

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, April 3, 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

<b>Budget and Finance Committee</b> Supervisors Cohen, Fewer, Stefani, Sheehy, Yee	Thursday 1:00 PM
<b>Budget and Finance Federal Select Committee</b> Supervisors Cohen, Fewer, Tang	2nd and 4th Thursday 1:15 PM
<b>Budget and Finance Sub-Committee</b> Supervisors Cohen, Fewer, Stefani	Thursday 10:00 AM
<b>Government Audit and Oversight Committee</b> Supervisors Kim, Peskin, Breed	1st and 3rd Wednesday 10:00 AM
<b>Land Use and Transportation Committee</b> Supervisors Tang, Kim, Safai	Monday 1:30 PM
<b>Public Safety and Neighborhood Services Committee</b> Supervisors Sheehy, Ronen, Peskin	2nd and 4th Wednesday 10:00 AM
<b>Rules Committee</b> 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 10

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**Members Present:** London Breed, Malia Cohen, Sandra Lee Fewer, Jane Kim, Aaron Peskin, Hillary Ronen, Ahsha Safai, Jeff Sheehy, Catherine Stefani, Katy Tang, 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, April 3, 2018, with President London Breed presiding.*

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*President Breed called the meeting to order at 2:04 p.m. On the call of the roll, Supervisor Kim was noted not present. There was a quorum.*

## COMMUNICATIONS

*There were no communications.*

*Supervisor Kim was noted present at 2:05 p.m.*

## APPROVAL OF MEETING MINUTES

*President Breed inquired whether any Board Member had any corrections to the February 27, 2018, Board Meeting Minutes. There were no corrections.*

**Supervisor Sheehy, seconded by Supervisor Stefani, moved to approve the February 27, 2018, Board Meeting Minutes. The motion carried by the following vote, following general public comment:**

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

## AGENDA CHANGES

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendations of the Government Audit and Oversight Committee

#### **180106 [Settlement of Lawsuit - Li Fen Chen - \$250,000]**

Ordinance authorizing settlement of the lawsuit filed by Li Fen Chen against the City and County of San Francisco for \$250,000; the lawsuit was filed on May 23, 2016, in San Francisco Superior Court, Case No. CGC-16-552173; entitled Li Fen Chen v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

**PASSED ON FIRST READING**

**180107 [Settlement of Lawsuit - Lynette White - \$300,000]**

Ordinance authorizing settlement of the lawsuit filed by Lynette White against the City and County of San Francisco for \$300,000; the lawsuit was filed on January 29, 2016, in San Francisco Superior Court, Case No. CGC-16-550136; entitled Lynette White v. Blake Cunningham et al.; the lawsuit involves alleged injury from a collision with a Police Department vehicle; other material terms of the settlement include a waiver of the Zuckerberg San Francisco General Hospital lien. (City Attorney)

**PASSED ON FIRST READING**

**180108 [Settlement of Lawsuit - Nicholas Kafkas - \$45,000]**

Ordinance authorizing settlement of the lawsuit filed by Nicholas Kafkas against the City and County of San Francisco for \$45,000; the lawsuit was filed on February 3, 2016, in San Francisco Superior Court, Case No. CGC-16-550258; entitled Nicholas Kafkas v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from vehicle collision. (City Attorney)

**PASSED ON FIRST READING**

**180109 [Settlement of Lawsuit - California Department of Fair Employment and Housing - \$55,000]**

Ordinance authorizing settlement of the lawsuit filed by the California Department of Fair Employment and Housing against the City and County of San Francisco for \$55,000; the lawsuit was filed on August 18, 2017, in San Francisco Superior Court, Case No. CGC-17-560827; entitled Department of Fair Employment and Housing, et al. v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

**PASSED ON FIRST READING**

**180110 [Settlement of Lawsuit - Janet Silk - \$135,000]**

Ordinance authorizing settlement of the lawsuit filed by Janet Silk against the City and County of San Francisco for \$135,000; the lawsuit was filed on October 17, 2016, in San Francisco Superior Court, Case No. CGC-16-554864; entitled Janet Silk v. Robert J. Franko, City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

**PASSED ON FIRST READING**

**180131 [Settlement of Lawsuit - Mark Johnson, Franco S. Calzolari, Michael Bryant - \$175,000]**

Ordinance authorizing settlement of the lawsuit filed by Mark Johnson, Franco S. Calzolari, and Michael Bryant against the City and County of San Francisco for \$175,000; the lawsuit was filed on November 20, 2009, in the United States District Court for the Northern District of California, Case No. CV 09-5503 JSW; entitled Mark Johnson, et al. v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

**PASSED ON FIRST READING**

**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)

**Resolution No. 080-18**

**ADOPTED**

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

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **Recommendations of the Budget and Finance Sub-Committee**

**180113 [De-Appropriation and Re-Appropriation - Airport Enterprise Fund - From Permanent Salaries Budget to Overtime Budget - Increased Overtime Expense for Security Services at the Airport Bureau - Police Department - \$926,000 - FY2017-2018]**

**Sponsor: Mayor**

Ordinance de-appropriating \$926,000 of permanent salaries budget and re-appropriating \$926,000 to overtime budget in the Police Department's operating budget in order to support the Department's increased overtime expense for security services at the Airport Bureau in FY2017-2018, as required per Ordinance No. 194-11; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval, 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.)

**Ordinance No. 057-18**

**FINALLY PASSED by the following vote:**

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

**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.)

**Ordinance No. 061-18**

**FINALLY PASSED by the following vote:**

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

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

**171317 [Health Code - Banning Sale and Manufacture of Animal Fur Products]**

**Sponsors: Tang; Sheehy**

Ordinance amending the Health Code to ban the sale and manufacture in San Francisco of animal fur products.

**Ordinance No. 055-18**

**FINALLY PASSED by the following vote:**

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

**180087 [Park, Health Codes - Transbay Rooftop Park]**

**Sponsor: Kim**

Ordinance amending the Park Code to treat the rooftop park located above the Transbay Transit Center as a City park for certain purposes; amending the Health Code to prohibit smoking on the rooftop park; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Ordinance No. 056-18**

**FINALLY PASSED by the following vote:**

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

## **Recommendations of the Rules Committee**

### **171170 [Police, Administrative Codes - Considering Criminal History in Employment and Housing Decisions]**

**Sponsors: Cohen; Kim, Yee and Ronen**

Ordinance amending the Police Code to prohibit employers and housing providers from inquiring about, requiring disclosure of, or basing housing and employment decisions on convictions for decriminalized behavior, including the non-commercial use and cultivation of cannabis; reducing from 20 to 5 the number of employees required for an employer to be covered by the Fair Chance Ordinance (Article 49); prohibit employers and housing providers from inquiring about, requiring disclosure of, or basing housing and employment decisions on a person's conviction history until after a conditional offer of employment; authorize the City to impose penalties for the first violation of that Ordinance, increase the penalties for subsequent violations, and authorize the payment of penalties to the victims of those violations; create a private right of action for the victims; and amend the Administrative Code to, among other things, as defined herein, require City contractors and subcontractors to adhere to the above requirements when making decisions regarding employment of persons for work on City contracts and subcontracts.

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

**Ordinance No. 054-18**

**FINALLY PASSED** by the following vote:

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

### **180088 [Administrative Code - Mayoral Appearance at the Board of Supervisors]**

**Sponsors: Peskin; Ronen**

Ordinance amending the Administrative Code to modify the process for the Mayor to appear at the Board of Supervisors for a question-and-answer session.  
(Supervisor Stefani dissented in Committee.)

