right of Way Services, Inc. - Relocation Services - Not to Exceed \$1,250,000]

Sponsor: Kim

Resolution approving a Professional Services Contract for relocation services between Treasure Island Development Authority and Associated Right of Way Services, Inc., for a five year term to commence following Board approval through June 30, 2022, and two two-year options to extend, for an amount not to exceed \$1,250,000 over the initial five year term.

Fiscal Impact; No Budget and Legislative Analyst Report.

07/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170826 [Urging Wells Fargo to Compensate Employees Terminated in Retaliation for Whistle-blowing]

Sponsors: Kim; Peskin and Ronen

Resolution urging Wells Fargo & Company to remediate the economically damaging effects of defamatory statements made against employees in retaliation for attempting to blow the whistle on past fraudulent practices, conduct a card check of all employees nationwide, and conduct a thorough review of lending practices.

07/11/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

170827 [Opposing California State Assembly Bill 943 (Santiago) - Land Use Regulations: Local Initiatives: Voter Approval]

Sponsor: Peskin

Resolution opposing California State Assembly Bill 943, authored by Assembly Member Miguel Santiago, which would impose a supermajority voting requirement of 55% on all ballot measures in cities and counties with populations of 750,000 or more that are qualified for the ballot by citizen petition and are designated by the county counsel or city attorney in those cities and counties to inhibit unchecked development.

07/11/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

170828 [Adopting the Planning Department's Report on Interim Zoning Prohibition on Commercial Mergers - Proposed Calle 24 Special Use District]

Sponsor: Ronen

Motion adopting the Planning Department's report on the interim zoning prohibition on commercial storefront mergers of greater than 799 gross square feet in the proposed Calle 24 Special Use District, which generally includes all lots bounded by 22nd Street, Potrero Avenue, Cesar Chavez Street, Capp Street, and both sides of 24th Street from Capp Street to Bartlett Street, as well as certain additional adjacent lots.

07/11/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

170829 [Hearing - Traffic Congestion Downtown and in Our Neighborhoods]

Sponsor: Sheehy

Hearing to address increased traffic congestion downtown and in our neighborhoods, consider increases in traffic caused by increased development and the prevalence of transportation network companies; and requesting the San Francisco Municipal Transportation Agency, Planning Department, and Police Department to report.

07/11/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services 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

170794 [Settlement of Lawsuit - Sarah Loomis - \$95,000]

Ordinance authorizing settlement of the lawsuit filed by Sarah Loomis against the City and County of San Francisco for \$95,000; the lawsuit was filed on February 19, 2016, in San Francisco Superior Court, Case No. CGC-16-550399; entitled Sarah Loomis v. Nathaniel David Mansker, City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from vehicle collision. (City Attorney)

06/26/17; RECEIVED FROM DEPARTMENT.

07/11/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

170795 [Settlement of Lawsuit - Sonia Meyerson - \$52,500]

Ordinance authorizing settlement of the lawsuit filed by Sonia Meyerson against the City and County of San Francisco for \$52,500; the lawsuit was filed on April 22, 2015, in San Francisco Superior Court, Case No. CGC-15-545451; entitled Sonia Meyerson v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

06/26/17; RECEIVED FROM DEPARTMENT.

07/11/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

170796 [Settlement of Lawsuit - Bernard Sandoval - \$120,000]

Ordinance authorizing settlement of the lawsuit filed by Bernard Sandoval against the City and County of San Francisco for \$120,000; the lawsuit was filed on June 25, 2015, in San Francisco Superior Court, Case No. CGC-15-546562; entitled Bernard Sandoval v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

06/26/17; RECEIVED FROM DEPARTMENT.

07/11/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

170797 [Settlement of Lawsuit - Paula Ginsburg - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Paula Ginsburg against the City and County of San Francisco for \$225,000; the lawsuit was filed on February 17, 2016, in San Francisco Superior Court, Case No. CGC-16-550470; entitled Paula Ginsburg v. City and County of San Francisco, and Does 1 to 25, Inclusive; the lawsuit involves alleged personal injury on a City sidewalk adjacent to Alta Plaza Park. (City Attorney)

06/27/17; RECEIVED FROM DEPARTMENT.

07/11/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

170798 [Master Lease Amendment - United States Navy - Treasure Island Childcare]

Resolution approving Amendment No. 13 to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year, for the period of December 1, 2017, through November 30, 2018. (Treasure Island Development Authority)

06/22/17; RECEIVED FROM DEPARTMENT.

07/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170799 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving Amendment No. 42 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year, for the period of December 1, 2017, through November 30, 2018. (Treasure Island Development Authority)

06/22/17; RECEIVED FROM DEPARTMENT.

07/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170800 [Grant Agreement - California Department of Public Health - Naloxone Distribution Grant Program - \$102,480]

Resolution retroactively authorizing the Department of Public Health to execute Grant Agreement No. 16-11026 with the California Department of Public Health, to receive \$102,480 worth of naloxone product through the Naloxone Distribution Grant Program, for the term of June 1, 2017, through June 30, 2019; and authorizing the Health Officer for the City and County of San Francisco to sign said agreement. (Public Health Department)

06/26/17; RECEIVED FROM DEPARTMENT.

07/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170801 [Contract Modification - Allied Universal Security - Security Services - Total Contract Amount of \$22,802,311]

Resolution approving a modification of the contract between the City and County of San Francisco and Allied Universal Security, for the provision of Security Services for the period of February 1, 2014, through January 31, 2018, with no change to the term, to increase the amount by \$3,016,919 resulting in a total contract amount of \$22,802,311. (Human Services Agency) (Fiscal Impact)

06/26/17; RECEIVED FROM DEPARTMENT.

07/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170802 [California Environmental Quality Act Findings - San Francisco Public Utilities Commission Water System Improvement Program, Alameda Creek Recapture Project]

Resolution adopting findings under the California Environmental Quality Act related to modifications to the San Francisco Public Utilities Commission Water System Improvement Program, Alameda Creek Recapture Project, located in Sunol Valley in Alameda County, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

06/30/17; RECEIVED FROM DEPARTMENT.

07/11/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

In Memoriams

Alice Lane - Board President Breed

Arnold Lee - Supervisor Peskin

Tyrone L. McGraw - Supervisor Sheehy

ADJOURNMENT

There being no further business, the Board adjourned at the hour 5:21 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 September 5, 2017.

Angela Calvillo, Clerk of the Board