

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, June 5, 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.

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, June 5, 2018, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:00 p.m. On the call of the roll, Supervisor Yee was noted not present. There was a quorum.

COMMUNICATIONS

Alisa Somera, Legislative Deputy Director, informed the Board of Supervisors that the Clerk of the Board was in receipt of correspondence from the Mayor on June 1, 2018, communicating the Mayor's notice to the Board of Supervisors, under Charter Section 4.132, of transfers of functions between departments within the executive branch. That such reorganization shall become effective 30 days after its issuance, unless disapproved by the Board of Supervisors.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the April 24, 2018, or May 1, 2018, Board Meeting Minutes, or the May 3, 2018, Special Meeting Minutes at the Budget and Finance Committee, which constituted a quorum of the Board of Supervisors. There were no corrections.

Supervisor Peskin, seconded by Supervisor Sheehy, moved to approve the April 24, 2018, and May 1, 2018, Board Meeting Minutes and the May 3, 2018, Special Meeting Minutes at the Budget and Finance Committee, which constituted a quorum of the Board of Supervisors. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

180132 [Administrative Code - Criminal Justice System Fees and Penalties]

Sponsors: Breed; Cohen, Tang, Sheehy, Yee, Safai, Fewer, Ronen and Stefani

Ordinance amending the Administrative Code to abolish fees associated with probation costs, restitution, booking, the Sheriff's Work Alternative Program, the automated county warrant system, the Sheriff's Home Detention Program, and to abolish local penalties associated with alcohol testing and court-ordered penalties for misdemeanor and felony offenses.

(Fiscal Impact)

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

180413 [Settlement of Lawsuit - Afsaneh Akhtari - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Afsaneh Akhtari against the City and County of San Francisco for \$50,000; the lawsuit was filed on May 3, 2016, in San Francisco Superior Court, Case No. CGC-16-551784; entitled Afsaneh Akhtari v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on City property. (City Attorney)

FINALLY PASSED

180414 [Settlement of Lawsuit - Lanett Bush - \$600,000]

Ordinance authorizing settlement of the lawsuit filed by Lanett Bush against the City and County of San Francisco for \$600,000; the lawsuit was filed on December 28, 2015, in San Francisco Superior Court, Case No. CGC-15-549620; entitled Lanett Bush v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

FINALLY PASSED

Recommendation of the Public Safety and Neighborhood Services Committee

180321 [Police Code - Required Agreements Between Cannabis Businesses and Labor Organizations]

Sponsors: Sheehy; Fewer, Ronen, Yee and Safai

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.

FINALLY PASSED

Recommendation of the Rules Committee

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; and to prohibit landlords from seeking rent increases due to increased management expenses unless the expenses are reasonable and necessary.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Yee

REGULAR AGENDA

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

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Sub-Committee

President Breed requested File Nos. 180362 and 180363 be called together.

180362 [San Francisco Finance Corporation - Refunding Lease Revenue Bonds - Open Space Fund - Not to Exceed \$41,320,000]

Sponsor: Mayor

Ordinance approving the issuance and sale of refunding lease revenue bonds by the City and County of San Francisco Finance Corporation (the "Corporation"), in an amount not to exceed \$41,320,000, payable from the Park, Recreation and Open Space Fund to refinance lease revenue bonds previously issued to finance various park projects, as defined herein; approving the form of a Second Amendment to Site Lease by and between the Corporation and the City and County of San Francisco (the "City") relating to certain real property described herein; approving the form of a Second Amendment to Master Lease by and between the Corporation and the City; approving the form of a Second Supplemental Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); approving the form of an Assignment Agreement by and between the Corporation and a trustee; authorizing the sale of the refunding lease revenue bonds by competitive or negotiated sale; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the refunding lease revenue bonds; directing the publication of the Notice of Intention to Sell the refunding lease revenue bonds; approving the form of a Purchase Contract and authorizing the appointment of one or more underwriters for the refunding lease revenue bonds; approving the form of an Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; authorizing the payment of costs of issuance; granting general authority to City officials to take certain actions in connection with the refunding lease revenue bonds, as defined herein; approving modifications to documents; and ratifying previous actions taken in connection therewith, as defined herein.

