

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, February 14, 2017 - 2:00 PM

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

Regular Meeting

LONDON BREED, PRESIDENT

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

**Budget and Finance Committee**  
Supervisors Cohen, Yee, Tang

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

**Land Use and Transportation Committee**  
Supervisors Farrell, Peskin, Tang

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

**Rules Committee**  
Supervisors Safai, Fewer, Yee

#### Meeting Days

Thursday  
1:00 PM

1st and 3rd Thursday  
10:00 AM

Monday  
1:30 PM

2nd and 4th Wednesday  
10:30 AM

2nd and 4th Wednesday  
1:00 PM

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

Volume 112 Number 6

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, February 14, 2017, with President London Breed presiding.*

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

*President Breed called the meeting to order at 2:03 p.m. On the call of the roll, all Supervisors were noted present. There was a quorum.*

## **COMMUNICATIONS**

*There were no communications.*

## **AGENDA CHANGES**

*There were no agenda changes.*

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

*There were no questions submitted from Supervisors representing the odd districts. Mayor Edwin Lee wished everyone a Happy Valentine's Day and addressed the Board of Supervisors regarding the uncertainties of health care and medical research and what San Francisco is doing to ensure all residents continue to have access to coverage and medical services. No further action was taken.*

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the Rules Committee

#### **161350 [Administrative Code - Dignity Fund Oversight and Advisory Committee]**

**Sponsors: Cohen; Yee**

Ordinance amending the Administrative Code to set the structure, functions, terms, and administrative support for the Dignity Fund Oversight and Advisory Committee, as required by Charter, Section 16.128-11, adopted as part of Proposition I at the November 8, 2016, general municipal election.

**Ordinance No. 046-17**

**FINALLY PASSED** by the following vote:

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

### Recommendation of the Budget and Finance Committee

#### **161316 [Administrative, Business and Tax Regulations, Police Codes - Elimination of Fees]**

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

Ordinance amending the Administrative, Business and Tax Regulations, and Police Codes to eliminate various fees imposed by the City.

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

**Ordinance No. 045-17**

**FINALLY PASSED** by the following vote:

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

## NEW BUSINESS

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

#### **161354 [Apply for Grants - 2017 Emergency Preparedness Grants]**

**Sponsor: Mayor**

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco any actions necessary for the purpose of obtaining State and Federal financial assistance under various grant programs, including: the Federal Fiscal Year 2017 Urban Areas Security Initiative Grant, the Federal Fiscal Year 2017 State Homeland Security Grant Program, the 2017 Emergency Management Performance Grant, and the 2017 Local Government Oil Spill Contingency Plan Grant Program.

**Supervisor Cohen, seconded by Supervisor Kim, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of February 28, 2017. The motion carried by the following vote:**

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

#### **161363 [Real Property Sublease - Harrison Assets, LLC - 1440 Harrison Street - \$3,577,644 Total Rent in the First Year]**

Resolution authorizing a Sublease for the term of July 1, 2017, through September 30, 2025, at 1440 Harrison Street, with Harrison Assets, LLC, a California limited liability company, for approximately 56,788 square feet at \$298,137 monthly for a total first year rent of \$3,577,644 which amount shall increase annually on each July 1 beginning in 2018 by 3 percent, and three five-year options to extend, for use by the Human Services Agency. (Real Estate Department) (Fiscal Impact)

*Privilege of the floor was granted unanimously to Claudia Gorham (Real Estate Division) who responded to questions raised throughout the discussion.*

*Supervisor Yee stated for the record that, if the San Francisco Unified School District is not interested in selling the property at 1440 Harrison Street to the City, the Board is interested in leasing the property directly and a letter to that effect should be sent by the Real Estate Division. President Breed further requested the Real Estate Division to always be sufficiently prepared to answer questions during hearings for all future matters coming before the Board for consideration.*

**Resolution No. 046-17**

**ADOPTED by the following vote:**

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

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**Recommendations of the Budget and Finance Committee****161073 [Accept and Expend Gift - RDF 75 Howard LP - Citywide Affordable Housing Fund - \$6,010,047]****Sponsor: Kim**

Resolution authorizing the Mayor's Office of Housing and Community Development to accept and expend a gift of \$6,010,047 from RDF 75 Howard LP to the Citywide Affordable Housing Fund.

