

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, February 27, 2018 - 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, SANDRA LEE FEWER, JANE KIM, AARON PESKIN, HILLARY RONEN,  
AHSHA SAFAI, JEFF SHEEHY, CATHERINE STEFANI, KATY TANG, NORMAN YEE

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

**Budget and Finance Committee**  
Supervisors Cohen, Fewer, Stefani

Thursday  
1:00 PM

**Budget and Finance Federal Select Committee**  
Supervisors Cohen, Fewer, Tang

2nd and 4th Thursday  
1:15 PM

**Government Audit and Oversight Committee**  
Supervisors Kim, Peskin, Breed

1st and 3rd Wednesday  
10:00 AM

**Land Use and Transportation Committee**  
Supervisors Tang, Kim, Safai

Monday  
1:30 PM

**Public Safety and Neighborhood Services Committee**  
Supervisors Sheehy, Ronen, Peskin

2nd and 4th Wednesday  
10:00 AM

**Rules Committee**  
Supervisors Safai, Yee, Stefani

2nd and 4th Wednesday  
2:00 PM

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

Volume 113 Number 6

**Members Present:** London Breed, Malia Cohen, Sandra Lee Fewer, Jane Kim, Aaron Peskin, Hillary Ronen, Ahsha Safai, Jeff Sheehy, Catherine Stefani, and Norman Yee

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, February 27, 2018, with President London Breed presiding.*

## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

*President Breed called the meeting to order at 2:01 p.m. On the call of the roll, Supervisors Cohen and Tang were noted not present. There was a quorum.*

## **COMMUNICATIONS**

*Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of a communication from Supervisor Katy Tang, dated February 13, 2018, informing the Board of her absence and requesting to be excused from today's meeting.*

*Supervisor Cohen was noted present at 2:03 p.m.*

## **Supervisor Tang Excused from Attendance**

**Supervisor Yee, seconded by Supervisor Peskin, moved that Supervisor Tang be excused from attending today's meeting. The motion carried by the following vote:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

## **APPROVAL OF MEETING MINUTES**

*President Breed inquired whether any Board Member had any corrections to the January 23, 2018, Board Meeting Minutes. There were no corrections.*

**Supervisor Peskin, seconded by Supervisor Fewer, moved to approve the January 23, 2018, Board Meeting Minutes. The motion carried by the following vote, following general public comment:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

## **AGENDA CHANGES**

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendations of the Government Audit and Oversight Committee

#### **180023 [Settlement of Lawsuit - Mikaela Anna Merchant - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Mikaela Anna Merchant against the City and County of San Francisco for \$50,000; the lawsuit was filed on November 29, 2016, in San Francisco Superior Court, Case No. CGC-16-555561; entitled Mikaela Anna Merchant v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

**Ordinance No. 037-18**

**FINALLY PASSED**

#### **180024 [Partial Settlement of Lawsuit - Cesar and Fe Ponferrada - \$34,000]**

Ordinance authorizing settlement of the lawsuit filed by Cesar and Fe Ponferrada against the City and County of San Francisco for \$34,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiffs Cesar and Fe Ponferrada, by the payment of \$34,000 and excluding the claim by these plaintiffs for diminution of value for plaintiffs' real property and the claim by plaintiffs for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney)

**Ordinance No. 038-18**

**FINALLY PASSED**

#### **180025 [Partial Settlement of Lawsuit - Rizaldi Gache - \$65,000]**

Ordinance authorizing settlement of the lawsuit filed by Rizaldi Gache against the City and County of San Francisco for \$65,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiff Rizaldi Gache, by the payment of \$65,000, and excluding the claim by this plaintiff for diminution of value for plaintiff's real property and the claim by plaintiff for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney)

**Ordinance No. 039-18**

**FINALLY PASSED**

**180028 [Partial Settlement of Lawsuit - David Alfaro and Jessica Alfaro - \$75,000]**

Ordinance authorizing settlement of the lawsuit filed by David Alfaro and Jessica Alfaro against the City and County of San Francisco for \$75,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiffs David Alfaro and Jessica Alfaro, by the payment of \$75,000 and excluding the claim by these plaintiffs for diminution of value for plaintiffs' real property and the claim by plaintiffs for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney)

**Ordinance No. 042-18**

**FINALLY PASSED**

**180029 [Partial Settlement of Lawsuit - Baikonur 1701 LLC - \$34,284.59]**

Ordinance authorizing settlement of the lawsuit filed by Baikonur 1701 LLC against the City and County of San Francisco for \$34,284.59; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiff Baikonur 1701 LLC, by the payment of \$34,284.59 and excluding the claim by this plaintiff for diminution of value for plaintiff's real property and the claim by plaintiff for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney)

**Ordinance No. 043-18**

**FINALLY PASSED**

**180030 [Settlement of Lawsuit - Elyse Duckett - \$250,000]**

Ordinance authorizing settlement of the lawsuit filed by Elyse Duckett against the City and County of San Francisco for \$250,000; the lawsuit was filed on May 9, 2014, in San Francisco Superior Court, Case No. CGC-14-539201; entitled Elyse Duckett vs. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

**Ordinance No. 030-18**

**FINALLY PASSED**

**180068 [Settlement of Lawsuit - MBIA Inc., MBIA Insurance Corp., MBIA Insurance Corp. of Illinois, and Jason Kissane - City to Receive \$388,591]**

Ordinance authorizing a settlement of the lawsuit filed by the City and County of San Francisco against MBIA Inc., its affiliates, MBIA Insurance Corp. and MBIA Insurance Corp. of Illinois, and its former employee, Jason Kissane, for \$388,591; 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 settlement applies to claims against the last remaining defendants in the case, the MBIA entities. (City Attorney)

**Ordinance No. 044-18**

**FINALLY PASSED**

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

### **170761 [Public Works, Administrative Codes - Street Encroachment Permits and Maintenance Fund for Certain Permits]**