FINALLY PASSED by the following vote:

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

180363 [San Francisco Finance Corporation Refunding Lease Revenue Bonds (Library Projects) - Not to Exceed 26,530,000]**Sponsor: Mayor**

Ordinance approving the issuance and sale of refunding lease revenue bonds by the City and County of San Francisco Finance Corporation (the "Corporation"), in an amount not to exceed \$26,530,000, to refinance lease revenue bonds previously issued to finance various projects under the Branch Library Improvement Program, as further described herein; approving the form of a First Amendment to Facilities Lease by and between the Corporation and the City and County of San Francisco (the "City") relating to certain real property described herein; approving the form of a First Amendment to Master Lease by and between the Corporation and the City; approving the form of a First Supplemental Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); approving the form of an Assignment Agreement by and between the Corporation and a trustee; authorizing the sale of the refunding lease revenue bonds by competitive or negotiated sale; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the refunding lease revenue bonds; directing the publication of the Notice of Intention to Sell the refunding lease revenue bonds; approving the form of a Purchase Contract and authorizing the appointment of one or more underwriters for the refunding lease revenue bonds; approving the form of an Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; authorizing the payment of costs of issuance; granting general authority to City officials to take certain actions in connection with the refunding lease revenue bonds; approving modifications to documents; and ratifying previous actions taken in connection therewith.

FINALLY PASSED by the following vote:

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

Recommendation of the Land Use and Transportation Committee**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 Peskin, moved that this Resolution be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 1, Line 8, by adding 'at Treasure Island ("Clipper Cove")'; on Page 1, Line 23, through Page 2, Line 2, by adding reference to the certification of the EIR; on Page 2, Lines 7-9, by clarifying the marina redevelopment proposal, Lines 12-16, by substance of the State feasibility study, Lines 17-18, striking reference to the redevelopment plan and adding verbiage regarding Exhibit A to the new marina plan, Lines 19-24, by including the Board's finding that the footprint is consistent with their vision of marina development; and on Page 3, Lines 4-6, striking language regarding maintenance financing and adding reference to TIDA's responsibility for addressing siltation in these areas, Lines 7-8, by striking language regarding reduction of berthing availability and adding consideration of current tenants in small and medium berths, Lines 9-10, by striking the call for an analysis and assessment of the impacts and adding a call for appropriate agencies and bodies to conduct environmental review, Line 11, by striking the **RESOLVED** clause that called for an analysis and assessment on eelgrass bed, and Lines 12-14, by striking language calling for the financial analysis to assess the risk at each state of the project. The motion carried by the following vote:

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

ADOPTED 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 Committee

President Breed requested File Nos. 180450, 180449, 180451, 180452, 180447, and 180448 be called together.

180450 [Power Revenue Bond Issuance and Sale - San Francisco Public Utilities Commission - Not to Exceed \$154,928,059]

Sponsor: Mayor

Ordinance authorizing the issuance and sale of tax-exempt or taxable Power Revenue Bonds and other forms of indebtedness by the San Francisco Public Utilities Commission (Commission) in an aggregate principal amount not to exceed \$154,928,059 to finance the costs of various capital projects benefitting the Power Enterprise pursuant to Charter, Sections 9.107(6) and 9.107(8), authorization to issue Refunding Power Revenue Bonds; declaring the Official Intent of the Commission to reimburse itself with one or more issues of tax-exempt bonds; and ratifying previous actions taken in connection therewith, as defined herein.

(Pursuant to Charter, Section 9.107(6), this matter shall require a vote of three-fourths (9 votes) of all members of the Board of Supervisors to approve water and electric power facilities under the jurisdiction of the Public Utilities Commission ordinance for passage.)