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

*PASSED ON FIRST READING* by the following vote:

*Ayes: 7 - Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Yee*

*Noes: 4 - Breed, Cohen, Stefani, Tang*

*Supervisor Cohen, seconded by Supervisor Peskin, moved to rescind the previous vote. The motion carried by the following vote:*

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

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

Ayes: 8 - Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Yee

Noes: 3 - Breed, Stefani, Tang

## NEW BUSINESS

### Recommendations of the Budget and Finance Sub-Committee

#### **170872 [Administrative Code - Naming Terminal 1 at the San Francisco International Airport After Harvey Milk]**

**Sponsors: Ronen; Sheehy**

Ordinance amending the Administrative Code to name Terminal 1 of the San Francisco International Airport after former Supervisor Harvey Milk.  
(Fiscal Impact)

*Privilege of the floor was granted unanimously to Tom Ammiano and Harry Britt, former members of the Board of Supervisors, who presented information on the subject matter.*

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

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

*President Breed requested File Nos. 171179, 171237, 171238, 171239, 171240, 171241, and 180154 be called together.*

#### **171179 [Lease Agreement - Bank of America, N.A. - Automated Teller Machines - \$211,000 Minimum Annual Guarantee]**

Resolution approving the Domestic Terminals Automated Teller Machines Lease B No. 17-0195 between Bank of America, N.A., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of five years, to commence following Board approval, with a two-year option to extend, and a minimum annual guarantee of \$211,000 for the first year of the Lease. (Airport Commission)

**Resolution No. 073-18**

**ADOPTED by the following vote:**

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

#### **171237 [Lease Agreement - Pacific Gateway Concessions, LLC - Airport Concession - \$1,531,761 Minimum Annual Guarantee]**

Resolution approving International Terminal Newsstand and Specialty Retail Concession Lease No. 17-0211 between Pacific Gateway Concessions, LLC and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and an initial Minimum Annual Guarantee of \$1,531,761. (Airport Commission)

**Resolution No. 074-18**

**ADOPTED by the following vote:**

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

**171238 [Lease Agreement - Pacific Gateway Concessions, LLC - Airport Concession - \$814,144 Minimum Annual Guarantee]**

Resolution approving International Terminal Newsstand and Specialty Retail Concession Lease No. 17-0208 between Pacific Gateway Concessions, LLC and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and an initial Minimum Annual Guarantee of \$814,144. (Airport Commission)

**Resolution No. 075-18**

**ADOPTED by the following vote:**

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

**171239 [Lease Agreement - HG SFO Retailers 2017 JV - Airport Concession - \$1,540,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Newsstand and Specialty Retail Concession Lease No. 17-0207 between HG SFO Retailers 2017 JV and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and an initial Minimum Annual Guarantee of \$1,540,000. (Airport Commission)

**Resolution No. 076-18**

**ADOPTED by the following vote:**

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

**171240 [Lease Agreement - Canonica New York, LLC - Airport Concession - \$280,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Newsstand and Specialty Retail Concession Lease No. 17-0210 between Canonica New York, LLC and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and an initial Minimum Annual Guarantee of \$280,000. (Airport Commission)

**Resolution No. 077-18**

**ADOPTED by the following vote:**

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

**171241 [Lease Agreement - DFS Group, LP - Airport Concession - \$380,000 Minimum Annual Guarantee]**

Resolution approving International Terminal Newsstand and Specialty Retail Concession Lease No. 17-0209 between DFS Group, LP and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and an initial Minimum Annual Guarantee of \$380,000. (Airport Commission)

**Resolution No. 078-18**

**ADOPTED by the following vote:**

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



**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)

**Resolution No. 081-18**

**ADOPTED by the following vote:**

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

**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)

**Resolution No. 082-18**

**ADOPTED by the following vote:**

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

**180160 [Accept and Expend Grant - U.S. Department of Homeland Security - 2016 Port Security Grant Program - \$1,059,000]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Port of San Francisco to accept and expend a grant award in the amount of \$1,059,000 from the U.S. Department of Homeland Security's 2016 Port Security Grant Program, including \$997,500 for the replacement of the San Francisco Police Department Maritime Unit's dock, and \$61,500 to upgrade the Port's DOC video system, for the period of September 1, 2016, through August 31, 2019. (Port)  
(Fiscal Impact)

**Resolution No. 083-18**

**ADOPTED by the following vote:**

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

**180163 [Findings of Fiscal Feasibility - Reservoir Community Partners, LLC - Development of Balboa Reservoir Site]**

**Sponsors: Yee; Safai**

Resolution finding the proposed development of the Balboa Reservoir Site, an approximately 17-acre site located in the Balboa Park area, fiscally feasible under Administrative Code, Chapter 29.  
(Fiscal Impact)

**Resolution No. 085-18**

**ADOPTED by the following vote:**

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

Supervisor Tang was noted absent at 2:36 p.m.

**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)

**Resolution No. 086-18**

**ADOPTED by the following vote:**

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

Absent: 1 - Tang

**180218 [Multifamily Housing Revenue Bonds - 54 McAllister Street (“Dorothy Day Community Apartments”) - Not to Exceed \$45,000,000]**

**Sponsor: Kim**

Resolution authorizing the issuance and sale of multifamily housing revenue bonds in one or more series in an aggregate principal amount not to exceed \$45,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 100-unit multifamily rental housing project known as “Dorothy Day Community Apartments;” approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds and authorizing the issuance thereof; approving the form of and authorizing the execution of a loan agreement providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; 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, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters, as defined herein.

**Resolution No. 087-18**

**ADOPTED by the following vote:**

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

Absent: 1 - Tang

**180240 [Master Lease - Shahina Holdings, LLC - 149-6th Street - Supportive Housing - Initial Monthly Base Rent of \$39,000]****Sponsors: Mayor; Kim**

Resolution authorizing the execution and acceptance of a Residential Master Lease by and between the City and County of San Francisco and Shahina Holdings, LLC, a California Limited Liability Company, for the real property located at 149-6th Street, providing 51 units of supportive housing, for an initial term of ten years with an initial base monthly rent of \$39,000; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting CEQA findings. (Department of Homelessness and Supportive Housing)  
(Fiscal Impact)

**Resolution No. 088-18****ADOPTED by the following vote:**

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

**Recommendations of the Government Audit and Oversight Committee****171100 [Mills Act Historical Property Contract - 60-62 Carmelita Street]****Sponsor: Sheehy**

Resolution approving an historical property contract between Patrick Mooney and Stephen G. Tom, the owners of 60-62 Carmelita Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute the historical property contract. (Historic Preservation Commission)

**Resolution No. 072-18****ADOPTED by the following vote:**

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

**180139 [Setting the 2018 Budget and Legislative Analyst Services Work Plan]****Sponsor: Kim**

Motion approving the Budget and Legislative Analyst Services work plan for 2018, which allocates hours for calendar year 2018, authorizes the Budget and Legislative Analyst to reallocate up to 20% of the hours between service categories based on Board of Supervisors service needs, and requires Board of Supervisors approval of hours re-allocation greater than 20%; and establishes performance goals and sets a date for the 2018 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

**Motion No. M18-037****APPROVED by the following vote:**

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

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

### **171210 [Transportation Code - Non-Standard Vehicle Permits]**

Ordinance amending the Transportation Code to prohibit Non-Standard Vehicles from operating without a permit as required by Article 1200 of that Code; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

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

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

Absent: 1 - Tang

*Supervisor Tang was noted present at 2:41 p.m.*

*President Breed requested File Nos. 180151, 180114, and 180115 be called together.*

### **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)

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

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

### **180114 [Planning Code, Zoning Map - San Francisco Conservatory of Music Project - 200-214 Van Ness Avenue]**

**Sponsor: Kim**

Ordinance amending the Planning Code to authorize a height limit exception for the San Francisco Conservatory of Music Project at 200-214 Van Ness Avenue for an additional building envelope that will be used to enclose or screen specified features from view, allow increased roof height for performance and common space, and provide additional visual interest to the roof of the structure; amending the Zoning Map to change the height designation of Assessor's Parcel Block No. 811, Lot Nos. 10 and 12, from 96-X to 120-X; affirming the Planning Commission'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.

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

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

**180115 [Development Agreement - San Francisco Conservatory of Music - 200-214 Van Ness Avenue]****Sponsor: Kim**

Ordinance approving a Development Agreement between the City and County of San Francisco and San Francisco Conservatory of Music, a California non-profit public benefit corporation, for the project at 200-214 Van Ness Avenue between Hayes Street and the Dr. Tom Waddell Place mid-block alley, with various public benefits including creation of student housing, faculty housing, a new performance venue in the Civic Center cultural area, activation of a neglected portion of Van Ness Avenue, one-for-one on-site replacement of 27 existing dwelling units with a specific Replacement and Interim Housing Program for existing tenants, including the clear right to return to a comparable unit and an interim relocation housing assistance, voluntary application of rent control and waiving rights under the Ellis Act; making findings under the California Environmental Quality Act and findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); setting the impact fees and exactions as set forth in the Development Agreement; and confirming compliance with or waiving certain provisions of Administrative Code Chapters, 14B and 56, and ratifying certain actions taken in connection therewith, as defined herein.

**Supervisor Kim, seconded by Supervisor Ronen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Line 18, by striking 'by this ordinance'. The motion carried by the following vote:**

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang, Yee  
Ordinance approving a Development Agreement between the City and County of San Francisco and San Francisco Conservatory of Music, a California non-profit public benefit corporation, for the project at 200-214 Van Ness Avenue between Hayes Street and the Dr. Tom Waddell Place mid-block alley, with various public benefits including creation of student housing, faculty housing, a new performance venue in the Civic Center cultural area, activation of a neglected portion of Van Ness Avenue, one-for-one on-site replacement of 27 existing dwelling units with a specific Replacement and Interim Housing Program for existing tenants, including the clear right to return to a comparable unit and an interim relocation housing assistance, voluntary application of rent control and waiving rights under the Ellis Act; making findings under the California Environmental Quality Act and findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); setting the impact fees and exactions as set forth in the Development Agreement; and confirming compliance with or waiving certain provisions of Administrative Code Chapters, 14B and 56, and ratifying certain actions taken in connection therewith, as defined herein.