**Sponsor: Mayor**

Ordinance amending the Public Works Code to update provisions on street encroachment permits, establish appeals procedures and fees for such appeals, waive the annual public right-of-way occupancy assessment fee in lieu of the waiver for permit fee payment for certain permits, modify the street encroachment permit process for governmental entities, and create a temporary street encroachment permit for a maximum period of 30 months; amending the Administrative Code to establish an encroachment maintenance fund for permits where the permittee is not an adjacent property owner; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Ordinance No. 035-18**

**FINALLY PASSED**

### **170942 [Building Code - Third Party Expert Fees]**

**Sponsor: Peskin**

Ordinance amending Building Code, Section 107A, and Table 1A-B of Section 110A, to allow recovery of costs of third party experts and other permit related expenses; and affirming the Planning Department's determination under the California Environmental Quality Act. (Building Inspection Commission)

**Ordinance No. 036-18**

**FINALLY PASSED**

## **Recommendations of the Rules Committee**

### **180148 [Appointment, Ballot Simplification Committee - Ashley Raveche]**

Motion appointing Ashley Raveche, term ending November 30, 2018, to the Ballot Simplification Committee. (Rules Committee)

**Motion No. M18-016**

**APPROVED**

### **180149 [Appointments, Transbay Joint Powers Authority - Nadia Sesay and Tilly Chang]**

Motion appointing Nadia Sesay and Tilly Chang (alternate member), for indefinite terms, to the Transbay Joint Powers Authority. (Rules Committee)

**Motion No. M18-017**

**APPROVED**

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

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

*Excused: 1 - Tang*

*Angela Calvillo, Clerk of the Board, informed the Board that the out of order vote just taken resulted from incorrect vote sheets, and President Breed requested the vote be rescinded and corrected.*

*Supervisor Ronen, seconded by Supervisor Safai, moved to rescind the previous vote to correct the order of votes. The motion carried by the following vote:*

*Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee*

*Excused: 1 - Tang*

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

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Board

*President Breed requested File Nos. 171280, 171314, 171313, and 170940 be called together.*

#### **171280 [Redevelopment Plan Amendments - Mission Bay South]**

**Sponsors: Mayor; Kim**

Ordinance approving amendments to the Mission Bay South Redevelopment Plan to remove a 0.3 acre parcel known as P20 from the Mission Bay South Redevelopment Plan Area; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Ordinance No. 032-18**

**FINALLY PASSED by the following vote:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

**171314 [Establishing Project Area I (Mission Rock), and Sub-Project Areas I-1 Through I-13 Therein - Adopting Appendix I to Infrastructure Financing Plan (Port of San Francisco)]**

**Sponsors: Mayor; Kim**

Ordinance establishing Project Area I (Mission Rock), and Sub-Project Areas I-1 through I-13 therein, of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco); affirming the Planning Department's determination and making findings under the California Environmental Quality Act; and approving other matters in connection therewith. (Fiscal Impact)

**Ordinance No. 034-18**

**FINALLY PASSED by the following vote:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

**Recommendation of the Government Audit and Oversight Committee**

**171313 [Development Agreement - Seawall Lot 337 Associates, LLC - Seawall Lot 337 - Mission Rock Project]**

**Sponsors: Mayor; Kim**

Ordinance approving a Development Agreement between the City and County of San Francisco and Seawall Lot 337 Associates, LLC, for 28 acres of real property known as Seawall Lot 337, located east of Third Street between China Basin Channel and Mission Rock Street, China Basin Park and the portion of Terry A. Francois Boulevard abutting the park, Pier 48, the marginal wharf between Pier 48 and Pier 50, and Parcel P20; for the proposed Mission Rock Mixed-Use Project; waiving certain provisions of the Administrative Code, Planning Code, and Subdivision Code; and adopting findings under the California Environmental Quality Act, public trust findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b).

(Economic Impact)

**Ordinance No. 033-18**

**FINALLY PASSED by the following vote:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

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

### **170940 [Planning Code, Zoning Map - Mission Rock Special Use District]**

**Sponsors: Mayor; Kim**

Ordinance amending the Planning Code and the Zoning Map to add the Mission Rock Special Use District, generally bounded by China Basin to the north; Pier 48, the marginal wharf between Pier 48 and Pier 50, the associated shoreline area and Terry Francois Boulevard to the east; Mission Rock Street to the south; and 3rd Street to the west; to amend other related provisions; making findings 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 Planning Code, Section 302.

**Ordinance No. 031-18**

**FINALLY PASSED by the following vote:**

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

## **Recommendation of the Budget and Finance Committee**

### **180032 [Shelter and Transitional Housing During Shelter Crisis - Selection of Sites; Waiver of Certain Requirements Regarding Contracting]**

**Sponsors: Mayor; Kim, Ronen, Sheehy and Cohen**

Ordinance authorizing Public Works, the Department of Homelessness and Supportive Housing, and the Department of Public Health to enter into contracts without adhering to the Administrative Code or Environment Code provisions regarding competitive bidding and other requirements for construction work, procurement, and personal services relating to identified Shelter Crisis Sites (1601 Quesada Avenue; 149-6th Street; 125 Bayshore Boulevard; 13th Street and South Van Ness Avenue, southwest corner; 5th Street and Bryant Street, northwest corner; Caltrans Emergency Shelter Properties; and existing City Navigation Centers and Shelters) that will provide emergency shelter or transitional housing to persons experiencing homelessness; authorizing the Director of Property to enter into and amend leases or licenses for the Shelter Crisis Sites without adherence to certain provisions of the Administrative Code; authorizing the Director of Public Works to add sites to the list of Shelter Crisis Sites subject to expedited processing, procurement, and leasing upon compliance with conditions relating to environmental review and neighborhood notice, and approval by resolution of the Board of Supervisors, except that no resolution shall be required when the proposed site is located in a supervisorial district that has no Shelter Crisis Sites; 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.  
(Fiscal Impact)