**Resolution No. 043-17****ADOPTED by the following vote:**

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

**161266 [Airport Professional Services Agreement Modification No. 3 - Operation and Maintenance Services for the AirTrain System - Not to Exceed \$115,444,968]**

Resolution approving Modification No. 3 to Professional Services Agreement, Airport Contract No. 8838, between Bombardier Transportation (Holdings) USA, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, to exercise the first of two one-year options from March 1, 2017, through February 28, 2018, to provide operation and maintenance services for the AirTrain System, and cover the replacement of obsolete AirTrain parts and equipment, for a new not-to-exceed amount of \$115,444,968 pursuant to Charter, Section 9.118(b). (Airport Commission)  
(Fiscal Impact)

**Resolution No. 044-17****ADOPTED by the following vote:**

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

**170009 [Public Auction - Tax-Defaulted Real Property]**

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property, as defined herein. (Treasurer-Tax Collector)

**Resolution No. 047-17****ADOPTED by the following vote:**

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

*President Breed requested File Nos. 170010, 170011, 170012, 170013, and 170014 be called together.*

**170010 [Contract Amendment - AdvanTel Networks - \$15,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Fourth Amendment of the contract agreement between the City and County of San Francisco and AdvanTel Networks, to increase the contract limit from \$9,900,000 to \$15,000,000 for the period of October 13, 2011, through September 30, 2018. (Office of Contract Administration)  
(Fiscal Impact)

**Resolution No. 037-17****ADOPTED by the following vote:**

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

**170011 [Contract Amendment - ComputerLand of Silicon Valley - Technology Marketplace, Tier 1A - \$58,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment to the contract agreement between the City and County of San Francisco and ComputerLand of Silicon Valley, a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from \$44,000,000 to \$58,000,000 for the period of October 1, 2014, through September 30, 2018. (Office of Contract Administration)  
(Fiscal Impact)

**Resolution No. 038-17**

**ADOPTED by the following vote:**

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

**170012 [Contract Amendment - En Pointe Technologies Sales, Inc. - Technology Marketplace, Tier 1A - \$77,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment to the contract agreement between the City and County of San Francisco and En Pointe Technologies Sales, Inc., a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from \$50,000,000 to \$77,000,000 for the period of October 1, 2014, through September 30, 2018. (Office of Contract Administration)  
(Fiscal Impact)

**Resolution No. 039-17**

**ADOPTED by the following vote:**

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

**170013 [Contract Amendment - Xtech JV - Technology Marketplace, Tier 1A - \$94,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment to the contract agreement between the City and County of San Francisco and Xtech JV, a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from \$56,000,000 to \$94,000,000 for the period of October 1, 2014, through September 30, 2018. (Office of Contract Administration)  
(Fiscal Impact)

**Resolution No. 040-17**

**ADOPTED by the following vote:**

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

**170014 [Contract Amendment - InterVision Systems Technologies, Inc. - Technology Marketplace, Tier 1B - \$30,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment of the contract agreement between the City and County of San Francisco and InterVision Systems Technologies, Inc., a Technology Marketplace, Tier 1B Specialist contractor, to increase the contract limit from \$15,499,000 to \$30,000,000 for the period of October 1, 2014, through September 30, 2018. (Office of Contract Administration)  
(Fiscal Impact)

**Resolution No. 041-17**

**ADOPTED by the following vote:**

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

### **Supervisor Safai Excused from Voting**

*Supervisor Safai requested to be excused from voting on File No. 170015, due to a possible conflict of interest.*

**Supervisor Peskin, seconded by Supervisor Farrell, moved that Supervisor Safai be excused from voting on File No. 170015. The motion carried by the following vote:**

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

Excused: 1 - Safai

### **170015 [Prevailing Wage Rates - Loading, Unloading, and Driving Commercial Vehicles on City Property]**

Resolution fixing prevailing wage rates for individuals engaged in loading or unloading on City property of materials, goods, or products into or from a commercial vehicle in connection with a show or special event, and individuals engaged in driving a commercial vehicle into or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event. (Civil Service Commission)  
(Fiscal Impact)

