

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, May 8, 2018 - 2:00 PM

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

Regular Meeting

LONDON BREED, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

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

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

Volume 113 Number 15

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, May 8, 2018, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS

There were no communications.

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

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the April 3, 2018, Board Meeting Minutes. There were no corrections.

Supervisor Peskin, seconded by Supervisor Sheehy, moved to approve the April 3, 2018, Board Meeting Minutes. The motion carried by the following vote, following general public comment:

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

Absent: 1 - Safai

AGENDA CHANGES

There were no agenda changes.

Supervisor Safai was noted present at 2:05 p.m.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

There were no questions submitted from Supervisors representing the odd districts. Mayor Mark Farrell addressed the Board of Supervisors regarding the City and County of San Francisco's economic stability, past and current budget reserve, and the Resiliency Plan that has been established to ensure action is taken when certain thresholds are met that threaten the strength of the City's economy. Following public comment this matter was filed. No further action was taken.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

180156 [Health Code - Designation of City Attorney to Institute Mental Health Conservatorship and Assisted Outpatient Treatment Proceedings]

Sponsors: Breed; Sheehy, Kim, Safai and Cohen

Ordinance amending the Health Code to designate the City Attorney rather than the District Attorney to institute judicial proceedings under the Lanterman-Petris-Short Act to appoint conservators for persons with mental health disorders and compel participation in assisted outpatient treatment; and expressing the Board of Supervisors' intent to add positions to the Office of the City Attorney to institute such proceedings, and appropriate funding for that purpose. (Fiscal Impact)

Ordinance No. 117-18

FINALLY PASSED

Recommendation of the Public Safety and Neighborhood Services Committee

180159 [Police Code - Prohibition of Firearms at Public Gatherings]

Sponsors: Stefani; Tang, Breed, Ronen and Cohen

Ordinance amending the Police Code to prohibit firearms at certain public gatherings.

Ordinance No. 118-18

FINALLY PASSED

Recommendations of the Rules Committee

171137 [Administrative Code - Employee Regional Disaster Support Program]

Sponsor: Mayor

Ordinance amending the Administrative Code to establish a program by which the City would provide up to 80 hours of paid release time from work to employees directly and significantly harmed by a regional disaster, where the Mayor declares a regional disaster affecting City employees, subject to eligibility criteria established by the Human Resources Director and program terms and conditions.

Ordinance No. 115-18

FINALLY PASSED

180081 [Administrative Code - Reentry Council - Eligibility Age Change]

Sponsors: Breed; Cohen

Ordinance amending the Administrative Code to change the eligibility age for one of the seven former inmate members appointed to the Reentry Council by the Mayor from ages 18 to 24 to ages 18 to 35, and to require that that inmate member have been an inmate before the age of 24.

Ordinance No. 116-18

FINALLY PASSED

180171 [Administrative Code - Treasury Oversight Committee]

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

Ordinance No. 119-18

FINALLY PASSED

180215 [Municipal Elections Code - Disclosure Regarding Ballot Measures Involving Port Public Trust Property]

Sponsor: Peskin

Ordinance amending the Municipal Elections Code to require a notice in the voter information pamphlet for measures that would approve a development project or a substantial land use or zoning change on land held subject to the public trust by the City, acting by and through the Port Commission.

Ordinance No. 120-18

FINALLY PASSED

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

Recommendation of the Land Use and Transportation Committee

171284 [Building Code - Slope and Seismic Hazard Zone Protection Act]

Sponsors: Peskin; Safai, Cohen and Sheehy

Ordinance amending the Building Code to revise the City's Slope Protection Act by clarifying the scope of its application to properties exceeding an average slope of 25% grade, updating the map references, mandating review by the Department of Building Inspection's Structural Advisory Committee, and re-enacting and modifying a paragraph in the scope section regarding the type of proposed construction that triggers application of the Act which was omitted inadvertently in the adoption of the 2016 Code; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

Supervisors Safai, Cohen, and Sheehy requested to be added as co-sponsors.

Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by renaming the City's 'Slope Protection Act' to 'Slope and Seismic Hazard Zone Protection Act', changing the application of the protection from properties that 'exceeds an average slope of 25%' to properties that 'exceed an average slope of '4 horizontal to 1 vertical', expanding the mandatory review requirements that may be imposed by the Department of Building Inspection, adding review by a Structural Advisory Committee and specifying their considerations, changing the regulations to implement the Slope and Seismic Hazard Zone Protection Act, and making other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang, Yee
Ordinance amending the Building Code to revise the renamed City's Slope and Seismic Hazard Zone Protection Act by clarifying the scope of its application to properties exceeding an average slope of 4:1 grade, updating the map references, mandating review by the Department of Building Inspection's Structural Advisory Committee and/or a third party peer review under specified circumstances, and re-enacting and modifying a paragraph in the scope section regarding the type of proposed construction that triggers application of the Act that was omitted inadvertently in the adoption of the 2016 Code; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

180269 [Apply for, Accept, and Expend Grant - Metropolitan Transportation Commission - OneBayArea Grant - \$19,346,000]

Sponsor: Mayor

Resolution authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission (MTC); committing any necessary matching funds; stating assurance to complete the projects; and authorizing Public Works to accept and expend \$19,346,000 in OneBayArea Grant funds awarded through the MTC. (Public Works)
(Fiscal Impact)

Resolution No. 137-18

ADOPTED by the following vote:

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

180270 [Accept and Expend Grant - Federal Highway Administration - Emergency Relief Program - Addressing Severe Erosion Along O'Shaughnessy Boulevard - \$2,789,354]

Sponsor: Mayor

Resolution retroactively authorizing the Director of Public Works to act as the agent of the City and County of San Francisco, as a non-state agency, to accept and expend federal financial assistance under Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, from the United States Department of Transportation Federal Highway Administration, and/or state financial assistance under the California Disaster Assistance Act, for an amount not to exceed \$2,789,354 to reimburse the local funds used to cover the 2017 emergency response costs and pay for the federal share of the permanent restoration to address the emergency condition of the severe erosion along O'Shaughnessy Boulevard. (Public Works)
(Fiscal Impact)

Resolution No. 138-18

ADOPTED by the following vote:

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

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 the Grant for the period of November 22, 2017, through June 30, 2019.

Resolution No. 139-18

ADOPTED by the following vote:

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

President Breed requested File Nos. 180334, 180343, and 180344 be called together.

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

Sponsors: Tang; Cohen

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 of October 1, 2017, through September 20, 2018.

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

Resolution No. 140-18

ADOPTED by the following vote:

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

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

Sponsors: Tang; Cohen

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 of July 1, 2016, through December 31, 2019.

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

Resolution No. 141-18

ADOPTED by the following vote:

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

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

Sponsors: Tang; Cohen

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 of January 1, 2018, through December 31, 2019.

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

Resolution No. 142-18

ADOPTED by the following vote:

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

Recommendations of the Land Use and Transportation Committee

180086 [Planning Code - Legitimization and Reestablishment of Certain Self-Storage Uses]

Sponsor: Kim

Ordinance 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 Self-Storage use after the City vacates the property without regard to whether that Self-Storage use was established with benefit of permit; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general 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

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.

Supervisor Kim, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of May 15, 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 Yee, seconded by Supervisor Cohen, 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

ASIAN PACIFIC AMERICAN HERITAGE MONTH

President Breed opened the special commendation period, and Supervisor Yee provided background information and opening remarks. Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Asian Pacific American Heritage Month, their accomplishments, and their continued community support as referenced below:

*Supervisor Yee recognized Minette Kwok;
Supervisor Breed recognized Alex Aquino;
Supervisor Cohen recognized John Ena;
Supervisor Fewer recognized Raj Desai;
Supervisor Kim recognized the Low Family - retired Judge Harry, Larry, and Allan;
Supervisor Peskin recognized James Q. Chan;
Supervisor Ronen recognized Howard Woo;
Supervisor Safai recognized Jun Gin "Ina" Lee;
Supervisor Sheehy recognized Takami Craddock;
Supervisor Stefani recognized Traci Teraoka; and
Supervisor Tang recognized Anni Chung.*

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

*Mr. Wright; expressed concerns regarding sexual assaults of women and statute of limitations.
Peter Warfield; shared concerns regarding the San Francisco Public Library and use of radio frequency identification.*

Francisco Da Costa; expressed concerns regarding attention to public comment, and shared his thoughts regarding the honorees during today's commendations and homelessness.

Kelley Cutler; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Christine Bell; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Yvonne Keen; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Shaun Haines; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Jon Lau; expressed support of the Resolution recognizing Acoustic Neuroma Awareness Week (File No. 180470).

Two Speakers; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Fred Sherburn-Zimmer; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Sonja Trauss; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Michelle King; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Jordyn Davis; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Melody; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Sam; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Leslie Dreyer; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Chiraq Bhakta; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Jack; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Colleen; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

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

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

Abdul Malik; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.

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

Emily Cogen; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Pastor Evan; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Jennifer Friedenbach; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Tom Gilbert; expressed concerns regarding new development projects in the Eastern Neighborhoods and the stability of the housing market.