**Ordinance No. 029-18**

**FINALLY PASSED by the following vote:**

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



## **Recommendations of the Government Audit and Oversight Committee**

*President Breed requested File Nos. 180026 and 180027 be called together.*

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who informed the Board that Supervisor Sheehy was previously employed with the University of California, San Francisco (UCSF), and has been advised by the City Attorney that he has no conflict of interest on these matters; however, due to receiving a pension from UCSF, a full disclosure was made before the vote was taken on File Nos. 180026 and 180027.*

### **180026 [Settlement of Lawsuit - Donald Spadini - \$120,600]**

Ordinance authorizing settlement of the lawsuit filed by Donald Spadini against the City and County of San Francisco for \$120,600; the lawsuit was filed on September 13, 2016, in San Francisco Superior Court, Case No. CGC-16-554218; entitled Donald Spadini v. City and County of San Francisco, et al.; the lawsuit involves alleged negligence of doctors, nurses and staff; other material terms of the settlement are Co-Defendant The Regents of the University of California is paying \$59,400. (City Attorney)

**Ordinance No.** 040-18

**FINALLY PASSED** by the following vote:

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

### **180027 [Settlement of Lawsuit - David Zeller (Deceased) - \$290,000]**

Ordinance authorizing settlement of the lawsuit filed by David Zeller against the City and County of San Francisco for \$290,000; the lawsuit was filed on March 14, 2013, in San Francisco Superior Court, Case No. CGC-13-529554; entitled David Zeller v. San Francisco General Hospital, et al.; the lawsuit involves alleged medical malpractice; other terms of the settlement are UC Regents to pay \$200,245 and upon approval by the probate court and Plaintiff's acceptance of the probate court's allocation of funds, California Department of Health Care Services to disgorge \$65,300 paid for MediCal lien to be paid to plaintiff. (City Attorney)

**Ordinance No.** 041-18

**FINALLY PASSED** by the following vote:

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

**171164 [Authorizing the Community Corrections Partnership Executive Committee to Spend Local Innovation Subaccount Funds]**

**Sponsor: Fewer**

Resolution authorizing the Community Corrections Partnership Executive Committee to develop funding recommendations for Local Innovation Subaccount Funds for pre-trial services and/or transitional reentry housing for justice-involved people between the ages of 18 to 35.

**Resolution No. 048-18**

**ADOPTED by the following vote:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

**180011 [Airport Professional Services Agreement Modification - Bombardier Transportation (Holdings) USA, Inc.- AirTrain System Operation and Maintenance Services - Not to Exceed \$130,299,196]**

Resolution approving Modification No. 4 to Contract No. 8838, AirTrain Operations and Maintenance, with Bombardier Transportation (Holdings) USA, Inc., exercising the last one-year option to commence on March 1, 2018, for a total term of March 1, 2009, through February 28, 2019, and increasing the contract amount by \$14,854,228 for a new total contract amount not to exceed \$130,299,196, pursuant to Charter, Section 9.118(b). (Airport Commission)  
(Fiscal Impact)

**Resolution No. 050-18**

**ADOPTED by the following vote:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

President Breed requested File Nos. 180012 and 180070 be called together.

**180012 [Real Property Sublease - HealthRIGHT 360 - 1563 Mission Street - Central City Older Adults Program - \$93,242 Initial Annual Base Rent]**

Resolution authorizing the sublease of approximately 1,668 square feet at 1563 Mission Street with HealthRIGHT 360, a California nonprofit corporation, for a five year initial term to commence March 1, 2018, through February 28, 2023, with one three-year optional term, at the monthly base rent of \$7,770.10 for a total initial base rent of \$93,242 with 3% annual increases, reimbursement up to \$38,000 to landlord for tenant improvements, additional charge for utilities and services per month and First Right of Refusal to purchase the building. (Real Estate Department)

**Resolution No. 051-18**

**ADOPTED by the following vote:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

**180070 [Real Property Lease Renewal and Amendment - BRCP 1390 Market, LLC - 1390 Market Street - Initial Annual Base Rent of \$1,801,119.96]**

Resolution authorizing the potential three year renewal and amendment of a lease of approximately 27,826 square feet of space at 1390 Market Street with BRCP 1390 Market, LLC, as Landlord, for use by the Department of Public Health at the initial annual cost of \$1,801,119.96 (or \$150,093.33 monthly) and 3% annual increases thereafter, for a three year term from December 1, 2018, through November 30, 2021, subject to the City's right to terminate early, and two five-year options to extend. (Real Estate Department)  
(Fiscal Impact)

**Resolution No. 052-18**

**ADOPTED by the following vote:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

**180071 [Site License Agreement Amendment - TriStar Investors LLC - Communications Services Facilities in Modesto, California - Total Annual License Fee \$25,758]**

Resolution retroactively authorizing the General Manager of the San Francisco Public Utilities Commission to execute a second amendment to a site license agreement with TriStar Investors LLC, as Licensor for the installation of an additional microwave communications antenna at a telecommunications facility located on a portion of Stanislaus County Assessor's Parcel No. 081-012-004-000, with an increase of \$6,600 in the annual rent from \$19,158 to \$25,758 effective June 1, 2017; and making findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code, Chapter 31. (Public Utilities Commission)

**Resolution No. 053-18**

**ADOPTED by the following vote:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

**180080 [Contract Agreement - State Department of Health Care Services - Substance Abuse Prevention and Treatment Block Grant Services - FYs 2017-2020 - \$26,534,856]**