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

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

**180096 [Street Name Change - 1600 Block of Galvez Avenue - "Sam Jordan's Way"]****Sponsors: Cohen; Kim and Breed**

Resolution changing the street name of the 1600 block of Galvez Avenue, between Third Street and Phelps Street, to "Sam Jordan's Way," to honor Sam Jordan's legacy and impact on the Bayview Community.

*Supervisor Breed requested to be added as a co-sponsor.*

**Resolution No. 079-18**

**ADOPTED by the following vote:**

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

**180162 [Opposing California State Senate Bill 827 (Wiener) - Transit-Rich Housing Bonus] Sponsors: Peskin; Ronen, Yee, Fewer and Kim**

Resolution urging amendments to California Senate Bill 827, authored by Senator Wiener, to ensure the value of additional height and density is recaptured and that San Francisco's existing affordable housing programs and existing neighborhood character is preserved.

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

*Privilege of the floor was granted unanimously to Andrew Shen (Office of the City Attorney) who responded to questions raised throughout the discussion.*

Supervisor Peskin, seconded by Supervisor Ronen, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by striking 'Urging Amendments to' and adding 'Opposing', Line 3, by striking 'urging amendments to' and adding 'opposing', Lines 4-8, by striking 'to ensure the value of additional height and density is recaptured and that San Francisco's existing affordable housing programs and existing neighborhood character is preserved' and adding 'which would fundamentally constrain, if not negate, San Francisco's local ability to recapture critical public value of development projects citywide and override local planning process', Line 14, by striking 'applauds' and adding 'appreciates the intent of', and Lines 17-18, by adding 'but does not guarantee that tenants will find commensurate temporary housing nor be ultimately protected from displacement'; on Page 2, Lines 16-18, by adding 'WHEREAS, San Francisco currently has capacity to build 145,000 new units of housing with no upzoning or violation of environmental laws, including 60,000 units of housing currently in the planning pipeline; and', and Line 21, by adding 'while we wait for stronger tenant protections at the state level'; on Page 2, Line 23, through Page 3, Line 2, by adding 'RESOLVED, That the Board of Supervisors of the City and County of San Francisco finds that SB 827 is fundamentally flawed, based on its preemption of San Francisco's sovereign charter authority and undermining of San Francisco's ability to recapture public value from private developers in exchange for the added benefits of density and height; and'; and Page 3, Lines 4-8, by striking 'is committed to working with other jurisdictions, affordable housing and tenant advocates to address the State's housing crisis by amending SB 827' and adding 'joins with other local jurisdictions and a growing statewide coalition of housing, "complete neighborhood", environmental and tenant advocates, including those based in every district in San Francisco, in opposing SB 827', Lines 9-12, by striking 'FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco is committed to working with its State Legislative Delegation to craft the necessary amendments to SB 827 in order to protect San Francisco's sovereign charter authority and recapture value from the added benefits of density and height; and, be it', and Line 14, by adding 'permanent' before 'affordable', by striking 'crises' and adding 'crisis throughout California' after 'housing'. The motion carried by the following vote:

Ayes: 7 - Cohen, Fewer, Kim, Peskin, Ronen, Stefani, Yee

Noes: 4 - Breed, Safai, Sheehy, Tang

Resolution opposing California Senate Bill 827, authored by Senator Wiener, which would fundamentally constrain, if not negate, San Francisco's local ability to recapture critical public value of development projects citywide and override local planning process.

*Supervisor Breed requested the question be DIVIDED so that consideration of the language to oppose SB 827 be taken separately. After further discussions and clarification, Angela Calvillo, Clerk of the Board, informed Supervisor Breed that the request to divide the question should be withdrawn; Supervisor Breed concurred.*

**Resolution No. 084-18**

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

Ayes: 8 - Cohen, Fewer, Kim, Peskin, Ronen, Stefani, Tang, Yee

Noes: 3 - Breed, Safai, Sheehy

### **Appointment of President Pro Tempore**

*At the request of President Breed, Supervisor Cohen assumed the chair at 3:08 p.m. so the President could participate in the debate on File No. 180162 from the floor. The President resumed the chair at 3:44 p.m.*

### **Referred Without Recommendation from the Land Use and Transportation Committee**

#### **180031 [Summary Street Vacation - Portion of Panama Street; Sidewalk Acceptance - Niantic Street]**

Ordinance ordering the summary street vacation of a portion of Panama Street tangent to Niantic Street and Interstate Highway 280, in the Oceanview neighborhood; conveying the City's interest in the street vacation area to the owner of 10 Niantic Street (Assessor's Parcel Block No. 7178, Lot No. 014); accepting an irrevocable offer for a public sidewalk on Niantic Street between Panama Street and Saint Charles Avenue; dedicating the public sidewalk for pedestrian use, designating it for public right-of-way and roadway purposes, and accepting it for City maintenance and liability; establishing a new official sidewalk on Niantic Street by amending Ordinance No. 1061 entitled, "Regulating the Width of Sidewalks;" 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. (Public Works)

(Supervisor Kim dissented in Committee.)

**Supervisor Yee, seconded by Supervisor Ronen, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of April 10, 2018. The motion carried by the following vote:**

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



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

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

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

*Supervisor Tang introduced, welcomed, and presented a Certificate of Honor to the Department of Emergency Management's 2017 Dispatcher of the Year, Katherine Buhagiar, in recognition of her many accomplishments and continued community support.*

*Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to the members of the San Francisco Fire Department, including all the first responders, in recognition of their response in helping fight the four-alarm fire at 659 Union Street on March 17, 2018. Supervisor Peskin shared in this commendation and expressed his apologies for his behavior during the evening of the fire.*

## SPECIAL ORDER 3:00 P.M.

*President Breed requested File Nos. 180179, 180180, 180181, and 180182 be called together.*

### **180179 [Appeal of Determination of Exemption From Environmental Review - 590 Leland Avenue]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on February 12, 2015, for the proposed project at 590 Leland Avenue to demolish an existing church building and construct five new single-family homes across five individual lots; three new three-story single-family residences with roof decks at their respective third stories, at approximately 3,706 gross square feet, and two new three-story single-family residences at 3,506 and 4,372 gross square feet, respectively. (District 10) (Appellant: Fran Martin, on behalf of Visitacion Valley Planning Alliance) (Filed February 20, 2018) (Clerk of the Board)

*President Breed opening the public hearing and Supervisor Cohen informed the Board that she would be making a motion to continue these matters to a later date. President Breed asked if any individuals wished to address the Board on the proposed continuance. There were no speakers. President Breed closed public comment on the continuance.*

Supervisor Cohen, seconded by Supervisor Yee, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of April 10, 2018. The motion carried by the following vote:

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

### **180180 [Affirming the Categorical Exemption Determination - 590 Leland Avenue]**

Motion affirming the determination by the Planning Department that a proposed project at 590 Leland Avenue is categorically exempt from further environmental review. (Clerk of the Board)

Supervisor Cohen, seconded by Supervisor Yee, moved that this Motion be CONTINUED to the Board of Supervisors meeting of April 10, 2018. The motion carried by the following vote:

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



**180181 [Conditionally Reversing the Categorical Exemption Determination - 590 Leland Avenue]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 590 Leland Avenue 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 Cohen, seconded by Supervisor Yee, moved that this Motion be CONTINUED to the Board of Supervisors meeting of April 10, 2018. The motion carried by the following vote:**

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

**180182 [Preparation of Findings to Reverse the Categorical Exemption Determination - 590 Leland Avenue]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 590 Leland Avenue is categorically exempt from further environmental review. (Clerk of the Board)

**Supervisor Cohen, seconded by Supervisor Yee, moved that this Motion be CONTINUED to the Board of Supervisors meeting of April 10, 2018. The motion carried by the following vote:**

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

## **SPECIAL ORDER 3:00 P.M. - JOINT MEETING WITH THE ETHICS COMMISSION**

*President Breed and Chair Chiu called the Joint Meeting between the Board of Supervisors and the Ethics Commission to order at 4:41 p.m., prior to General Public Comment being taken. On the call of the roll for the Board, all members were noted present; there was a quorum of the Board of Supervisors. On the call of the roll for the Commission, all Commissioners were noted present; there was a quorum of the Ethics Commission.*

### **BOARD OF SUPERVISORS**

*Present: Supervisors Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang, Yee*