Speaker; shared concerns regarding the temporary housing for homeless and a food provider contract.

Wynship W. Hillier; shared his experience with mental disabilities and Citywide Case Management/Community Focus.

Charles Pitts; expressed concerns regarding the encampment sweeps occurring throughout the City and the lack of solutions for the homeless.

Speaker; expressed concerns regarding fair housing and rental housing evictions.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

180466 [Urging the Department of Real Estate to Issue Request for Development Proposals for 530 Sansome Street]

Sponsor: Peskin

Resolution urging the Department of Real Estate to act expeditiously to issue a request for proposals to develop market-rate housing and a new Fire Station 13 located at 530 Sansome Street, in order to fund the development of 100% affordable housing at 772 Pacific Avenue, and the preservation of New Asia Restaurant.

Resolution No. 143-18

ADOPTED

180469 [Supporting California State Assembly Bill 2888 (Ting) - Gun Violence Restraining Order]

Sponsor: Stefani

Resolution supporting California State Assembly Bill 2888, the Gun Violence Restraining Order, authored by Assembly Member Phil Ting.

Resolution No. 144-18

ADOPTED

180470 [Recognizing Acoustic Neuroma Awareness Week - May 6 through 12, 2018]

Sponsor: Tang

Resolution recognizing May 6, 2018, through May 12, 2018, as Acoustic Neuroma Week in San Francisco, and commending the Acoustic Neuroma Association for its ongoing efforts to educate the public about this rare brain tumor and its mission to support patients and family members of those affected by an acoustic neuroma diagnosis.

Resolution No. 145-18

ADOPTED

180443 [Final Map 9299 - 1731-1741 Powell Street]

Motion approving Final Map 9299, a 19 residential unit and one commercial unit, mixed-use condominium project, located at 1731-1741 Powell Street, being a subdivision of Assessor's Parcel Block No. 0101, Lot No. 004; and adopting findings pursuant to the General Plan, and the priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M18-072

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisors Cohen and Fewer requested that File No. 180433 be severed so that it may be considered separately.

180433 [Declaring Support for California State Senate Bill 1024 (Wilk) - Animal Welfare and Violence Intervention Act of 2018]

Sponsors: Tang; Sheehy

Resolution declaring support for California State Senate Bill 1024 (SB1024), the Animal Welfare and Violence Prevention Act of 2018, authored by Senator Scott Wilk, mandating defendants convicted of specified animal cruelty offenses to undergo mental health evaluation, humane education courses, and, if deemed necessary by the mental health professional, to undergo mandatory counseling.

NOT ADOPTED by the following vote:

Ayes: 4 - Peskin, Sheehy, Stefani, Tang

Noes: 7 - Breed, Cohen, Fewer, Kim, Ronen, Safai, 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

180480 [Administrative Code - Office of Sexual Harassment and Assault Response and Prevention]

Sponsors: Ronen; Stefani, Kim, Fewer, Cohen, Tang, Sheehy, Safai, Yee, Breed and Peskin
Ordinance amending the Administrative Code to establish, and to set rules governing the appointment of the Director and the qualifications and duties of employees of the Office of Sexual Harassment and Assault Response and Prevention (Office) as a City department under the direction and oversight of the Human Rights Commission, which Office shall be responsible for: 1) receiving complaints concerning the manner in which any City department has responded or failed to respond to allegations of sexual assault or sexual harassment, and assisting complainants in navigating within City government to resolve those complaints; 2) compelling the attendance of City officers or employees at meetings with complainants; 3) notifying relevant City departments of any failure, in connection with a complaint of sexual assault or sexual harassment, to perform a duty imposed by law, or to perform a promised act, or to respond reasonably to the complainant's or Office's requests, or to otherwise fully and conscientiously respond to the complainant's or the Office's concerns, and reporting to the Mayor and the Board of Supervisors if any City department so notified fails to take timely and adequate corrective action; 4) in certain cases, referring City officers and employees to appropriate disciplinary authorities for possible professional or administrative discipline; 5) requiring City departments to report aggregated or otherwise de-identified information concerning the department's handling of allegations of sexual assault and harassment; 6) engaging with community members to develop recommendations for improving the City's efforts to combat sexual assault and harassment, and making related recommendations to City policymakers; 7) making regular reports to the Human Rights Commission; and 8) maintaining the confidentiality of information required by law to be kept confidential, and respecting complainants' wishes for confidentiality to the maximum extent permitted by law.
(Fiscal Impact; No Budget and Legislative Analyst Report)

05/08/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/7/2018.