PASSED ON FIRST READING by the following vote:

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

180449 [Appropriation - Proceeds from Revenue Bonds, State Loans or Grants, Wastewater Revenues and Capacity Fees - Wastewater Capital Improvements at the Public Utilities Commission - FYs 2018-2019 and 2019-2020 - \$1,217,658,494]

Sponsor: Mayor

Ordinance appropriating a total of \$1,217,658,494 of proceeds from revenue bonds, State of California Water Resources Control Board's revolving loan funds (State Loan Funds) or grant funds (State Grant Funds), wastewater revenue and capacity fees for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program for FY2018-2019 at \$706,606,351 and for FY2019-2020 at \$511,052,143 and placing \$987,414,494 in Revenue Bonds or State Loan or Grant Funds by project on Controller's reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act (CEQA) findings for projects, following review and consideration of completed project related environmental analysis, where required.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

180451 [Water Revenue Bond and Other Forms of Indebtedness Issuance - San Francisco Public Utilities Commission - Not to Exceed \$478,440,136]**Sponsor: Mayor**

Ordinance authorizing the issuance and sale of tax-exempt or taxable Water Revenue Bonds and other forms of indebtedness (as described below) by the San Francisco Public Utilities Commission (Commission) in an aggregate principal amount not to exceed \$478,440,136 to finance the costs of various capital water projects benefitting the Water Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; authorizing the issuance of Water Revenue Refunding Bonds; declaring the Official Intent of the Commission to reimburse itself with one or more issues of tax-exempt bonds or other forms of indebtedness; and ratifying previous actions taken in connection therewith, as defined herein.

(Pursuant to Charter, Section 8B.124, 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.)

PASSED ON FIRST READING by the following vote:

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

180452 [Wastewater Revenue Bond Issuance and Sale - San Francisco Public Utilities Commission - Not to Exceed \$987,414,494]**Sponsor: Mayor**

Ordinance authorizing the issuance and sale of tax-exempt or taxable Wastewater Revenue Bonds and other forms of indebtedness (as described below) by the San Francisco Public Utilities Commission (Commission) in an aggregate principal amount not to exceed \$987,414,494 to finance the costs of various capital wastewater projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; authorizing the issuance of Wastewater Revenue Refunding Bonds; declaring the Official Intent of the Commission to reimburse itself with one or more issues of tax-exempt bonds or other forms of indebtedness; and ratifying previous actions taken in connection therewith, as defined herein.

(Pursuant to Charter, Section 8B.124, 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.)

PASSED ON FIRST READING by the following vote:

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

180447 [Appropriation - Proceeds from Hetch Hetchy Revenue, Cap and Trade Revenue, Power and Water Revenue Bonds - San Francisco Public Utilities Commission Hetch Hetchy Capital Improvement Program - FYs 2018-2019 and 2019-2020 - \$340,106,949]

Sponsor: Mayor

Ordinance appropriating a total of \$340,106,949 of Hetch Hetchy revenue, Cap and Trade Revenue and Power and Water Revenue Bonds for the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy Capital Improvement Program for FY2018-2019 at \$140,527,284 and for FY2019-2020 at \$199,579,665; and placing \$154,928,058 of Power Bonds, \$102,188,742 of Water Bonds by project on Controller's reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act (CEQA) findings for projects, following review and consideration of completed project related environmental analysis, where required.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

180448 [Appropriation - Proceeds from Revenue Bonds, State Loan or Grant Funds, Water Revenues and Water Capacity Fees of \$483,137,393 - FYs 2018-2019 and 2019-2020 - Re-Appropriation of \$15,958,031 for Water Capital Improvements - FY2018-2019]

Sponsor: Mayor

Ordinance appropriating a total of \$483,137,393 of proceeds from Revenue Bonds, State of California Water Resources Control Board's revolving loan funds (State Loan Funds) or grant funds (State Grant Funds), water revenues and water capacity fees for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program for FY2018-2019 at \$276,222,393 and for FY2019-2020 at \$206,915,000; and re-appropriating Water Capital Project appropriations of \$15,958,031 in FY2018-2019 and placing \$376,251,393 of Revenue Bond and State Loan Funds or State Grant Funds proceeds by project on Controller's reserve subject to the Controller's certification of funds availability, including proceeds of indebtedness, and for construction related expenditures (excluding program management, planning and design) for these projects, as applicable, also subject to the prior occurrence of the SFPUC's and the Board of Supervisors' discretionary adoption of California Environmental Quality Act (CEQA) findings for projects, following review and consideration of completed project related environmental analysis, where required.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

180457 [Accept and Expend Grant - Friends of San Francisco Public Library - Annual Grant Award, FY2018-2019 - Up to \$813,350 of In-Kind Gifts, Services, and Cash Monies]

Sponsor: Mayor

Resolution authorizing the San Francisco Public Library to accept and expend a grant in the amount of up to \$813,350 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services in FY2018-2019.