### **ETHICS COMMISSION**

*Present: Commissioners Chiu, Kopp, Lee, Renne*

## **Board of Supervisors Sitting as a Committee of the Whole**

*President Breed requested File Nos. 180226, 180001, and 180280 be called together.*

### **180226 [Hearing - Committee of the Whole - Joint Meeting with the San Francisco Ethics Commission - Proposed Ordinances (File Nos. 180001 and 180280) - Anti-Corruption and Accountability Ordinances - April 3, 2018]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on April 3, 2018, at 3:00 p.m., in a joint meeting with the San Francisco Ethics Commission, to hold a public hearing to consider the proposed Ordinances (File Nos. 180001 and 180280) - the Anti-Corruption and Accountability Ordinances - amending the Campaign and Governmental Conduct Code to institute various campaign finance and conflict of interest reforms; scheduled pursuant to Motion No. M18-029, approved by the Board on March 6, 2018, and approval of the Motion contained in File No. 180276 on April 3, 2018. (Clerk of the Board)

*President Breed opened the Joint Public Hearing with the Ethics Commission at 5:28 p.m., related to consideration of the Ordinances (File Nos. 180001 and 180280) amending the Campaign and Governmental Conduct Code.*

*President Breed requested Angela Calvillo, Clerk of the Board, provide an overview of the structure for the Joint Public Hearing (contained in File No. 180226). President Breed requested the Board's consent on the structure of the proceedings for the Joint Public Hearing; without objection the Board approved. Chair Chiu requested the Commission's consent on the structure of the proceedings for the Joint Public Hearing; without objection the Commission approved.*

*Andrew Shen (Office of the City Attorney); LeeAnn Pelham, Executive Director, Patrick Ford, and Kyle Kundert (Ethics Commission); presented information and answered questions raised throughout the discussions.*

*President Breed recessed the meeting at 5:51 p.m. and reconvened at 6:02 p.m.*

*Mark Solomon; Paul Melbostadt; Anita Rott; Kathie Lowry; Shawn Kaufie; Charlie Marsteller; Larry Bush; Tom Gilbert; Debbie Lehrman; Otto Duffy; Peter Cohen; spoke in support of amendments and the proposed legislation.*

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**ETHICS COMMISSION DELIBERATIONS**

Commissioner Kopp moved that the Ordinance be AMENDED in Section 3.203 by adding a definition for 'Public Appeal'; in Section 3.207 by adding a new Subsection 3.207(a)(4) that prohibits City elective officers or members of a board or commission to solicit a person to give anything of value to a third party under certain circumstances; and restoring Article III, Chapter 6, to its current, existing language. The motion died due to lack of a second.

Commissioner Lee, seconded by Commissioner Renne, moved that the Ordinance be AMENDED in Section 3.203 by striking the definition for 'Associated' and adding a definition for 'Use of Public Position or Office'; and in Section 3.207(a)(1) by adding 'or' and striking 'or for an organization with which he or she is associated'. The motion FAILED by the following vote:

Ayes: 2 - Lee, Renne

Noes: 2 - Chiu, Kopp

Commissioner Chiu, seconded by Commissioner Renne, moved that the Ordinance be AMENDED by adding a new Section 4(b) stating '(b) Operative Dates. (1) This ordinance's amendments to Sections 1.104, 1.163.5, 168, 1.170, and 3.203 of the Campaign and Governmental Conduct Code, and additions of Sections 3.207 and 3.231 of the Campaign and Governmental Conduct Code, shall become operative on the effective date of this ordinance. (2) This ordinance's amendments to Sections 1.114, 1.126, 1.135, 1.161, 1.162, 3.600, 3.610, 3.620 of the Campaign and Governmental Conduct Code, and additions of Sections 1.114.5, 1.124, 1.125, 1.158, 3.209, 3.630, 3.640, 3.650 of the Campaign and Governmental Conduct Code, shall become operative on January 1, 2019.' The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

Commissioner Chiu, seconded by Commissioner Lee, moved that the Ordinance be AMENDED by deleting the entire Section 1.158 regarding 'Major Donors - Financial Disclosures.' The motion FAILED by the following vote:

Ayes: 2 - Chiu, Lee

Noes: 2 - Kopp, Renne

Commissioner Chiu, seconded by Commissioner Lee, moved that the Ordinance be AMENDED in Section 1.114.5(b)(1) adding 'at the behest of a City elective officer' after 'single calendar year', and striking 'at the behest of a City elective officer' after 'independent expenditures'. The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

Commissioner Chiu, seconded by Commissioner Lee, moved that the Ordinance be AMENDED in Section 3.203 by revising the definition for 'Associated' by striking 'authorized representative or' after 'family is an', and adding 'or employee' after 'agent'; and in Section 3.207(a)(3) by adding 'with respect to a particular pending legislative or administrative action' after 'or judgment'. The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

Commissioner Kopp moved to rescind the previous vote that the Ordinance be AMENDED in Section 3.203 by revising the definition for 'Associated' by striking 'authorized representative or' after 'family is an', and adding 'or employee' after 'agent'; and in Section 3.207(a)(3) by adding 'with respect to a particular pending legislative or administrative action' after 'or judgment'. The motion died due to lack of a second.

Commissioner Lee, seconded by Commissioner Chiu, moved that the Ordinance be APPROVED AS AMENDED. The motion FAILED by the following, which required a 4/5 vote:

Ayes: 3 - Chiu, Lee, Renne

Noes: 1 - Kopp

Commissioner Chiu, seconded by Commissioner Renne, moved to rescind the previous vote that the Ordinance be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

President Breed recessed the meeting at 8:12 p.m. and reconvened at 8:23 p.m.

Commissioner Chiu, seconded by Commissioner Lee, moved to rescind the earlier vote that the Ordinance be AMENDED in Section 3.203 by revising the definition for 'Associated' by striking 'authorized representative or' after 'family is an', and adding 'or employee' after 'agent'; and in Section 3.207(a)(3) by adding 'with respect to a particular pending legislative or administrative action' after 'or judgment'. The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

Commissioner Kopp, seconded by Commissioner Lee, moved that the question to amend the Ordinance be DIVIDED to consider separately the amendments in Sections 3.203 and 3.207(a)(3). The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

Commissioner Chiu moved that the Ordinance be AMENDED in Section 3.203 by revising the definition for 'Associated' by striking 'authorized representative or' after 'family is an', and adding 'or employee' after 'agent'. The motion died due to lack of a second.

Commissioner Chiu, seconded by Commissioner Kopp, moved that the Ordinance be AMENDED in Section 3.203 by revising the definition for 'Associated' by striking 'authorized representative or' after 'family is an', and adding 'or employee' after 'agent'. The motion carried by the following vote:

Ayes: 3 - Chiu, Lee, Renne

Noes: 1 - Kopp

Commissioner Chiu, seconded by Commissioner Lee, moved that the Ordinance be AMENDED in Section 3.207(a)(3) by adding 'with respect to a particular pending legislative or administrative action' after 'or judgment'. The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

Commissioner Chiu, seconded by Commissioner Lee, moved that the Ordinance be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 4 - Chiu, Lee, Kopp, Renne

The Ethics Commission forwarded the Ordinance, as amended, to the Board of Supervisors for consideration.

During deliberations, the Board of Supervisors accepted all amendments forwarded by the Ethics Commission and incorporated them into File No. 180280. Additional amendments were also accepted by the Board of Supervisors, which they re-referred back to the Ethics Commission for consideration.

Commissioner Chiu, seconded by Commissioner Kopp, moved that the Ordinance be CONTINUED TO THE CALL OF THE CHAIR AS AMENDED. The motion carried by the following vote:

Ayes: 4 - Chiu, Kopp, Renne

Noes: 1 - Lee

ETHICS COMMISSION RECESSED and reconvened later in Committee Room 263, in order to take their second public comment.