Resolution retroactively authorizing the San Francisco Department of Public Health, Behavioral Health Services to enter into Contract Agreement No. 17-94155 for the Substance Abuse Prevention and Treatment Block Grant Services for FYs 2017-2018 through 2019-2020, with the California Department of Health Care Services, in the amount of \$26,534,856 for a three-year term from July 1, 2017, through June 30, 2020; and authorizing and designating the Department of Public Health County Alcohol and Drug Administrator to sign said Contract and to approve amendments for less than 10% of the contracted amount. (Public Health Department)

**Resolution No. 054-18**

**ADOPTED by the following vote:**

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

**180097 [Real Property Lease - HV Partners Block 10, L.P. - 901 Fairfax Avenue, Hunters View Phase 2B, Block 10 - \$0 Monthly Base Rent with Reimbursement to Landlord Up to \$100,000]**

**Sponsor: Cohen**

Resolution authorizing the lease of approximately 794 square feet at 901 Fairfax Avenue, Hunters View Phase IIB - Block 10 with HV Partners Block 10, L.P., a California limited partnership, at the monthly base rent of \$0 with reimbursement up to \$100,000 to the landlord for tenant improvements, furniture, fixtures, and equipment, and additional \$800 charge for utilities and services per month, for a 15-year term with options to extend for one-year terms commencing upon approval by the Board of Supervisors and Mayor; 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.

**Resolution No. 055-18**

**ADOPTED by the following vote:**

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

**180100 [Accept and Expend Grant - Association of Bay Area Governments - Bay Area Regional Network - Energy Efficiency Program Implementation - \$511,017]**

**Sponsor: Yee**

Resolution retroactively authorizing the Department of the Environment to accept and expend grant funds from the Association of Bay Area Governments in the amount of \$511,017 to perform energy efficiency program implementation, as part of a Bay Area Regional Energy Network program, an energy efficiency program, for the term from January 1, 2018, to December 31, 2018.

**Resolution No. 056-18**

**ADOPTED by the following vote:**

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

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## **Referred Without Recommendation from the Budget and Finance Committee**

### **180058 [Initiative Ordinance - Business and Tax Regulations and Administrative Codes - Commercial Rents Tax - Early Child Care and Education]**

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

Motion ordering submitted to the voters, at an election to be held on June 5, 2018, an Ordinance amending the Business and Tax Regulations Code and Administrative Code to impose an additional tax on the gross receipts from the lease of commercial space in the City, in the amount of 1% for warehouses and 3.5% for other commercial uses, to fund the Babies and Families First Fund for quality early care and education for children from birth through five years of age and the General Fund; exempting from the additional tax rents from industrial, artist, non-formula retail, nonprofit, and government uses; increasing the City's appropriations limit by the amount collected under the new tax for four years from June 5, 2018; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Economic Impact)

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

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

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

### **161109 [Planning Code, Zoning Map - Establishment of Geary-Masonic Special Use District]**

**Sponsors: Stefani; Safai**

Ordinance amending the Planning Code to establish the Geary-Masonic Special Use District in the area generally bounded by Geary Boulevard to the south, Masonic Avenue to the east, and Assessor's Parcel Block No. 1071, Lot Nos. 001 and 004, to the north and west, respectively, amending Sheet SU03 of the Zoning Map; 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.

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

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

**171108 [Planning Code - Restaurant and Bar Uses in Jackson Square, Broadway and North Beach, and Pacific Avenue Office Uses]****Sponsor: Peskin**

Ordinance amending the Planning Code to regulate restaurant and bar uses in the Jackson Square Special Use District, Broadway Neighborhood Commercial District, North Beach Neighborhood Commercial District, and North Beach Special Use District; amending the Jackson Square Special Use District to require a conditional use permit for Office Uses, Business Services, and Institutional Uses fronting on Pacific Avenue; 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.

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

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

**Recommendations of the Public Safety and Neighborhood Services Committee**

*President Breed requested File Nos. 171244 and 180137 be called together.*

**171244 [Liquor License - 2358 Fillmore Street - Verve]**

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Verve Holdings CA, LLC, doing business as Verve located at 2358 Fillmore Street (District 2), 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. (Public Safety and Neighborhood Services Committee)

**Resolution No. 049-18****ADOPTED by the following vote:**

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

**180137 [Special On-Sale General Liquor License - Verifying Completion of Preapplication Meeting - 1701 Yosemite Avenue - Café Envy]****Sponsor: Cohen**

Motion verifying that Café Envy LLC, doing business as Café Envy, located at 1701 Yosemite Avenue, has completed the preapplication meeting requirement under California Business and Professions Code, Section 23826.13, for the issuance of a new, non-transferable, Type-87 neighborhood-restricted special on-sale general liquor license.

**Motion No. M18-018****APPROVED by the following vote:**

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

## **Recommendations of the Rules Committee**

### **171066 [Campaign and Governmental Conduct Code - Failure to File Form 700s, Sunshine Ordinance Declarations, and Certificates of Ethics Training]**

**Sponsor: Peskin**

Ordinance amending the Campaign and Governmental Conduct Code to disqualify members of City boards and commissions who have not filed their Form 700s (Statements of Economic Interests), Sunshine Ordinance Declarations, and Certificates of Ethics Training from participating in or voting on matters before their boards and commissions, and to modify the Ethics Commission's reporting requirements regarding the filing of Form 700s. (Ethics Commission)

Supervisor Stefani, seconded by Supervisor Safai, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 2, Line 17, by adding 'and 3.1-105'; on Page 3, Lines 13-23, by adding a new 'Section 3.1-102.5(c)(1) Waiver' and 3.1-102.5(c)(2) Subsequent Filing of Required Statements'; on Page 4, Lines 20-24, by striking 'a Form 700 Statement of Economic Interests with the Ethics Commission' and adding 'any statement required by Sections 3.1-101, 3.1-102, and 3.1-103 of the Campaign and Governmental Conduct Code (Form 700 Statements of Economic Interests, Sunshine Ordinance Declarations, and Certificates of Ethics Training)'; on Page 4, Line 25, through Page 5, Line 2, by adding 'On or before April 10th of each year, the Ethics Commission shall notify each Commission Secretary, or any City staff who fulfills that role for each City board or commission, of the location of the current version of this list.'; and Page 5, Lines 10-15, by adding '(b) If the Ethics Commission has been notified of the appointment of a member of a City board or commission pursuant to subsection (a), the Ethics Commission shall notify the appointed officer's Commission secretary, or any City staff who fulfills that role, if the appointed officer has failed to timely file his or her initial Form 700 Statement of Economic Interests, Sunshine Ordinance Declaration, and Certificate of Ethics Training.' The motion carried by the following vote:

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 3, Line 13, by adding 'for cause' after 'may seek a waiver'. The motion carried by the following vote:

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

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

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

### **180146 [Mayoral Appointment, Planning Commission - Milicent Johnson]**

Motion approving the Mayoral nomination of Milicent Johnson to the Planning Commission, for a term ending June 30, 2018. (Clerk of the Board)

(Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: February 6, 2018.)

**Motion No. M18-019**

**APPROVED by the following vote:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

**180147 [Reappointment, Small Business Commission - Kathleen Dooley]**

Motion reappointing Kathleen Dooley, term ending January 6, 2022, to the Small Business Commission. (Rules Committee)  
(Supervisor Stefani dissented in Committee.)

**Motion No.** M18-020

**APPROVED by the following vote:**

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

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

Supervisor Cohen, seconded by Supervisor Yee, 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: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee  
Excused: 1 - Tang

*Supervisor Cohen introduced, welcomed, and presented Certificates of Honor to the Black Student Union of Willie Brown Middle School, accepted by Principal Charleston Brown on their behalf, in recognition of their advocacy against junk food in school environments.*

**SPECIAL ORDER 3:00 P.M.**

*President Breed requested File Nos. 171299, 171301, 171302, and 171303 be called together.*

**171299 [Hearing - Appeal of Determination of Exemption From Environmental Review - 401 Main Street]**

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 October 24, 2017, approved on November 23, 2017, for the proposed project for ExteNet Systems Inc. - T-Mobile Cell Sites to install wireless service facilities on an existing Joint Pole Association-owned wooden pole at the approximate address of 401 Main Street. (District 6) (Appellant: Stephen Williams of the Law Offices of Stephen M. Williams, on behalf of Portside Homeowners Association) (Filed November 30, 2017) (Clerk of the Board)

*President Breed opened the public hearing and inquired as to whether any individual wished to address the Board. Supervisor Kim provided opening remarks and informed the Board that the appellant submitted correspondence withdrawing their appeal. There were no other speakers. President Breed closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**



**171301 [Affirming the Categorical Exemption Determination - 401 Main Street]**

Motion affirming the determination by the Planning Department that a proposed project at 401 Main Street is categorically exempt from further environmental review. (Clerk of the Board)

**Motion No. M18-022**

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

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

**171302 [Conditionally Reversing the Categorical Exemption Determination - 401 Main Street]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 401 Main Street 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 Kim, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

**171303 [Preparation of Findings to Reverse the Categorical Exemption Determination - 401 Main Street]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 401 Main Street is categorically exempt from further environmental review. (Clerk of the Board)

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

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

## SPECIAL ORDER 3:00 P.M. - CLOSED SESSION

### CONFERENCE WITH LABOR NEGOTIATORS

#### **180169 [Closed Session - Labor Negotiations - February 27, 2018]**

Closed Session for the Board of Supervisors to convene on February 27, 2018, at 3:00 p.m., with the Department of Human Resources under Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding negotiations with labor unions representing City employees; scheduled pursuant to Motion No. M18-015, approved February 13, 2018. (Clerk of the Board)

*Although it was not required, Supervisor Ronen, seconded by Supervisor Kim, moved to convene in closed session. The motion carried by the following vote, following general public comment:*

*Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee*

*Excused: 1 - Tang*

#### **CONVENED IN CLOSED SESSION**

*The Board recessed at the hour of 4:48 p.m. to convene in closed session pursuant to Motion No. M18-15 (File No. 180140), approved on February 13, 2018.*

*The following Supervisors were noted present: Supervisors Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee*

*Persons in attendance: Jon Givner, Deputy City Attorney; Ben Rosenfield, City Controller; Micki Callahan, Director, Lawanna Preston, and Carol Isen (Department of Human Resources); and Angela Calvillo, Clerk of the Board, and Alisa Somera (Office of the Clerk of the Board).*

*Supervisor Kim was noted absent at 6:06 p.m. and for the remainder of the meeting.*

*Supervisor Peskin was noted absent at 6:11 p.m. and for the remainder of the meeting.*

*Matter was heard in closed session, no action was taken, and the hearing was filed.*

#### **RECONVENED AS THE BOARD OF SUPERVISORS**

*The Board reconvened at the hour of 6:12 p.m.*

*The following Supervisors were noted present: Supervisors Breed, Cohen, Fewer, Ronen, Safai, Sheehy, Stefani, Yee*

#### **HEARD IN CLOSED SESSION**

*[Elect Not to Disclose]*

*Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.*

**Supervisor Yee, seconded by Supervisor Fewer, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:**

*Ayes: 8 - Breed, Cohen, Fewer, Ronen, Safai, Sheehy, Stefani, Yee*

*Excused: 1 - Tang*

*Absent: 2 - Kim, Peskin*

## ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

### Appointment of President Pro Tempore

At the request of President Breed, Supervisor Cohen assumed the chair at 3:15 p.m. The President resumed the chair at 3:19 p.m.