ADOPTED by the following vote:

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

180458 [Parking and Transit Violation Citation Overpayments - Transfer to the General Fund - Up to \$4,000,000]**Sponsor: Mayor**

Resolution approving a transfer up to \$4,000,000 to the General Fund for overpayments and duplicate payments received by the City for parking and transit violations issued between January 1, 1994, and June 30, 2016.

ADOPTED by the following vote:

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

180459 [Commercial Paper Notes - Municipal Transportation Agency - Not to Exceed \$100,000,000]**Sponsor: Mayor**

Resolution authorizing substitution of a letter of credit offered by Sumitomo Mitsui Banking Corporation, acting through its New York Branch, in an amount not to exceed \$100,000,000 to support the Municipal Transportation Agency's commercial paper program, which is used to provide interim financing for capital improvements; approving the forms of certain financing documents, including a reimbursement agreement, a fee agreement, an amended and restated issuing and paying agent agreement, a commercial paper memorandum, amended and restated dealer agreements; making California Environmental Quality Act (CEQA) findings; and authorizing appropriate actions in connection therewith.

(Fiscal Impact)

ADOPTED by the following vote:

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

Recommendation of the Budget and Finance Sub-Committee**180377 [Real Property Lease - Raul and Denise Arriaza and The Olson Family Trust Dated October 16, 2014 - 1305, 1309 Evans Street - \$456,840 Annual Base Rent]**

Resolution authorizing the lease of approximately 12,690 square feet at 1305, 1309 Evans Street with 13 parking stalls, with Raul and Denise Arriaza, as to an undivided 50% interest and The Olson Family Trust dated October 16, 2014, as to an undivided 50% interest, for a five year term commencing upon approval by the Board of Supervisors and Mayor, with one option to extend for five years, at the monthly base rent of \$38,070 for a total annual base rent of \$456,840. (Public Health Department)

(Fiscal Impact)

ADOPTED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

180117 [Planning Code - Increasing the Transportation Sustainability Fee for Large Non-Residential Projects]

Sponsors: Peskin; Ronen

Ordinance amending the Planning Code to increase the Transportation Sustainability Fee by \$5 (to \$24.04) for Non-Residential Projects larger than 99,999 gross square feet, except in the Central South of Market Area Plan area, where the fee for such projects would be increased by \$2 (to \$21.04); affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

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 Ronen, moved that this Ordinance be AMENDED to exempt development projects that have Development Agreements that were approved by the Board of Supervisors by January 30, 2018. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

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

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

Absent: 1 - Cohen

Supervisor Peskin, seconded by Supervisor Yee, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, to exempt development projects that have Development Agreements that were approved by the Board of Supervisors by June 5, 2018. The motion carried by the following vote:

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

Absent: 1 - Cohen

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Absent: 1 - Cohen

Recommendation of the Public Safety and Neighborhood Services Committee

180394 [Urging the Recreation and Park Commission to Remove the Name of Julius Kahn from the Playground at West Pacific Avenue and Spruce Street]

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

Resolution urging the Recreation and Park Commission to remove the name of Julius Kahn from the playground located at West Pacific Avenue and Spruce Street; and to rename the playground to recognize the value of immigrants and multicultural diversity to the City of San Francisco.

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

ADOPTED by the following vote:

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

Recommendation of the Rules Committee

180538 [Appointments, Police Commission - Cindy Elias and John Hamasaki]

Motion confirming the appointments of Cindy Elias, term ending April 30, 2019, and John Hamasaki, term ending April 30, 2022, to the Police Commission. (Rules Committee)

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

Supervisor Sheehy requested that this Motion be DUPLICATED.

Supervisor Sheehy, seconded by Supervisor Breed, moved that the original Motion be AMENDED to only reference John Hamasaki's appointment, and that the duplicated Motion be AMENDED to only reference Cindy Elias' appointment. The motion failed by the following vote:

Ayes: 2 - Breed, Sheehy

Noes: 9 - Cohen, Fewer, Kim, Peskin, Ronen, Safai, Stefani, Tang, Yee

Supervisor Sheehy withdrew his request that this Motion be DUPLICATED.