**Resolution No. 048-17**

**ADOPTED by the following vote:**

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

Excused: 1 - Safai

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

#### **161064 [Administrative, Planning Codes - New Hotels and Motels Near Places of Entertainment]**

**Sponsors: Breed; Farrell**

Ordinance amending the Administrative and Planning Codes to authorize the Entertainment Commission to hold a hearing on noise issues related to proposed projects for construction of new hotels and motels, or conversions of existing structures to hotel or motel uses, to be located within 300 feet of a Place of Entertainment, and to provide recommendations to the Planning Department and/or Department of Building Inspection regarding such projects, and require the Planning Department and Planning Commission to consider noise issues when reviewing proposed hotel and motel projects; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

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

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

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

### **161352 [Health Code - Sale of Domestic Dogs and Cats]**

**Sponsors: Tang; Farrell and Cohen**

Ordinance amending the Health Code to prohibit pet stores from selling dogs or cats not obtained from animal rescue organizations or shelters, and prohibiting the sale of puppies or kittens under eight weeks old.

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

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

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

### **161268 [Liquor License Transfer - 616 Divisadero Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license to Emporium SF, LLC, dba Emporium San Francisco, located at 616 Divisadero Street (District 5), will serve the public convenience or necessity of City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**Resolution No. 045-17**

**ADOPTED by the following vote:**

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

## **Recommendations of the Rules Committee**

### **161136 [Amending Board Rules - Administration of Oaths]**

**Sponsor: Peskin**

Motion amending the Board of Supervisors Rules of Order to set forth the process for administration of oaths to individuals testifying before the Board, and to authorize the Government Audit and Oversight Committee to administer oaths.

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

**Supervisor Peskin, seconded by Supervisor Yee, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 19, by striking 'a' and adding 'the Government Audit and Oversight', Line 22, by adding 'City employees testifying in their official capacity and persons testifying during'; on Page 1, Line 25, through Page 2, Line 2, by adding 'In addition to the authority granted by this Rule, the Board by written motion may authorize any standing committee to administer oaths, consistent with Charter Section 16.114.'; on Page 2, Lines 7-8, by striking 'members of the general public offering comment during that portion of the meeting' and adding 'City employees testifying in their official capacity and persons testifying during public comment', and Line 9, by striking 'excluding public comment.' The motion carried by the following vote:**

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

**NOT APPROVED AS AMENDED pursuant to Board Rule 3.26.1 that requires an affirmative vote of two-thirds of the Board, by the following vote:**

Ayes: 7 - Breed, Cohen, Fewer, Kim, Peskin, Safai, Yee

Noes: 4 - Farrell, Ronen, Sheehy, Tang



**170109 [Confirming Reappointment - City Administrator - Naomi Kelly]****Sponsor: Mayor**

Motion confirming the reappointment of Naomi Kelly, for a five-year term, as City Administrator under Charter, Section 3.104.

**Motion No.** M17-019

**APPROVED by the following vote:**

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

**170118 [Amending Board Rules 3.27 and 3.28 - Striking Board Rule 3.31 - Adding Board Rule 3.29 to Create a Budget and Finance Select Committee on Federal Policy Changes]****Sponsors: Breed; Cohen**

Motion amending the Rules of Order of the Board of Supervisors by making clarifying amendments to Rule 3.27 Public Safety and Neighborhood Services, and Rule 3.28 Land Use and Transportation Committee; striking Rule 3.31 to remove the Joint City and School District Select Committee; and adding Rule 3.33 to create a Budget and Finance Select Committee on Federal Policy Changes.

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

**Supervisor Breed, seconded by Supervisor Tang, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 1 and 6, and Page 2, Lines 6 and 7, by changing '3.33' to '3.29.'** The motion carried by the following vote:

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

Motion amending the Rules of Order of the Board of Supervisors by making clarifying amendments to Rule 3.27 Public Safety and Neighborhood Services, and Rule 3.28 Land Use and Transportation Committee; striking Rule 3.31 to remove the Joint City and School District Select Committee; and adding Rule 3.29 to create a Budget and Finance Select Committee on Federal Policy Changes.