## PUBLIC COMMENT

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

*Mr. Wright; shared concerns regarding housing development projects.*

*Peter Warfield; shared concerns regarding the San Francisco Public Library and the use of RFID.*

*John Fitch; shared concerns regarding the process for selection of an Interim Mayor.*

*Denny Leonard; expressed gratitude for the celebration of the different cultures in San Francisco. Speaker; shared various religious concerns.*

*George Wooding; shared concerns regarding SB 827 and expressed support of the Resolution in File No. 180162.*

*Paul Webber; shared concerns regarding SB 827 and expressed support of the Resolution in File No. 180162.*

*Dr. Lisa Fromer; shared concerns regarding SB 827 and expressed support of the Resolution in File No. 180162.*

*Bruce Cohen; shared concerns regarding SB 827 and expressed support of the Resolution in File No. 180162.*

*Katherine Howard; shared concerns regarding SB 827 and expressed support of the Resolution in File No. 180162.*

*Speaker; shared concerns regarding SB 827 and expressed support of the Resolution in File No. 180162.*

*Mary McNamara; shared concerns regarding SB 827 and expressed support of the Resolution in File No. 180162.*

*Speaker; expressed support of the new introduction establishing Italian-American Heritage Day.*

*Speaker; shared concerns regarding the Closed Session (File No. 180169) and the labor negotiations with the Police Officers Association.*

*Reverend John Kirkley; shared concerns regarding the Closed Session (File No. 180169) and the labor negotiations with the Police Officers Association.*

*Ann Marie Sayers; expressed gratitude for Indigenous People's Day.*

*Elias Castillo; expressed gratitude for Indigenous People's Day.*

*Speaker; expressed gratitude for Indigenous People's Day.*

*Speaker; expressed gratitude for Indigenous People's Day.*

*Anand Subramanian; shared concerns regarding the Closed Session (File No. 180169) and the labor negotiations with the Police Officers Association.*

*Sandra Dratler; shared concerns regarding the Closed Session (File No. 180169) and the labor negotiations with the Police Officers Association.*

*Father Richard Smith; shared concerns regarding the Closed Session (File No. 180169) and the labor negotiations with the Police Officers Association.*

*Speaker; shared concerns regarding the Closed Session (File No. 180169) and the labor negotiations with the Police Officers Association.*

*Pastor Demetrios Edwards; shared concerns regarding the Closed Session (File No. 180169) and the labor negotiations with the Police Officers Association.*

John Talbot; shared concerns regarding the Closed Session (File No. 180169) and the labor negotiations with the Police Officers Association.

Nick Figone; expressed support of the new introduction establishing Italian-American Heritage Day.

Barbara Attard; shared concerns regarding the Closed Session (File No. 180169) and the labor negotiations with the Police Officers Association.

Larry Griffin; expressed support of the new introduction supporting public sector unions.

Tom Gilbert; shared concerns regarding the environment, MUNI elevators, and the labor negotiations with the Police Officers Association.

Sam Dennison; spoke in memory of Sharen Hewitt and asked for a moment of silence.

Speaker; shared concerns regarding bi-lingual programs in schools.

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

President Breed requested File Nos. 180174 and 180173 be called and considered separately.

### **180174 [Urging the United States Environmental Protection Agency to Continue Implementing the United States' Clean Power Plan]**

**Sponsor: Breed**

Resolution opposing the repeal of the Clean Power Plan and urging the United States Environmental Protection Agency to continue implementing the Plan's critical policies that require states to reduce harmful greenhouse gas emissions and generate cleaner energy.

**Resolution No. 057-18**

**ADOPTED by the following vote:**

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

### **180173 [Authorizing Preparation of Proponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the June 5, 2018, Consolidated Primary Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 5, 2018, Consolidated Primary Election. (Clerk of the Board)

Supervisor Breed, seconded by Supervisor Safai, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 15, for 'File No. 171306 Proponent Arguments' by striking all names, except for Supervisor Peskin; on Page 1, Line 21, for 'File No. 171308 Proponent Arguments' by striking all names, except for Supervisor Peskin; on Page 2, Lines 17-18, for 'File No. 180075 Proponent Arguments' by striking all names, except for Supervisor Safai; on Page 1, Line 22, through Page 2, Line 8, and on Page 3, Line 19, through Page 4, Line 4, by striking all references to File No. 180058; on Page 2, Line 19, through Page 3, Line 3, and Page, Lines 14-23, by striking all references to File No. 180076; on Page 3, Line 4, through Page 4, Line 23, by striking all references to approvals for Opponent Arguments; and making other clarifying and confirming changes. The motion carried by the following vote:

Ayes: 10 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Yee

Excused: 1 - Tang

Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 5, 2018, Consolidated Primary Election. (Clerk of the Board)

**Motion No.** M18-021

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

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

## IMPERATIVE AGENDA

*There were no imperative agenda items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

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

## ORDINANCES

### 180184 [Administrative, Planning Codes - Central South of Market Area Plan]

**Sponsors:** Mayor; Kim

Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

(Economic Impact; No Economic Analysis Report)

02/27/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/29/2018.

**180185 [Planning Code, Zoning Map - Central South of Market Special Use District]****Sponsors: Mayor; Kim**

Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; 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.

(Economic Impact; No Economic Analysis Report)

02/27/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/29/2018.

**180186 [De-Appropriation and Re-Appropriation - From Salaries, Fringe Benefits, Non-Personnel Services - Overtime and Salary Expenditures - Various Departments - \$13,348,029 - FY2017-2018]****Sponsor: Mayor**

Ordinance de-appropriating \$13,348,029 from permanent salaries, fringe benefit expenses, and non-personnel services, and appropriating \$13,348,029 to overtime in the Sheriff's Department, Police Department, and the Department of Emergency Management operating budgets in order to support the Departments projected increases in overtime in FY2017-2018, as required per Ordinance No. 194-11, and to salaries in the Public Health Department; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval of the Sheriff's Department, Police Department, the Department of Public Health and the Department of Emergency Management appropriations, pursuant to Charter, Section 9.113(c).

(Fiscal Impact)

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such supplemental appropriation ordinance for passage.)