Motion No. M18-079

APPROVED 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 Tang, 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 Yee introduced, welcomed, and presented a Certificate of Honor to Cristina Olea and Jimmer Cassiol of Public Works in recognition of their work on the pedestrian safety tour in Ed's Neighborhood.

Supervisor Tang introduced, welcomed, and presented a Certificate of Honor to David Allen of Independence High in recognition of their accomplishments and continued community support as an educator.

COMMITTEE REPORT

Recommendation of the Land Use and Transportation Committee

Supervisor Cohen was noted absent at 3:00 p.m.

180522 [Authorizing Operation of the Mission Street Navigation Center through September 30, 2018, and the Civic Center Navigation Center through December 31, 2021]

Sponsors: Mayor; Kim

Resolution authorizing the continued operation of the Navigation Center located at 1950 Mission Street through September 30, 2018, and the continued operation of the Navigation Center located at 20-12th Street through December 31, 2021.

ADOPTED by the following vote:

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

Absent: 1 - Cohen

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Cohen was noted present at 3:03 p.m.

Appointment of President Pro Tempore

At the request of President Breed, Supervisor Safai assumed the chair at 3:04 p.m. The President resumed the chair at 3:40 p.m.

PUBLIC COMMENT

Abdalla Megahed; spoke regarding the late Mayor Edwin Lee and shared concerns related to the June 2018 primary elections.

Peter Warfield; shared concerns regarding the San Francisco Public Library and use of radio frequency identification.

Speaker; spoke on various religious concerns.

Thomas McDuna; expressed concern regarding the increase of car robberies in the City.

Wynship W. Hillier; expressed concerns on the politics and injustice experienced within the City.

John Wheaton Templeton; expressed concerns on segregation in the workforce in San Francisco.

Sushi Jacob; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Doug Parrish; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Miguel Galarza; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Nina Tan; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Mace Ann; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Lamar Heystek; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Michael Mal; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Bruce Giron; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Charles L. Jones; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Nicole Goehring; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Bayard Fong; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Speaker; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Leven Francois; spoke on various concerns regarding homelessness and the United Nations.

Hung Mai Pang; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Michael Theriault; various concerns on Small Businesses and Contractors within the City.

Tony Rodriguez; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Juliana Choice-Summer; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

John J. Doherty; spoke in support of the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Wilson Chu; spoke in opposition to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Larry Mazzola, Jr.; spoke in support of the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Tim Paulson; spoke in support of the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Hansen Vee; spoke on various concerns related to the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).

Tom Gilberty; spoke in support of the Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554).
Otto Duffy; spoke on various concerns related to Motion calling the Project Labor Agreement Ordinance from committee and holding a Committee of the Whole (File No. 180554), and the recent passing of Dwight Clark.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

180552 [Urging the California State Legislature and Governor to Pass California State Assembly Bill No. 2314 (Ting) - Domestic Worker Rights Implementation Act]

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

Resolution urging the California State Legislature and the Governor to pass California State Assembly Bill No. 2314 (AB 2314), authored by Assembly Member Phil Ting, the Domestic Worker Rights Implementation Act, that establishes and maintains the Domestic Worker Enforcement Program, a statewide program to provide resources, education, and training for California's domestic workers and domestic employers.

ADOPTED

180553 [Supporting California State Senate Bill No. 221 (Wiener) - Ban on Gun Shows at the Cow Palace]

Sponsors: Safai; Stefani, Breed and Ronen

Resolution supporting California State Senate Bill No. 221 (SB 221), authored by Senator Scott Wiener, prohibiting the sale of firearms and ammunition at the state-owned Cow Palace in Daly City; implementation would begin January 1, 2020.