180481 [Building Code - Process for Building Inspection Commission Review of Legislation Proposed by the Board of Supervisors]

Sponsor: Tang
Ordinance amending the Building Code to establish a process for the Building Inspection Commission's review of legislation proposed by the Board of Supervisors; and affirming the Planning Department's determination under the California Environmental Quality Act.

05/08/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/7/2018.

180482 [Planning Code - Permit Review Procedures and Zoning Controls - Neighborhood Commercial Districts in Supervisorial Districts 4 and 11]**Sponsors: Tang; Safai**

Ordinance amending the Planning Code to create a two-year pilot program removing public notice and Planning Commission review for certain uses in Neighborhood Commercial Districts in Supervisorial Districts 4 and 11; modifying zoning controls for certain uses in Supervisorial Districts 4 and 11; 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.

05/08/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/7/2018.

180483 [Planning Code - Health Services - Ocean Avenue Neighborhood Commercial Transit District]**Sponsor: Yee**

Ordinance amending the Planning Code to provide that in the Ocean Avenue Neighborhood Commercial Transit District a Health Service Use, whether Principal or Accessory, requires a Conditional Use authorization on the ground story and is permitted above the ground story; 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.

05/08/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/7/2018.

RESOLUTION

180484 [Urging the Mayor to Fund Specific Cross-Departmental Priorities in the Two-Year Budget for FYs 2018-2019 and 2019-2020]**Sponsors: Cohen; Stefani and Fewer**

Resolution urging the Mayor to fund specific cross-departmental budget priorities, including pedestrian safety for seniors, workforce development, out of school time for youth, and to develop a strategic funding framework for cultural districts in the two-year budget for FYs 2018-2019 and 2019-2020.

05/08/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS

180485 [Calling from Committee - Committee of the Whole - Proposed Ordinance (File No. 180318) - Administrative Code - Landlord Operating and Maintenance Expenses - May 22, 2018]

Sponsor: Fewer

Motion calling from the Rules Committee, pursuant to Board Rule 3.37, the proposed Ordinance (File No. 180318) 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; and scheduling the Board of Supervisors to sit as a Committee of the Whole on May 22, 2018, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance (File No. 180318).

05/08/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

180488 [Cost of Living Adjustment to the Contract for Budget and Legislative Analyst Services - \$2,290,451 - FY2018-2019]

Motion enacting a 3% cost of living adjustment (COLA) to the base FY2017-2018 contract amount of \$2,223,739 for Budget and Legislative Analyst Services, to be effectuated as of July 1, 2018, resulting in a new FY2018-2019 contract amount of \$2,290,451, an increase of \$66,712; and directing the Clerk of the Board to take all necessary administrative action to amend the contract accordingly. (Clerk of the Board)

05/08/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

REQUESTS FOR HEARING

180486 [Hearing - Housing Stabilization Programs in Development Agreement Projects]
Sponsors: Breed; Cohen

Hearing regarding funding and support for housing stabilization programs in Development Agreement projects; and requesting the Mayor's Office of Housing and Community Development, Office of Economic and Workforce Development, Planning Department, and Controller to report.

05/08/18; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

180487 [Hearing - Central Subway Project]
Sponsor: Peskin

Hearing to receive information on the Central Subway Project coordinated construction management, project budget updates and schedule; and requesting the Municipal Transportation Agency and Tudor Perini Corporation to report.

05/08/18; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Introduced at the Request of a Department

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

PROPOSED RESOLUTIONS

180439 [Real Property Acquisition - Easements from Lake Merced Golf Club - Regional Groundwater Storage and Recovery Project, San Mateo County - \$66,465]

Resolution approving and authorizing the acquisition of one permanent surface access easement; seven permanent subsurface easements for an electrical line, telephone line, utility line, storm drain, sanitary sewer, utility water and well discharge; one temporary construction easement; and a well and building easement that includes bathroom improvements from Lake Merced Golf Club, a California corporation, for \$66,465 to be used by the City and County of San Francisco under the Water System Improvement Program for the access, installation, modification, removal, inspection, maintenance, repair, replacement, periodic scheduled maintenance, emergency repairs, and construction of the project known as the Regional Groundwater Storage and Recovery Project, Project No. CUW30103; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and approving the Agreement and authorizing the Director of Property and/or the San Francisco Public Utilities Commission General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Public Utilities Commission)

04/26/18; RECEIVED FROM DEPARTMENT.