02/27/18; ASSIGNED to Budget and Finance Committee.

**180187 [Planning Code - Reauthorizing Section 210.3C Concerning New Production, Distribution, and Repair Space]****Sponsor: Cohen**

Ordinance amending the Planning Code to reauthorize provisions that support the development of new Production, Distribution, and Repair (PDR) space in specified PDR Zoning Districts; 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 necessity, convenience, and welfare under Planning Code, Section 302.

02/27/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/29/2018.

**180188 [Administrative Code - Repealing Traffic Stop Data Collection and Reporting Requirements]****Sponsor: Cohen**

Ordinance amending the Administrative Code to repeal law enforcement data collection and reporting requirements associated with traffic stops, detentions, and arrests.

02/27/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/29/2018.

**180189 [Mission Bay South - Accepting the Mariposa Street Intersection Adjacent to Interstate 280]****Sponsor: Kim**

Ordinance accepting the irrevocable offer of public infrastructure acquisition facilities associated with the Mission Bay South Mariposa Street intersection infrastructure improvements adjacent to Highway Interstate 280 ("Mariposa Street Intersection Public Infrastructure"); dedicating the Mariposa Street Intersection Public Infrastructure for public use and designating such Public Infrastructure for public street and roadway purposes; accepting the Mariposa Street Intersection Public Infrastructure for City maintenance and liability purposes, subject to specified limitations; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Public Works Order making recommendations and certifications related to the Mariposa Street Intersection Public Infrastructure; and authorizing official acts in connection with this Ordinance, as defined herein.

02/27/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/29/2018.

**180190 [Planning Code - Lower Polk Street Alcohol Restricted Use District]****Sponsor: Peskin**

Ordinance amending the Planning Code to extend the Lower Polk Street Alcohol Restricted Use District for five years; 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 necessity, convenience, and welfare under Planning Code, Section 302.

02/27/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/29/2018.

**180191 [Planning Code - Public Parking Lot as a Permitted Use in the Glen Park Neighborhood Commercial Transit District and Adjoining Locations]****Sponsor: Sheehy**

Ordinance amending the Planning Code to permit as of right Public Parking Lot uses where the parcel is located in both the Glen Park Neighborhood Commercial Transit and RH-2 (Residential, House Districts, Two-Family) zoning districts, the property has been used as Public Parking Lot for the past ten years without the benefit of a permit, and the adjoining RH-2 parcel is no larger than 40 feet by 110 feet; 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 necessity, convenience, and welfare pursuant to Planning Code, Section 302.

02/27/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/29/2018.

**180192 [Administrative Code - Italian American Heritage Day]****Sponsors: Stefani; Cohen, Safai, Peskin and Breed**

Ordinance amending the Administrative Code to declare the second Monday in October each year to be Italian American Heritage Day in addition to Indigenous Peoples Day.

02/27/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/29/2018.

**180193 [Municipal Elections Code - Noncitizen Voting in School Board Elections]****Sponsors: Yee; Fewer and Ronen**

Ordinance amending the Municipal Elections Code to implement Proposition N, adopted at the November 8, 2016, election, by requiring the Department of Elections to develop a voter registration affidavit for certain non-United States citizens to vote in School Board elections; to include a notice on voter materials informing non-United States citizens that any information provided to the Department may be obtained by the federal government; and to create other documents related to non-United States citizens voting in School Board elections, as defined herein.

02/27/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/29/2018.

**RESOLUTIONS****180194 [Apply for, Accept, and Expend Federal Grant - Bureau of Justice Assistance - Justice and Mental Health Collaboration Grant Program - \$300,000]****Sponsor: Mayor**

Resolution retroactively authorizing the Sheriff's Department to apply for, accept, and expend \$300,000 Justice and Mental Health Collaboration Grant Program funds administered by the Bureau of Justice Assistance for the period of October 1, 2017, through September 30, 2019. (Sheriff)

02/27/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180195 [Urging the Planning Commission to Recommend Amendments to the General Plan Concerning Adoption of the Central South of Market Area Plan]****Sponsor: Kim**

Resolution urging the Planning Commission to recommend amendments to the General Plan to add the Central South of Market Area Plan.

02/27/18; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**180196 [Transbay Joint Powers Authority - Authorizing Appointment of Alternate Directors]****Sponsor: Kim**

Resolution authorizing the appointment of alternate directors to serve on the Transbay Joint Powers Authority Board of Directors.

02/27/18; RECEIVED AND ASSIGNED to Rules Committee.

**180197 [Accept Gift - Market Street Association - Snowflake Lights - Valued at \$134,757]****Sponsor: Kim**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to accept a gift of snowflake lights valued at \$134,757 from the Market Street Association for use for the annual Market Street snowflake lights program.

02/27/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.



**180198 [Supporting Strong Public Sector Unions Post a Janus v. AFSCME Supreme Court Decision]****Sponsors: Ronen; Fewer, Peskin, Sheehy, Kim, Yee, Safai, Cohen, Breed and Stefani**

Resolution urging the Mayor and the Department of Human Resources to work with the public sector unions in San Francisco to ensure their health and success; and supporting the freedom of city employees to participate in strong unions post a United States Supreme Court decision on Janus v. AFSCME.

02/27/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180199 [Urging San Francisco's State Legislative Delegation to Introduce State Legislation to Enable San Francisco to Impose Infrastructure Impact Fees on Transportation Network Companies]****Sponsors: Peskin; Ronen and Fewer**

Resolution urging San Francisco's State Legislative Delegation to introduce state legislation to enable San Francisco to impose Infrastructure Impact Fees on Transportation Network Companies.

02/27/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180200 [Declaring Support - "March for Our Lives"]****Sponsors: Stefani; Safai, Kim, Sheehy, Ronen, Cohen, Yee, Fewer, Tang and Breed**

Resolution declaring support for the March 24, 2018, "March for Our Lives" for common sense gun reform and commending the students in San Francisco and around the nation for leading a movement to demand common sense gun laws and school safety measures.