**Motion No.** M17-020

**APPROVED AS AMENDED pursuant to Board Rule 3.26.1 that requires an affirmative vote of two-thirds of the Board, by the following vote:**

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

**Supervisor Cohen Excused from Voting**

**Supervisor Tang, seconded by Supervisor Safai, moved that Supervisor Cohen be excused from voting on File No. 170146. The motion carried by the following vote:**

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

Excused: 1 - Cohen

**170146 [Appointment, California State Association of Counties - Supervisor Malia Cohen]**

Motion appointing Supervisor Malia Cohen, for a one-year term, to the California State Association of Counties. (Rules Committee)

**Motion No.** M17-021

**APPROVED by the following vote:**

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

Excused: 1 - Cohen

**Supervisor Sheehy Excused from Voting**

Supervisor Yee, seconded by Supervisor Farrell, moved that Supervisor Sheehy be excused from voting on File No. 170147. The motion carried by the following vote:

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

**170147 [Appointment, Bay Area Air Quality Management District Board of Directors - Supervisor Jeff Sheehy]**

Motion appointing Supervisor Jeff Sheehy, for a four-year term, to the Bay Area Air Quality Management District Board of Directors. (Rules Committee)

**Motion No. M17-022**

**APPROVED by the following vote:**

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

**170148 [Appointments, Veterans Affairs Commission - Victor Olivieri, Kelsey Campbell, David Chasteen, and Dorothy "Dottie" Guy]**

Motion appointing Victor Olivieri, Kelsey Campbell, David Chasteen, and Dorothy "Dottie" Guy, for the unexpired portion of four-year terms, to the Veterans Affairs Commission. (Rules Committee)

**Motion No. M17-023**

**APPROVED by the following vote:**

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

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

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

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

*Supervisor Tang introduced, welcomed, and presented a Certificate of Honor to Deputy Chief Garret Tom on the occasion of his retirement from the Police Department after more than three decades of civil service and in recognition of his many accomplishments and continued community support. Supervisors Kim, Fewer, Peskin, and Cohen shared in this commendation.*

*President Breed recessed the meeting 2:42 p.m. and reconvened the meeting at 2:44 p.m.*

*Supervisor Sheehy introduced, welcomed, and presented a Certificate of Honor to Dennis Peron who was instrumental in legalizing medical cannabis in California 20 years ago and in recognition of his many accomplishments and efforts as an advocate.*

*Supervisor Fewer introduced, welcomed, and presented a Certificate of Honor to Victor Lee, Recreation Coordinator for the Golden Gate Park Senior Center, in recognition of his many accomplishments providing support, services and quality activities for senior citizens. Katherine Hill (Recreation and Park Department) shared in this commendation.*

*Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Pedro Hermosillo, of Pedro's Moving & Storage, in recognition of the significant growth of his small business and his commitment to economic development in the Bayview.*

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

*President Breed requested File Nos. 170024, 170025, 170026, and 170027 be called together.*

**170024 [Hearing - Appeal of Determination of Infill Project Environmental Review - Proposed Project at 1296 Shotwell Street]**

Hearing of persons interested in or objecting to the determination of streamlined environmental review under the California Environmental Quality Act issued by the Planning Department on November 21, 2016, for a proposed infill project located at 1296 Shotwell Street, to demolish the existing one-story industrial building on the site and construct a 100% Affordable Senior Housing project with 94 dwelling units, including 20 units for formerly homeless seniors. (District 9) (Appellant: Craig Weber, on behalf of the Inner Mission Neighbors Association) (Filed December 30, 2017) (Clerk of the Board)

*President Breed opened the public hearing and inquired as to whether any member of the public wished to address the Board. Craig Weber (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Erica Levin (Inner Mission Neighbors); Albert Pastine; Lucy Junus and Jane Perry (Inner Mission Neighbors); Tom Gilbert; Doug Wildman; Emily Sharkey (Inner Mission Neighbors); spoke in support of the appeal. Lisa Gibson, Acting Environmental Review Officer, and Alana Callagy (Planning Department), provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Elaine Yee (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Joel Schmeltzer; Fran Taylor (CC Puede); Sam Moss (Mission Housing Development Corporation); Female Speaker; Jasmine; Blanca Diaz; Miriam Madrigal; Female Speaker; Female Speaker; Chirag Bhakta (Mission Housing); Saimay; Rob Poole (San Francisco Housing Action Coalition); Iris Biblowitz; Female Speaker; James Tracy (Community Housing Partnership); Tony Robles (Senior & Disability Action); Peter Cohen (Council of Community Housing Organizations); Kevin Burke; Laura Clark (YIMBY); Milo Strauss; Charlie Sciammas (PODER); Maria Binta; Jordan Davis (Mission SRO Collaborative); J. Scott Weaver (San Francisco Tenants Union); Soledad M. Fipeda de Gutierrez; Diana Martinez (Mission SRO Collaborative); Ramon Quintero (Tenderloin Neighborhood Development Corporation); Andy Blue (Plaza 16 Coalition); Leslie Dreyer; Susan Marsh; Sharon York (ACCE); Erick Arguello and John Mendoza (Calle 24 Latino Cultural District); Otto Duffy; Fernando Marti (Council of Community Housing Organizations); Eric Hall; Peter Papadopoulos; Marilyn Duran (PODER); Male Speaker; Wendy; Iris Merriam; Caroline Baine; ; spoke in support of the project and in opposition to the appeal. Craig Weber (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Breed closed public comment and declared the hearing heard and filed.*