05/08/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

180440 [Agreement Amendment - ARAMARK Correctional Services, LLC - Jail Food Services - Not to Exceed \$19,659,606]

Resolution authorizing the Sheriff's Department to execute a Fourth Amendment to the existing Agreement with ARAMARK Correctional Services, LLC, for jail food services to extend the contract term four months from July 1, 2018, to October 31, 2018, with no change to the amount not to exceed \$19,659,606. (Sheriff)

04/27/18; RECEIVED FROM DEPARTMENT.

05/08/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

180441 [Airport Professional Services Contract - Management and Operation of the Airport's Public and Employee Parking Facilities - Not to Exceed \$124,812,393]

Resolution approving Professional Services Contract No. 50107.01 for the Management and Operation of the Airport's Public and Employee Parking Facilities between New South Parking - California, GP, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$124,812,393 over a five year term from July 1, 2018, through June 30, 2023. (Airport Commission)
(Fiscal Impact; No Budget and Legislative Analyst Report)

04/27/18; RECEIVED FROM DEPARTMENT.

05/08/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

180442 [2011 Lease and Use Agreement - Thomas Cook Airlines Limited]

Resolution approving a 2011 Lease and Use Agreement No. 18-0086 between Thomas Cook Airlines Limited, and the City and County of San Francisco, acting by and through its Airport Commission, to conduct flight operations at the San Francisco International Airport, with no change to the term length to expire on June 30, 2021, to commence on the first day of the month following upon approval by the Board of Supervisors. (Airport Commission)

04/27/18; RECEIVED FROM DEPARTMENT.

05/08/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Request Granted

From: Supervisor Peskin

To: San Francisco International Airport (SFO)

Requesting/Inquiring: Supervisor Peskin requests a Letter of Inquiry to San Francisco International Airport (SFO) on Use of Facilities Policies.

May 8, 2018

Dear Madame Clerk Calvillo,

On May 1, 2018, the Board of Supervisors adopted a resolution formally condemning the recent inhumane treatment of Filipino activist Jerome Succor Aba, on file with your office in File No. 180432. Under the unlimited power of inquiry assigned to the Board of Supervisors in the City Charter and under the Sunshine provisions outlined in California Government Section 6253.1, I request the Office of the Clerk of the Board to submit a letter of inquiry on behalf of my office to obtain the following information from the San Francisco International Airport (SFO), where the interrogation and detention took place for 28 hours:

- Does the SFO have a formal policy on the use of airport facilities for the Department of Homeland Security (DHS) to deny passengers their constitutional rights and their rights under the United Nations Charter and International Law? What about a formal policy on the use of airport facilities to detain passengers without access to legal counsel*
- Does the SFO have specific quarters that are designated for detention and interrogation? Where are these spaces located at SFO and what do they look like? Who monitors what happens inside of these rooms and who has access to them?*
- Immigrant detainees have reported that Customs and Border Protection (CBP) refer to the rooms where detainees are held as "iceboxes", the description of which closely resembles the description Mr. Aba used in his retelling of his detention experience. Does the SFO have stainless steel rooms or 4-sided metal meeting rooms anywhere on the premises? Where are they located? Do these rooms have windows or surveillance cameras? Who has access to these rooms? Who has access to the temperature controls?*
- What federal offices and agencies are located at the SFO airport facilities? What Department of Homeland Security (DHS) agencies, offices and divisions are at the SFO?*

- *What is the nature of the binding relationship between the federal government agencies and the SFO, whether regulatory, legislative or statutory, and the nature of lease and tenancy contracts? What is the nature of the relationship with the DHS and CBP, in particular?*
- *Does the DHS lease space with conditions or own and operate its space outright? Does the SFO receive rent from federal agencies for use of SFO space or resources, including security staff, facilities or cameras?*
- *What kinds of conditions does the SFO place on its relationship with federal agencies operating out of the SFO airport, including the DHS and CBP?*
- *What role does the Airport Commission have in overseeing any of these conditions and inter-agency agreements? Are SFO facilities tenants made aware of the City's Sanctuary City and Due Process For All laws?*
- *Does the SFO receive any regular reporting from federal agencies utilizing SFO facilities on the use of this space for security purposes, including how many individuals are detained per month? Where are civil rights complaints filed and who responds to violations by federal agencies or SFO tenants against civilians?*

Staff should respond to this inquiry by the start of Budget and Finance Committee on May 10 at, 2018 at 1:00 pm and copy Sunny Angulo in my office.

In Memoriams

*Soni Wolf - Supervisor Sheehy
Rong Hai Lao - Supervisor Peskin
Lee Radner - Supervisor Peskin*

ADJOURNMENT

There being no further business, the Board adjourned at the hour 5:19 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 June 12, 2018.

Angela Calvillo, Clerk of the Board