02/27/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**MOTION****180201 [Calling from Committee - Committee of the Whole - Joint Meeting with the San Francisco Ethics Commission - Proposed Ordinance (File No. 180001) - Anti-Corruption and Accountability Ordinance - April 3, 2018]****Sponsor: Peskin**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on April 3, 2018, at 5:00 p.m., in a joint meeting with the San Francisco Ethics Commission, to hold a public hearing to consider the proposed Ordinance (File No. 180001) - the Anti-Corruption and Accountability Ordinance - amending the Campaign and Governmental Conduct Code to institute various campaign finance and conflict of interest reforms.

02/27/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## REQUESTS FOR HEARING

### **180202 [Hearing - Family Violence Council]**

**Sponsor: Sheehy**

Hearing on domestic violence and child abuse with findings and recommendations; and requesting the Family Violence Council to report.

02/27/18; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

### **180203 [Hearing - Our Children, Our Families Council]**

**Sponsor: Yee**

Hearing on the work of the Our Children, Our Families Council, including the Outcomes Frameworks, measurable outcomes achieved, update on the working groups, department participation, and strategies implemented to promote coordination, increasing accessibility, current unmet need, and enhancing the effectiveness of programs and services for children, youth, and families; and requesting the Our Children, Our Families Council to report.

02/27/18; 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

### **180151 [General Plan Amendment - San Francisco Conservatory of Music Project - 200-214 Van Ness Avenue]**

Ordinance amending the General Plan to revise the Map of Proposed Height and Bulk Districts in the Downtown Area Plan for the San Francisco Conservatory of Music Project at 200-214 Van Ness Avenue; 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. (Planning Commission)

02/12/18; RECEIVED FROM DEPARTMENT.

02/27/18; ASSIGNED to Land Use and Transportation Committee.

### **180171 [Administrative Code - Treasury Oversight Committee]**

Ordinance amending the Administrative Code to modify the composition of the Treasury Oversight Committee. (Treasurer-Tax Collector)

02/12/18; RECEIVED FROM DEPARTMENT.

02/27/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/29/2018.

## PROPOSED RESOLUTIONS

### **180152 [Settlement of Unlitigated Claim - 8x8, Inc. - \$485,000]**

Resolution approving the settlement of the unlitigated claim filed by 8x8, Inc. against the City and County of San Francisco for \$485,000; the claim was filed on May 2, 2017; the claim involves a refund of telephone users tax. (City Attorney)

02/12/18; RECEIVED FROM DEPARTMENT.

02/27/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **180153 [Declaration of Restrictions - Creeks to Peaks Trail Project - Twin Peaks Open Space]**

Resolution authorizing the Director of Real Estate to file a Declaration of Restrictions with the Assessor-Recorder against the property designated as Assessor's Parcel Block No. 2643, Lot Nos. 017 and 023, known as Twin Peaks Open Space, in support of a Habitat Conservation Fund Grant from the California Department of Parks and Recreation, and providing that the use restrictions contained in the Habitat Conservation Fund Grant Agreement will be covenants, conditions, and restrictions on the use of the properties until June 30, 2033. (Recreation and Park Department)

02/08/18; RECEIVED FROM DEPARTMENT.

02/27/18; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

### **180154 [Ground Lease - United States Postal Service - Plot 10F - \$1,497,000 Initial Annual Rent]**

Resolution retroactively approving a Ground Lease between the United States Postal Service, and the City and County of San Francisco, acting by and through its Airport Commission, for occupancy of approximately 8.61 acres of land, at an initial annual rent of \$1,497,000 and four five-year options to extend the term, for the period of September 1, 2017, through August 31, 2022. (Airport Commission)

02/05/18; RECEIVED FROM DEPARTMENT.

02/27/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **180155 [Real Property Lease Renewal and Amendment - HLS 2, LLC. and 716 Sacramento, LLC. - 720 Sacramento Street - Initial Annual Base Rent \$471,750]**

Resolution authorizing a five year extension and approving a Third Amendment to a Lease for approximately 9,250 square feet of space at 720 Sacramento Street, with HLS 2, LLC. (26.6%), and 716 Sacramento, LLC. (73.4%), as Landlord, for use by the Department of Public Health for the period of July 1, 2018, through June 30, 2023, at an initial monthly base rent of \$39,312.50 for a total cost of \$471,750 in the initial year, with 3% annual increases thereafter, and one five-year option to extend. (Real Estate Department)  
(Fiscal Impact)

02/09/18; RECEIVED FROM DEPARTMENT.

02/27/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**180172 [Professional Services Agreement - Parsons Water & Infrastructure Group, Inc. - Southeast Water Pollution Control Plant Program Construction Management Services Project - Not to Exceed \$35,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Professional Services Agreement No. PRO.0104, Southeast Water Pollution Control Plant (SEP) Program Construction Management (CM) Services, with Parsons Water & Infrastructure Group, Inc., to provide program-level CM oversight and supervision at the SEP, for an amount not to exceed \$35,000,000 over a term of ten years to commence following Board approval through April 2028. (Public Utilities Commission)  
(Fiscal Impact)

02/14/18; RECEIVED FROM DEPARTMENT.

02/27/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**In Memoriams**

*Ming Chapin - Supervisor Stefani  
Howard Eugene Smith - Supervisors Cohen  
Jessica Evans - Supervisor Kim  
Siegfried Hesse - Supervisor Peskin  
Jonee Levy - Supervisor Peskin  
Norm Larson - Supervisor Peskin  
Alice Gonzalez - Supervisor Ronen  
Dennis O'Sullivan - President Breed  
Theodore Cohen - President Breed  
Sharen Hewitt - Entire Board*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 6:13 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 April 3, 2018.*

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Angela Calvillo, Clerk of the Board