*President Breed closed public comment, adjourned as the Committee of the Whole in a joint meeting with the San Francisco Ethics Commission, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## **Committee of the Whole Adjourn and Report**

### **Called from the Budget and Finance Committee**

#### **180001 [Campaign and Governmental Conduct Code - Campaign Finance and Conflict of Interest]**

Ordinance amending the Campaign and Governmental Conduct Code to 1) prohibit earmarking of contributions and false identification of contributors; 2) modify contributor card requirements; 3) require disclosure of contributions solicited by City elective officers for ballot measure and independent expenditure committees; 4) require additional disclosures for campaign contributions from business entities to political committees; 5) require disclosure of bundled campaign contributions; 6) extend the prohibition on campaign contributions to candidates for City elective offices and City elective officers who must approve certain City contracts; 7) require committees to file a third pre-election statement prior to an election; 8) remove the prohibition against distribution of campaign advertisements containing false endorsements; 9) allow members of the public to receive a portion of penalties collected in certain enforcement actions; 10) permit the Ethics Commission to recommend contract debarment as a penalty for campaign finance violations; 11) create new conflict of interest and political activity rules for elected officials and members of boards and commissions; 12) specify recusal procedures for members of boards and commissions; and 13) establish local behested payment reporting requirements for donors and City officers. (Ethics Commission)

(Pursuant to Campaign and Governmental Conduct Code, Section 3.204, this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

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

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

## Called from the Rules Committee

### **180280 [Campaign and Governmental Conduct Code - Campaign Finance and Conflict of Interest]**

#### **Sponsor: Peskin**

Ordinance amending the Campaign and Governmental Conduct Code to 1) prohibit earmarking of contributions and false identification of contributors; 2) modify contributor card requirements; 3) require disclosure of contributions solicited by City elective officers for ballot measure and independent expenditure committees; 4) require additional disclosures for campaign contributions from business entities to political committees; 5) require disclosure of bundled campaign contributions; 6) extend the prohibition on campaign contributions to candidates for City elective offices and City elective officers who must approve certain City contracts; 7) require committees to file a third pre-election statement prior to an election; 8) remove the prohibition against distribution of campaign advertisements containing false endorsements; 9) allow members of the public to receive a portion of penalties collected in certain enforcement actions; 10) require financial disclosures from certain major donors to local political committees; 11) impose additional disclaimer requirements; 12) permit the Ethics Commission to recommend contract debarment as a penalty for campaign finance violations; 13) create new conflict of interest and political activity rules for elected officials and members of boards and commissions; 14) specify recusal procedures for members of boards and commissions; and 15) establish local behested payment reporting requirements for donors and City officers.

(Pursuant to Campaign and Governmental Conduct Code, Section 3.204, this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

**Supervisor Yee, seconded by Supervisor Tang, moved that this Ordinance be AMENDED by adding a new Section 4(b) stating '(b) Operative Dates. (1) This ordinance's amendments to Sections 1.104, 1.163.5, 168, 1.170, and 3.203 of the Campaign and Governmental Conduct Code, and additions of Sections 3.207 and 3.231 of the Campaign and Governmental Conduct Code, shall become operative on the effective date of this ordinance. (2) This ordinance's amendments to Sections 1.114, 1.126, 1.135, 1.161, 1.162, 3.600, 3.610, 3.620 of the Campaign and Governmental Conduct Code, and additions of Sections 1.114.5, 1.124, 1.125, 1.158, 3.209, 3.630, 3.640, 3.650 of the Campaign and Governmental Conduct Code, shall become operative on January 1, 2019.'; in Section 1.114.5(b)(1) adding 'at the behest of a City elective officer' after 'single calendar year', and striking 'at the behest of a City elective officer' after 'independent expenditures'; in Section 3.203 by revising the definition for 'Associated' by striking 'authorized representative or' after 'family is an', and adding 'or employee' after 'agent'; and in Section 3.207(a)(3) by adding 'with respect to a particular pending legislative or administrative action' after 'or judgment'. The motion carried by the following vote:**

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

*Supervisor Tang, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED in Section 1.124(a)(1) by adding 'one of' before 'the business entity'; in Section 3.600 by striking the definition for 'Actively Support or Oppose' and striking portion '(ii)' of the definition for 'Interested Party'; in Section 3.620 by striking Subsection 3.620(a)(2) regarding reporting for filing by donors; and in Section 3.630 by modifying Subsection 3.630(a)(2)(ii) by striking 'has actively supported or opposed' and adding 'was an interested party in'. Before the vote was taken, this motion and the second was withdrawn.*

**Supervisor Tang, seconded by Supervisor Safai, moved that this Ordinance be AMENDED in Section 1.124(a)(1) by adding 'one of' before 'the business entity'. The motion carried by the following vote:**

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

Supervisor Peskin, seconded by Supervisor Yee, moved that this Ordinance be AMENDED in Section 1.104 by adding definitions for 'Financial Interest', 'Land Use Matter'; and by adding a new Section 1.127 regarding 'Contribution Limits - Persons with Land Use Matters Before a Decision-Making Body'. The motion FAILED by the following vote:

Ayes: 5 - Fewer, Kim, Peskin, Ronen, Yee

Noes: 6 - Breed, Cohen, Safai, Sheehy, Stefani, Tang

Supervisor Peskin, seconded by Supervisor Tang, moved that this Ordinance be AMENDED in Section 1.104 by adding a definition for 'Public Appeal'; by revising Subsection 1.114.5(b)(1) by adding 'at the behest of a City elective officer' after 'calendar year' and striking 'at the behest of a City elective officer' after 'expenditures'; and adding a new Subsection 1.114.5(b)(4) regarding 'Exception for public appeals'. The motion carried by the following vote:

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

Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be AMENDED by striking the entire Section 1.158 regarding 'Major Donors - Financial Disclosures.' The motion carried by the following vote:

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

Supervisor Tang, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED in Sections 1.161(a)(5) and 1.162(a)(5)(c) by striking all verbiage after 'end of such advertisements'. The motion carried by the following vote:

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

Supervisor Peskin, seconded by Supervisor Tang, moved that this Ordinance be AMENDED in Section 3.209 by striking Subsection 3.209(c) regarding 'Repeated Recusals'. The motion carried by the following vote:

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

Supervisor Fewer, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED in Section 1.126(f)(2) by striking 'the value of the desired contract'. The motion carried by the following vote:

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

Supervisor Fewer, seconded by Supervisor Yee, moved that this Ordinance be AMENDED in Section 3.620(a) by changing the reporting threshold for filing by donors from '\$1,000' to '\$10,000'. The motion carried by the following vote:

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

Supervisor Tang, seconded by Supervisor Sheehy, moved that this Ordinance be AMENDED in Section 3.600 by striking the definition for 'Actively Support or Oppose' and striking portion '(ii)' of the definition for 'Interested Party'; in Section 3.620 by striking Subsection 3.620(a)(2) regarding reporting for filing by donors; and in Section 3.630 by modifying Subsection 3.630(a)(2)(ii) by striking 'has actively supported or opposed' and adding 'was an interested party in'. The motion carried by the following vote:

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

Supervisor Kim, seconded by Supervisor Yee, moved that this Ordinance be AMENDED in Sections 1.104 and 1.110 by changing 'Social Media Technologies' to 'Electronic Media Technologies'; by striking Subsection 1.142(h) regarding 'Supervisory Candidates Seeking Election in November 2012'; and in Subsection 1.162(b)(2)(E) by adding 'including any electioneering communication distributed through electronic media technologies'. The motion carried by the following vote:

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

*Supervisor Tang, seconded by Supervisor Cohen, moved to re-refer the Ordinance, as amended, to the Ethics Commission for consideration. The motion carried without objection.*

*During the Ethics Commission deliberations during the Joint Public Hearing, the Commission did not consider the further amendments made by the Board and continued the entire Ordinance, as amended, to the call of the Chair (see File No. 180226).*

**Supervisor Tang, seconded by Supervisor Kim, moved that this Ordinance be RE-REFERRED AS AMENDED to the Rules Committee. The motion carried by the following vote:**

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

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*



## **PUBLIC COMMENT**

*(Public Comment was taken after the Joint Meeting with the Ethics Commission was called to order at 4:41 p.m. This Public Comment period satisfies the Board's General Public Comment, and the Ethics Commission's requirement to receive public input following their call to order.)*

*Speaker; shared concerns regarding immigration and equality in San Francisco.*

*Roxy Harris; shared concerns the Department of Public Health.*

*Brenda Harris; shared concerns regarding the Department of Public Health and the treatment of black employees.*

*Thomas Stollmar; shared concerns regarding the fascist dictator running the U.S. Administration and the importance of leadership in San Francisco.*

*Speaker; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.*

*Namdev Sharma; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.*

*Abdallah Irbaileh; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.*

*Speaker; shared concerns regarding a development project in her neighborhood.*

*Sheryl Bonten; shared concerns regarding the Department of Public Health and the Whistleblower Program.*

*David Smith; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.*

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

*Speaker; shared various religious concerns.*

*Patricia Voight; shared concerns regarding the loss of affordable housing.*

*Matthias Mormino; expressed concerns regarding the code changes being discussed during Joint Meeting between the Board of Supervisors and the Ethics Commission (File No. 180276).*

*Emily Katz; expressed concerns regarding the code changes being discussed during Joint Meeting between the Board of Supervisors and the Ethics Commission (File No. 180276).*

*Kate Hernandez Smith; expressed concerns regarding the code changes being discussed during Joint Meeting between the Board of Supervisors and the Ethics Commission (File No. 180276).*