**HEARD AND FILED**

**170025 [Affirming the Determination of Infill Project Environmental Review - Proposed Project at 1296 Shotwell Street]**

Motion affirming the determination by the Planning Department that a proposed infill project at 1296 Shotwell Street is eligible for streamlined environmental review under the California Environmental Quality Act. (Clerk of the Board)

**Motion No. M17-018**

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

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

**170026 [Conditionally Reversing the Determination of Infill Project Environmental Review - Proposed Project at 1296 Shotwell Street]**

Motion conditionally reversing the determination by the Planning Department that a proposed infill project at 1296 Shotwell Street is eligible for streamlined environmental review under the California Environmental Quality Act, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

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

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

**170027 [Preparation of Findings to Reverse the Determination of Infill Project Environmental Review - Proposed Project at 1296 Shotwell Street]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed infill project at 1296 Shotwell Street is eligible for streamlined environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

## COMMITTEE REPORT

### Recommendation of the Budget and Finance Committee

**170065 [Funding Application - Board of State and Community Corrections - Renovation of County Jail No. 2 - \$70,000,000 of State Funding - \$12,000,000 of Additional City Funding]**

Resolution authorizing the Sheriff's Department to submit a funding application to the Board of State and Community Corrections pursuant to California State Senate Bill 844 (2016) for \$70,000,000 for a proposed project to renovate County Jail No. 2; outlining the matching cash contribution of \$8,200,000 and additional funds of \$3,800,000 for a total of \$12,000,000 needed for the proposed project; and conditionally approving the form and execution of associated financing and construction documents. (Sheriff)  
(Fiscal Impact)

*Privilege of the floor was granted unanimously to Sheriff Vicki Hennessy (Sheriff's Office) and Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

**Resolution No. 042-17**

**ADOPTED by the following vote:**

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

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

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

*Iris Merriam; shared her aunt's experience being evicted from her home.*

*Peter Warfield; expressed concerns regarding the San Francisco Public Library and fines being charged.*

*Male Speaker; shared various political and religious concerns.*

*Tom Gilberty; shared concerns regarding President Trump and his multiple bankruptcies, Supreme Court justices, and development projects.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*Supervisor Peskin requested that File No. 170161 be severed so that it may be considered separately.*

### 170161 [Urging the California State Legislature to Amend the Revenue and Taxation Code to Enable California Local Jurisdictions to Levy a Personal Income Tax and a Corporation Tax]

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

Resolution urging the California state legislature to amend the Revenue and Taxation Code to enable local California jurisdictions to levy personal and corporate income taxes, which the City and County of San Francisco could utilize as a sustained source of funding for transportation and public health priorities.

Supervisor Peskin, seconded by Supervisor Yee, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by striking 'Corporate Income' and adding 'Corporation'; on Page 2, Lines 16-21, by adding 'and WHEREAS, A corporation tax is an alternative to a gross receipts tax, which allows for corporation profits to be taxed as opposed to receipts; and WHEREAS, Both a local income tax and a corporation tax are intended to be included in a menu of options San Francisco could avail itself of to generate sustainable progressive revenue to meet the City's growth demands;' and on Page 3, Lines 8-9, by striking 'with a request to take any and all action necessary to achieve the objectives of this resolution.' The motion carried by the following vote:

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

Supervisor Peskin, seconded by Supervisor Cohen, moved that this be CONTINUED AS AMENDED to the Board of Supervisors meeting of February 28, 2017. The motion carried by the following vote:

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

*Supervisor Yee requested that File No. 170162 be severed so that it may be considered separately.*

### 170162 [Urging the Planning Commission to Adopt General Plan Amendments Defining Family-Friendly Housing]

**Sponsors: Yee, Ronen, Safai, Sheehy, Kim, Breed, Peskin, Fewer, Cohen, Farrell and Tang**

Resolution urging the Planning Commission to initiate amendments to the General Plan's Housing and Urban Design Elements regarding family-friendly housing.