*Speaker; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.*

*Speaker; shared concerns regarding the Mayoral election.*

*Nancy Neilson; shared concerns regarding amendments that may have unintended consequences on the City's bidding process.*

*Theodore Reynold; expressed concerns regarding decisions made by the Ethics Commission and Planning Commission.*

*Wendy Wong; shared concerns regarding the plight of small property owners.*

*Tom Gilberty; shared concerns regarding Giants Opening Day.*

*Hunter Cutting; expressed support of a newly introduced Resolution regarding the private marina being expanded in Clipper Cove at Treasure Island.*

*Ellen Lee Zhou; shared concerns regarding public corruption, bribery, and extortion.*

*Otto Duffy; expressed concerns regarding quality of life in San Francisco and market rate housing.*

*Wynship W. Hillier; requested the Board cease all funding to Citywide Case Management/Community Focus.*

*Mark Solomon; shared concerns regarding the Planning Code and transit-oriented development.*

*Heddy Wong; expressed concerns regarding homeless in San Francisco.*

## **Appointment of President Pro Tempore**

*At the request of President Breed, Supervisor Cohen assumed the chair at 4:50 p.m. The President resumed the chair at 5:08 p.m.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****180271 [Commending Members of the Fire Department Who Responded and Fought the Fire at 659 Union Street on March 17, 2018]****Sponsors: Breed; Peskin**

Resolution commending members of the Fire Department including Emergency Medical Technicians and Paramedics who responded to and helped fight the four-alarm fire at 659 Union Street on March 17, 2018.

**Resolution No. 089-18****ADOPTED****180273 [Recognizing Problem Gambling Awareness Month - March 2018]****Sponsors: Fewer; Yee**

Resolution recognizing March 2018 as Problem Gambling Awareness Month in the City and County of San Francisco.

**Resolution No. 090-18****ADOPTED****180275 [National Kidney Month - March 2018]****Sponsor: Tang**

Resolution declaring March as National Kidney Month in San Francisco; urging all San Franciscans at risk for kidney disease to get tested for kidney disease so that they can seek to prevent progression of the disease.

**Resolution No. 092-18****ADOPTED****180276 [Calling from Committee - Committee of the Whole - Proposed Ordinance (File No. 180280) - Anti-Corruption and Accountability Ordinance - April 3, 2018]****Sponsor: Peskin**

Motion calling from the Rules Committee, pursuant to Board Rule 3.37, the proposed Ordinance (File No. 180280) amending the Campaign and Governmental Conduct Code to institute various campaign finance and conflict of interest reforms; and scheduling the Board of Supervisors to include consideration of the proposed Ordinance at the previously scheduled Committee of the Whole public hearing on April 3, 2018, at 3:00 p.m., in the joint meeting with the San Francisco Ethics Commission.

**Motion No. M18-038****APPROVED**

**180286 [Final Map 9264 - 1238 Sutter Street]**

Motion approving Final Map 9264, a 37 residential unit and two commercial unit, mixed-use condominium project, located at 1238 Sutter Street, being a subdivision of Assessor's Parcel Block No. 0670, Lot No. 011; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No.** M18-039

**APPROVED**

**180287 [Final Map 9044 - 240 Pacific Avenue]**

Motion approving Final Map 9044, a 33 residential unit and two commercial unit, mixed-use condominium project, located at 240 Pacific Avenue, being a merger and subdivision of Assessor's Parcel Block No. 0166, Lot Nos. 003, 004, and 006; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No.** M18-040

**APPROVED**

**180274 [Supporting California State Assembly Bill 2243 (Friedman) - Sex Worker Immunity] Sponsors: Tang; Ronen**

Resolution declaring support for California State Assembly Bill 2243, authored by State Assembly Member Laura Friedman, which provide protections for sex workers who want to come forward to report a crime of violence perpetrated against them during an act of prostitution, or want to testify as a witness to such a crime.

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

**Resolution No.** 091-18

**ADOPTED**

**180293 [Concurring in Declaration of Local Emergency - Flooding Affecting SFPUC's Moccasin Reservoir (Tuolumne County)]**

Motion concurring in the March 29, 2018, Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency of flooding affecting the San Francisco Public Utilities Commission's Moccasin Reservoir in Tuolumne County. (Clerk of the Board)

**Motion No.** M18-041

**APPROVED**

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

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

### **180313 [Appropriation - Proceeds from Earthquake Safety and Emergency Response General Obligation Bonds - FY2017-2018 - \$189,735,000]**

**Sponsor: Mayor**

Ordinance appropriating \$189,735,000 of the 2018C Series Earthquake Safety and Emergency Response (ESER 2014) General Obligation Bond Proceeds to Public Works in FY2017-2018 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster; and placing these funds on Controller's Reserve pending sale of the bonds.

(Fiscal Impact)

04/03/18; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/3/2018.

### **180314 [Appropriation - Proceeds from General Obligation Housing Bond - FY2017-2018 - \$146,000,000]**

**Sponsor: Mayor**

Ordinance appropriating \$146,000,000 of proceeds from the General Obligation Housing Bond, Series 2018D, to the Mayor's Office of Housing and Community Development for Public Housing, Low-Income Housing, Investment in Mission Neighborhood, and Middle-Income Housing in FY2017-2018; and placing these funds on Controller's Reserve pending sale of the bonds.

(Fiscal Impact)

04/03/18; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/3/2018.

### **180315 [Appropriation - General Obligation Bond Proceeds - Public Health and Safety Projects - FY2017-2018 - \$52,500,000]**

**Sponsor: Mayor**

Ordinance appropriating \$52,500,000 of the Series 2018E Public Health and Safety (PHSB 2016) General Obligation Bond Proceeds to Public Works in FY2017-2018 for improvements and seismic strengthening of public health and safety facilities for critical community and mental health, emergency response and safety, and homeless shelter and service; and placing these funds on Controller's Reserve pending sale of the bonds.

(Fiscal Impact)

04/03/18; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/3/2018.

**180316 [Administrative Code - Health Insurance for Successor Agency Commissioners]****Sponsor: Mayor**

Ordinance amending the Administrative Code to allow members of the Successor Agency Commission to be eligible to participate in the City's Health Service System.

04/03/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/3/2018.

**180317 [Campaign and Governmental Conduct Code - Expanding Whistleblower Protections]****Sponsor: Breed**

Ordinance amending the Campaign and Governmental Conduct Code to provide additional retaliation protections for whistleblowers, establish retaliation protections for City contractors, increase the remedies available for whistleblowers who have suffered retaliation, and establish greater confidentiality protections for whistleblowers' identities.

04/03/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/3/2018.

**180318 [Administrative Code - Landlord Operating and Maintenance Expenses]****Sponsors: Fewer; Peskin, Yee, Ronen, Kim and Sheehy**

Ordinance amending the Administrative Code to prohibit landlords from seeking rent increases on existing tenants due to increases in debt service and property tax that have resulted from a change in ownership.

04/03/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/3/2018.

**180319 [Planning Code - Cannabis Retail and Medical Cannabis Dispensaries in Chinatown]****Sponsors: Peskin; Kim, Breed, Tang and Fewer**

Ordinance amending the Planning Code to prohibit Cannabis Retail and Medical Cannabis Dispensaries in the Chinatown Mixed Use 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 making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

04/03/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/3/2018.

**180320 [Planning Code - Catering as an Accessory Use in Neighborhood Commercial Districts]****Sponsor: Safai**

Ordinance amending the Planning Code to allow Catering as an Accessory Use to Limited Restaurants in Neighborhood Commercial Districts under certain conditions; 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.

04/03/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/3/2018.

**180321 [Police Code - Required Agreements Between Cannabis Businesses and Labor Organizations]****Sponsors: Sheehy; Fewer and Ronen**

Ordinance amending the Police Code to require applicants for Cannabis Business Permits to enter into either a Labor Peace Agreement or a collective bargaining agreement with a Bona Fide Labor Organization.

04/03/18; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 5/3/2018.

**180322 [Administrative Code - Priority Housing Status for Persons Discharged from Residential Behavioral Health Programs]****Sponsors: Sheehy; Ronen**

Ordinance amending the Administrative Code to require the Department of Homelessness and Supportive Housing to give a priority to adults who have been discharged from residential behavioral health programs when making assignments to housing programs, and to coordinate with the Department of Public Health to ensure access to uninterrupted supportive services for such persons.

04/03/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/3/2018.

**180323 [Building Code - Mandatory Disability Access Improvements for Places of Public Accommodation - Extension of Time Deadlines - Deletion of Administrative Fee]**  
**Sponsor: Tang**

Ordinance amending the Building Code to extend the times for existing buildings with a place of public accommodation either to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; to extend the period for granting extensions from those deadlines; to extend the time to submit the Department of Building Inspection's report on the disability access improvements program to the Board of Supervisors; eliminating the administrative fee to implement the disability access improvement program; restating the findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

04/03/18; ASSIGNED to Land Use and Transportation Committee.