**Resolution No. 049-17**

**ADOPTED by the following vote:**

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

## IMPERATIVE AGENDA

*There were no imperative agenda items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

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

### Resolutions

**170180 [Emergency Declaration - Kezar Pavilion Boilers - Estimated Cost of Repairs Exceeds \$250,000]**

**Sponsor: Mayor**

Resolution approving the Recreation and Park Department General Manager's declaration of an emergency based on catastrophic failure of the boiler system at Kezar Pavilion, estimated cost more than \$250,000 to repair, pursuant to Administrative Code, Section 6.60(b). (Recreation and Park Department)

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

02/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170181 [Fisherman's Wharf and Fisherman's Wharf Portside Community Benefit Districts - Annual Report for FY2015-2016]**

**Sponsor: Peskin**

Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FY2015-2016, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600 et seq.), Section 36650, and the Districts' management agreements with the City, Section 3.4.

02/14/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170182 [Greater Union Square Business Improvement District - Annual Report for FY2015-2016]**

**Sponsor: Peskin**

Resolution receiving and approving the annual report for the Greater Union Square Business Improvement District for FY2015-2016, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

02/14/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170183 [Approval of a 220-Day Extension for Planning Commission Review of Medical Cannabis Dispensaries (File No. 161229)]****Sponsor: Ronen**

Resolution extending by 220 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 161229) amending the Planning Code to allow Medical Cannabis Dispensaries to be located on the second story and above in zoning districts in which they are permitted; affirming the Planning Department's California Environmental Quality Act determination; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare under Planning Code, Section 302. (Planning Department)

02/14/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**170184 [Castro/Upper Market Community Benefit District - Annual Report for FY2015-2016]****Sponsor: Sheehy**

Resolution receiving and approving the annual report for the Castro/Upper Market Community Benefit District for FY2015-2016, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

02/14/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170185 [Noe Valley Community Benefit District - Annual Report for FY2015-2016]****Sponsor: Sheehy**

Resolution receiving and approving the annual report for the Noe Valley Community Benefit District for FY2015-2016, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.

02/14/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170186 [Urging California State Legislature and Governor to Pass California State Assembly Bill 342 (Chiu) - Automated Speed Enforcement]****Sponsors: Yee; Kim, Safai, Peskin and Sheehy**

Resolution urging the California State Legislature and Governor to pass California State Assembly Bill 342, introduced by Assembly Member Chiu, authorizing a five-year pilot of Automated Speed Enforcement technology in the City and County of San Francisco and the City of San Jose.

02/14/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**170187 [Supporting California State Assembly Bill 60 (Santiago and Gonzalez Fletcher) - The Child Care Protections for Working Families Act]****Sponsors: Tang; Kim, Peskin, Ronen, Safai, Sheehy, Yee and Fewer**

Resolution supporting Assembly Bill 60, authored by State Assembly Members Miguel Santiago and Lorena Gonzalez Fletcher, which updates income eligibility guidelines and income thresholds for parents accessing state child care assistance, guarantees child care eligibility for 12-months, and eliminates outdated reporting requirements.

02/14/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



## **Requests for Hearing**

### **170188 [Hearing - Plans to Create More Affordable Teacher Housing]**

#### **Sponsors: Ronen, Safai, Sheehy and Yee**

Hearing on the City and School District's plans to create affordable housing for educators in the City and County of San Francisco, reviewing what is being done to ensure sufficient teacher housing to adequately staff district schools; and requesting the San Francisco Unified School District, the Board of Education, United Educators of San Francisco, and the Mayor's Office of Housing to report.

02/14/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

### **170189 [Appointment, Local Agency Formation Commission - Supervisor Sandra Lee Fewer]**

Hearing to consider appointing Members of the Board of Supervisors, for four-year terms, to the Local Agency Formation Commission. (Rules Committee)

02/14/17; RECEIVED AND ASSIGNED to Rules Committee.

## **Introduced by the President 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**

### **170150 [Lease Agreement - SP Plus-Hyde Parking Joint Venture - Northern Waterfront Surface Parking Lots - \$2,955,607 Estimated Total Rent in First Year]**

Resolution approving Lease No. L-16141 between the Port and SP Plus-Hyde Parking Joint Venture for a lease of surface parking lots in Port jurisdiction in the northern waterfront, including: a five-year term for Seawall Lot 321; a three-year term with two one-year Port options for Seawall Lots 323-324; and interim month-to-month parking at Seawall Lot 322-1, Pier 19½, and Pier 29½, such terms to commence following Board approval, with estimated total rent generated under the Lease for the first year of operations of \$2,955,607. (Port)

01/30/17; RECEIVED FROM DEPARTMENT.

02/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170152 [Agreement Extension - Airport Luggage Cart Lease and Operating Agreement - Smarte Carte, Inc. - Not to Exceed \$4,250,605]**

Resolution approving a two-year term extension for Luggage Cart Lease and Operating Agreement No. 11-0301, between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a total term May 15, 2012, through June 30, 2019, in an amount not to exceed \$4,250,605. (Airport Commission)  
(Fiscal Impact)

01/30/17; RECEIVED FROM DEPARTMENT.

02/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170153 [Real Property Lease - C & E Haas Development Company, LLC - 1 Bayview Park Road- Initial Annual Rental of \$91,800]**

Resolution approving a lease between C & E Haas Development Company, LLC, as landlord, and the City and County of San Francisco, as tenant, for certain equipment at 1 Bayview Park Road (Assessor's Parcel Block No. 4991, Lot No. 1C), for an approximate ten-year term to commence upon lease execution (expected to be about April 1, 2017) through March 31, 2027, with three five-year options at an initial annual lease rate of \$91,800 with a one-time fee of \$25,000 with annual three percent increases, for use as a radio transmission site for the City's first responders; and adopting environmental findings. (Department of Technology)

02/03/17; RECEIVED FROM DEPARTMENT.

02/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170154 [Telecommunication Ground Lease - Emergency Radio Tower - State of California - San Bruno Mountain State Park - \$43,884 Initial Annual Base Rent - \$175,000 Payment to the State Park Benefit Fund]**

Resolution authorizing and approving a 25-year telecommunication ground lease of 859 square feet existing emergency radio telecommunications tower and associated equipment with the State of California, Department of General Services, and Department of Parks and Recreation, as Landlord, for the Department of Emergency Management and the Department of Technology at San Bruno Mountain State Park, South Hill Site, San Mateo County, at a yearly initial base rent of \$43,844 to commence upon approval by the Board of Supervisors and Mayor; and approving payment of \$175,000 to the State Park Benefit Fund. (Department of Technology)  
(Fiscal Impact; No Budget and Legislative Analyst Report.)

02/03/17; RECEIVED FROM DEPARTMENT.

02/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170172 [2011 Lease and Use Agreement - Aer Lingus, Limited]**

Resolution approving the terms of 2011 Lease and Use Agreement No. 16-0298 between the City and County of San Francisco, acting by and through its Airport Commission, and Aer Lingus, Limited, to conduct flight operations at the San Francisco International Airport, for a term to commence following Board approval through June 30, 2021. (Airport Commission)

01/30/17; RECEIVED FROM DEPARTMENT.

02/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170173 [2011 Lease and Use Agreement - Turk Hava Yollari Anonim Ortakligi]**

Resolution approving the terms of 2011 Lease and Use Agreement No. 16-0301 between the City and County of San Francisco, acting by and through its Airport Commission, and Turk Hava Yollari Anonim Ortakligi to conduct flight operations at the San Francisco International Airport, for a term to commence following Board approval through June 30, 2021. (Airport Commission)

01/30/17; RECEIVED FROM DEPARTMENT.

02/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170174 [2011 Lease and Use Agreement - Redding Aero Enterprises, Inc.]**

Resolution approving the terms of 2011 Lease and Use Agreement No. 16-0326 between the City and County of San Francisco, acting by and through its Airport Commission, and Redding Aero Enterprises, Inc., to conduct flight operations at the San Francisco International Airport, for a term to commence following Board approval through June 30, 2021. (Airport Commission)

01/30/17; RECEIVED FROM DEPARTMENT.

02/14/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**In Memoriams**

*Mr. Martin "Pete" D. Murphy - Supervisor Farrell*

*Mr. Ed Dierauf - Supervisor Fewer*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 6:21 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on April 4, 2017.*

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Angela Calvillo, Clerk of the Board