## RESOLUTIONS

**180324 [Sale of Tax-Exempt General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2014), Series 2018C - Not to Exceed \$189,735,000]****Sponsor: Mayor**

Resolution authorizing the issuance and sale of not to exceed \$189,735,000 aggregate principal amount of City and County of San Francisco Tax-Exempt General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2014), Series 2018C; prescribing the form and terms of such bonds; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Bond Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City Officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein.

(Fiscal Impact)

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180325 [Sale of Taxable General Obligation Bonds (Affordable Housing, 2015), Series 2018D - Not to Exceed \$146,000,000]****Sponsor: Mayor**

Resolution authorizing the issuance and sale of not to exceed \$146,000,000 aggregate principal amount of City and County of San Francisco Taxable General Obligation Bonds (Affordable Housing, 2015), Series 2018D; prescribing the form and terms of such bonds; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Bond Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City Officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein.

(Fiscal Impact)

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180326 [Sale of Tax-Exempt General Obligation Bonds (Public Health and Safety, 2016), Series 2018E - Not to Exceed \$52,500,000]**

**Sponsor: Mayor**

Resolution authorizing the issuance and sale of not to exceed \$52,500,000 aggregate principal amount of City and County of San Francisco Tax-Exempt General Obligation Bonds (Public Health and Safety, 2016), Series 2018E; prescribing the form and terms of such bonds; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Bond Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City Officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein.

(Fiscal Impact)

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180327 [Accept and Expend Grant - State of California Department of Housing and Community Development - Housing-Related Parks Program Grant - \$3,276,582]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant in the amount of \$3,276,582 from the State of California Department of Housing and Community Development to fund four park and community center projects identified in Exhibit A of the Grant Standard Agreement, and delegating authority to the General Manager of the Recreation and Park Department to reallocate funds among approved projects as appropriate to maximize City recovery from Grant for the period of November 22, 2017, through June 30, 2019.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180328 [Application Approval - California Natural Resources Agency - Grant Funds for California Climate Investments Urban Greening Program]**

**Sponsor: Cohen**

Resolution approving the application for grant funds for California Climate Investments Urban Greening Program administered by the California Natural Resources Agency.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.



**180329 [Issuance of Bonds - California Municipal Finance Authority - Presidio Knolls School, Inc. - Not to Exceed \$40,000,000]**

**Sponsor: Kim**

Resolution approving in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended, and in accordance with the Joint Exercise of Powers Agreement, dated as of January 1, 2004, among the California Municipal Finance Authority ("Authority") and certain local agencies, including the City and County of San Francisco ("City"), as amended from time to time, the issuance of revenue bonds or a tax-exempt loan by the Authority in an aggregate principal amount not to exceed \$40,000,000 ("Loans") and the loan of the proceeds thereof to Presidio Knolls School, Inc., a California nonprofit public benefit corporation ("Borrower") to refinance certain loans issued for the benefit of the Borrower, finance or refinance the acquisition, construction, equipping and furnishing of facilities located and to be located at 1415 Howard Street and 220, 230, 240, 250, and 260-10th Street, within the City, and pay certain expenses incurred in connection with the issuance of the Loans. (Controller)

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180330 [Approval of a 120-Day Extension for Planning Commission Review of Re-establishment of Nonconforming Self-Storage Use (File No. 180086)]**

**Sponsor: Kim**

Resolution extending by 120 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 180086) amending the Planning Code to allow the owner of premises leased to the City and County of San Francisco for a public safety-related use to resume a pre-existing legal nonconforming self-storage use after the City vacates the property; 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 under Planning Code, Section 302.

04/03/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180331 [Affirming the Board of Supervisors Commitment to the Environmental Protection, Public Recreation, and Youth Education in Clipper Cove]**

**Sponsors: Kim; Peskin, Fewer and Sheehy**

Resolution responding to the recent proposal to expand the private marina located in Clipper Cove at Treasure Island; and reaffirming San Francisco's commitment to public recreation, public education, environmental protection, preservation of public open space, and social equity.

04/03/18; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**171019 [Establishment of the LGBTQ and Leather Cultural District]**

**Sponsors: Kim; Sheehy and Ronen**

Resolution establishing the Leather and Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Cultural District with the intent of commemorating historical sites, preserving existing spaces, and planning for thriving and vibrant communities that are Leather and LGBTQ affirming.

09/19/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

09/26/17; REFERRED TO DEPARTMENT.

04/02/18; REMAIN ACTIVE.

04/03/18; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

**180243 [Interim Zoning Controls - Conversion of Retail to Non-Retail Sales and Service Use in the C-3-R Zoning District]****Sponsor: Peskin**

Resolution imposing interim zoning controls for 18 months to require a Conditional Use Permit, information to be submitted, and specified findings for any conversion of Retail Use to Non-Retail Sales and Service Use in the C-3-R Downtown Retail Zoning District; and affirming the Planning Department's determination under the California Environmental Quality Act. (Economic Impact; No Economic Analysis Report)

03/13/18; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Transportation Committee.

03/21/18; TRANSMITTED.

04/03/18; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

**180332 [Ernest "Ernie" Beyl Day - April 11, 2018]****Sponsor: Peskin**

Resolution declaring April 11, 2018, as Ernest "Ernie" Beyl Day in the City and County of San Francisco.

04/03/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180333 [Celebrating the Giants' 60th Season in San Francisco]****Sponsors: Stefani; Breed and Kim**

Resolution celebrating the Giants on the commencement of their 60th season in San Francisco and recognizing the positive impact the team has provided to the City and County of San Francisco.

04/03/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180334 [Accept and Expend Grant - California Governor's Office of Emergency Services, Victim Witness Assistance Program - \$984,876]****Sponsor: Tang**

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$984,876 from the California Governor's Office of Emergency Services for the Victim Witness Assistance Program for the grant period October 1, 2017, through September 20, 2018.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180335 [Sunset Branch Library Centennial Celebration]****Sponsor: Tang**

Resolution recognizing the 100-year anniversary of the Sunset Branch Library and acknowledging the Centennial Celebration on Saturday, April 7, 2018.

04/03/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180336 [Supporting California Senate Bill 3 (Beall) - Veterans and Affordable Housing Bond Act 2018]****Sponsors: Yee; Peskin, Ronen, Kim and Fewer**

Resolution supporting California Senate Bill 3, the Veterans and Affordable Housing Bond Act of 2018, authored by Senator Jim Beall, authorizing the issuance of bonds in the amount of \$4,000,000,000 pursuant to the State General Obligation Bond.

04/03/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180343 [Accept and Expend Grant - California Governor's Office of Emergency Services, Elder Abuse Program - \$700,000]****Sponsor: Tang**

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant increase of \$300,000 for a total amount of \$700,000 from the California Governor's Office of Emergency Services for the Elder Abuse Program for the grant period July 1, 2016, through December 31, 2019.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180344 [Accept and Expend Grant - California Governor's Office of Emergency Services, Innovative Response to Marginalized Victims Program - \$306,666]****Sponsor: Tang**

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$306,666 from the California Governor's Office of Emergency Services for the Innovative Response to Marginalized Victims Program for the grant period January 1, 2018, through December 31, 2019.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## MOTIONS

**180255 [Committee of the Whole - Report of Assessment Costs - Accelerated Sidewalk Abatement Program - May 1, 2018]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 1, 2018, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

04/03/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180258 [Committee of the Whole - Report of Assessment Costs - Sidewalk Inspection and Repair Program - May 1, 2018]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 1, 2018, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for work done or caused to be done through the Sidewalk Inspection and Repair Program, pursuant to Public Works Code, Section 706.9, and Administrative Code, Section 80, the cost thereof having been paid for by the City and County out of a revolving fund. (Clerk of the Board)

04/03/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180264 [Committee of the Whole - Report of Assessment Costs - Building Code Enforcement Violations - May 22, 2018]**

Motion scheduling the Board of Supervisors to convene as a Committee of the Whole on May 22, 2018, at 3:00 p.m., to hold a public hearing on a Resolution confirming a report of delinquent charges for code enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

04/03/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180346 [Mayoral Reappointment, Port Commission - Doreen Woo Ho]**

Motion confirming/rejecting the Mayor's nomination for reappointment of Doreen Woo Ho to the Port Commission, for a term ending May 1, 2022. (Clerk of the Board)

(Charter, Section 4.114, provides that the Mayor's appointment is subject to confirmation by a majority (six votes) of the Board of Supervisors, with no timeframe to confirm specified.

Transmittal Date: April 5, 2018.)

**180347 [Mayoral Reappointment, Port Commission - William Adams]**

Motion approving/rejecting the Mayor's nomination for reappointment of William Adams to the Port Commission, for a term ending May 1, 2022. (Clerk of the Board)

(Charter, Section 4.114, provides that the Mayor's appointment is subject to confirmation by a majority (six votes) of the Board of Supervisors, with no timeframe to confirm specified.

Transmittal Date: April 5, 2018.)

**180348 [Mayoral Appointment, Port Commission - Victor Makras]**

Motion confirming/rejecting the Mayor's nomination for appointment of Victor Makras to the Port Commission, for a term ending May 1, 2020. (Clerk of the Board)

(Charter, Section 4.114, provides that the Mayor's appointment is subject to confirmation by a majority (six votes) of the Board of Supervisors, with no timeframe to confirm specified.

Transmittal Date: April 5, 2018.)

**180349 [Mayoral Appointment, Port Commission - Gail Gilman]**

Motion approving/rejecting the Mayor's nomination for appointment of Gail Gilman to the Port Commission, for a term ending May 1, 2022. (Clerk of the Board)  
(Charter, Section 4.114, provides that the Mayor's appointment is subject to confirmation by a majority (six votes) of the Board of Supervisors, with no timeframe to confirm specified.  
Transmittal Date: April 5, 2018.)

**180350 [Mayoral Reappointment, Treasure Island Development Authority Board of Directors - V. Fei Tsen]**

Motion approving/rejecting the Mayor's nomination for reappointment of V. Fei Tsen to the Treasure Island Development Authority Board of Directors, for a term ending February 26, 2022. (Clerk of the Board)  
(Pursuant to the Treasure Island Conversion Act of 1997, appointments of Directors who are City Officers are effective upon the approval of a majority vote (6 votes) of the Board of Supervisors.  
Transmittal Date: April 5, 2018.)

**180351 [Mayoral Reappointment, Treasure Island Development Authority Board of Directors - Linda Richardson]**

Motion approving/rejecting the Mayor's nomination for reappointment of Linda Richardson to the Treasure Island Development Authority Board of Directors, for a term ending April 28, 2022. (Clerk of the Board)  
(Pursuant to the Treasure Island Conversion Act of 1997, appointments of Directors who are City Officers are effective upon the approval of a majority vote (6 votes) of the Board of Supervisors.  
Transmittal Date: April 5, 2018.)

**180352 [Mayoral Reappointment, Treasure Island Development Authority Board of Directors - Paul Giusti]**

Motion approving/rejecting the Mayor's nomination for reappointment of Paul Giusti to the Treasure Island Development Authority Board of Directors, for a term ending April 28, 2022. (Clerk of the Board)  
(Pursuant to the Treasure Island Conversion Act of 1997, appointments of Directors who are City Officers are effective upon the approval of a majority vote (6 votes) of the Board of Supervisors.  
Transmittal Date: April 5, 2018.)

**180354 [Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Cheryl Brinkman]**

Motion approving/rejecting the Mayor's nomination for the reappointment of Cheryl Brinkman to the Municipal Transportation Agency Board of Directors, for a term ending March 1, 2022. (Clerk of the Board)  
(Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing.  
Transmittal Date: April 5, 2018.)

**180355 [Mayoral Reappointment, Municipal Transportation Agency Board of Directors - Gwyneth Borden]**

Motion approving/rejecting the Mayor's nomination for the reappointment of Gwyneth Borden to the Municipal Transportation Agency Board of Directors, for a term ending March 1, 2022. (Clerk of the Board)

(Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing.

Transmittal Date: April 5, 2018.)

## REQUESTS FOR HEARING

**180337 [Hearing - Budget Priority - Public Safety Investments]**

**Sponsor: Cohen**

Hearing on homelessness and housing in the City budget, identifying funding levels and opportunities for future spending priorities; and requesting the Budget and Legislative Analyst, Police Department, and District Attorney to report.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**180338 [Hearing - Budget Priority - Clean Streets]**

**Sponsor: Cohen**

Hearing on street cleaning in the City budget, identifying historical funding levels and opportunities for future spending priorities; and requesting the Budget and Legislative Analyst, Public Works, and the Department of Public Health to report.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**180339 [Hearing - Budget Priority - Homelessness and Housing]**

**Sponsor: Cohen**

Hearing on homelessness and housing in the City budget, identifying historical funding levels and opportunities for future spending priorities; and requesting the Budget and Legislative Analyst, Department of Homelessness and Supportive Housing, the Mayor's Office of Housing, and the Department of Public Health to report.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**180340 [Hearing - Mayor's Municipal Broadband Proposal]**

**Sponsor: Cohen**

Hearing to examine the true cost of Mayor Farrell's municipal broadband proposal; and requesting the Mayor's Office of Civic Innovation, Department of Technology, and the Budget and Legislative Analyst to report.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180341 [Hearing - Fiscal and Technical Feasibility of Open Source Voting]**

**Sponsor: Cohen**

Hearing on the feasibility of developing and implementing an "Open Source" voting technology system in San Francisco, including economic investment required and technical concerns; and requesting the Office of the Controller, and the Department of Elections to report.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180342 [Hearing - Shelter Monitoring Committee Annual Report]****Sponsor: Safai**

Hearing on the annual report of the Shelter Monitoring Committee; and requesting the Shelter Monitoring Committee to report.

04/03/18; RECEIVED AND ASSIGNED to Rules Committee.

**Introduced at the Request of a Department**

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

**PROPOSED ORDINANCE****180282 [Dedication for Public Use - Brewster Street Extension Project]**

Ordinance dedicating the Brewster Street extension consisting of improvements on portions of Brewster Street and Martin Avenue in the Bernal Heights neighborhood to public use, declaring this area as shown on official Public Works drawings as open public right-of-way, and designating it for street and roadway purposes; establishing official sidewalk widths, public right-of-way widths, and street grades in connection with the Brewster Street extension; accepting the Brewster Street extension for City maintenance and liability; accepting a Public Works Order recommending dedication and acceptance of Brewster Street extension; authorizing official acts in connection with this Ordinance; 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. (Public Works)

03/14/18; RECEIVED FROM DEPARTMENT.

04/03/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/3/2018.

**PROPOSED RESOLUTIONS****180257 [Report of Assessment Costs - Accelerated Sidewalk Abatement Program]**

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, to be performed by said Director pursuant to Administrative Code, Section 80, the costs thereof having been paid for by the City and County out of a blight abatement fund. (Public Works)

03/26/18; RECEIVED FROM DEPARTMENT.

04/03/18; RECEIVED AND ASSIGNED to Board of Supervisors.



**180260 [Report of Assessment Costs - Sidewalk Inspection and Repair Program]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to the provisions of Public Works Code, Sections 706.9, and Administrative Code, Section 80, the costs thereof having been paid for out of a revolving fund. (Public Works)

03/26/18; RECEIVED FROM DEPARTMENT.

04/03/18; RECEIVED AND ASSIGNED to Board of Supervisors.

**180283 [Lease and Use Agreement - Hong Kong Airlines Limited - Estimated Rent of \$740,232.68]**

Resolution approving a 2011 Lease and Use Agreement between Hong Kong Airlines Limited, and the City and County of San Francisco, acting by and through its Airport Commission, with an estimated rent of \$740,232.68 for exclusive use, plus joint use space rent and landing fees, for the lease term expiring on June 30, 2021, to commence following Board approvals. (Airport Commission)

03/19/18; RECEIVED FROM DEPARTMENT.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180284 [Lease Amendment - United States Customs and Border Protection - Customs Cargo Office Space at Building 648 - Annual Rent of \$833,036]**

Resolution retroactively approving Amendment No. 1 to Lease No. TC-I-02-2801 between the United States Customs and Border Protection, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term of the lease for an additional ten years for a total term of February 1, 2003, through January 31, 2028, and adjust the annual rent to \$833,036. (Airport Commission)

03/19/18; RECEIVED FROM DEPARTMENT.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180285 [Contract Amendment - Leaders in Community Alternatives - Home Detention and Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2018 Calendar Year - Not to Exceed \$2,000,000]**

Resolution authorizing the Sheriff's Department to enter into a second amendment to the existing agreement with Leaders in Community Alternatives ("LCA") to extend the contract term by one year for a total term of May 1, 2014, through April 30, 2019, with no change in the not to exceed contract amount of \$2,000,000; approving the Sheriff Department's home detention and electronic monitoring program rules and regulations; and approving evidence of financial responsibility demonstrated by program administrator LCA for the 2018 calendar year. (Sheriff)

03/16/18; RECEIVED FROM DEPARTMENT.

04/03/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.



## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 9:42 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 May 8, 2018.*

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Angela Calvillo, Clerk of the Board