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

ADOPTED

180565 [Final Map 8366 - 3330-3334A 16th Street]

Motion approving Final Map 8366, a six residential unit condominium project, located at 3330-3334A 16th Street, being a subdivision of Assessor's Parcel Block No. 3557, Lot No. 014; and adopting findings pursuant to the General Plan, and the priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M18-080

APPROVED

180566 [Final Map 9344 - 56 Sanchez Street]

Motion approving Final Map 9344, a six residential unit condominium project, located at 56 Sanchez Street, being a subdivision of Assessor's Parcel Block No. 3538, Lot No. 012; and adopting findings pursuant to the General Plan, and the priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M18-081

APPROVED

180568 [Adoption of Findings Related to Conditional Use Authorization - Proposed Project at 701 Valencia]

Motion adopting findings in support of the Board of Supervisors' disapproval of the decision of the Planning Commission, by its Motion No. 20139, approving a Conditional Use Authorization identified as Planning Case No. 2017-004489CUA for a proposed project located at 701 Valencia Street; and the Board's approval of a Conditional Use Authorization for the same Planning Case and property with different conditions. (Clerk of the Board)

Motion No. M18-082

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

Supervisor Stefani requested that File No. 180551 be severed so that it may be considered separately.

180551 [Supporting California State Senate Bill No. 1186 (Hill) - Stop Secret Surveillance Act]

Sponsor: Peskin

Resolution declaring support for California State Senate Bill No. 1186 (SB 1186), the Stop Secret Surveillance Act, authored by Senator Jerry Hill, requiring law enforcement agencies to hold public hearings and generate Surveillance Use Policies governing the information collected by surveillance technology.

Supervisor Stefani, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of June 12, 2018. The motion carried by the following vote:

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

Supervisor Fewer requested that File No. 180554 be severed so that it may be considered separately.

180554 [Calling from Committee - Administrative Code - Citywide Project Labor Agreement for Public Work or Improvement Projects (File No. 170205) - Committee of the Whole - June 12, 2018, 3:00 p.m.]

Sponsors: Safai; Sheehy, Cohen, Ronen, Breed, Kim and Peskin

Motion calling from the Government Audit and Oversight Committee, pursuant to Board Rule 3.37, the proposed Ordinance (File No. 170205) amending the Administrative Code to require a citywide project labor agreement applicable to certain public work or improvement projects with projected costs over \$1,000,000 or where delay in completing the project may interrupt or delay services or use of facilities that are important to the City's essential operations or infrastructure; and scheduling the Board of Supervisors to sit as a Committee of the Whole on June 12, 2018, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance.

Supervisor Safai, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried 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.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

180556 [Planning Code - Hours of Operation for Limited Nonconforming Uses]

Ordinance amending the Planning Code to allow limited nonconforming uses in specified zoning districts to operate between the hours of 10:00 p.m. and 12:00 a.m. with Conditional Use authorization; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302. (Planning Commission)

05/23/18; RECEIVED FROM DEPARTMENT.

06/05/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/5/2018.

180557 [Planning Code - Technical Amendments]

Ordinance amending the Planning Code in order to correct errors in enacted legislation, update outdated references, clarify existing requirements, and re-enact existing text inadvertently deleted in the reorganization of Articles 2 and 7; 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. (Planning Commission)

05/23/18; RECEIVED FROM DEPARTMENT.

06/05/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/5/2018.

180558 [Public Works Code - Repeal of Reclaimed Water Use Ordinance]

Ordinance amending the Public Works Code to repeal the Reclaimed Water Use Ordinance; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Utilities Commission)

05/25/18; RECEIVED FROM DEPARTMENT.

06/05/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/5/2018.

180559 [Planning Code - Landmark Designation - 6301 Third Street (aka Arthur H. Coleman Medical Center)]

Ordinance amending the Planning Code to designate 6301 Third Street (aka Arthur H. Coleman Medical Center), Assessor's Parcel Block No. 4968, Lot No. 032, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and with the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

05/24/18; RECEIVED FROM DEPARTMENT.

06/05/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/5/2018.

PROPOSED RESOLUTIONS

180560 [Professional Services Agreement Amendment - Calpine Energy Solutions LLC. - Community Choice Aggregation Program - Not to Exceed \$19,630,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 1 to Agreement No. CS-247[R], Customer and Administrative Services for Community Choice Aggregation Program with Calpine Energy Solutions LLC., for continued support of CleanPowerSF; and authorize the General Manager of the San Francisco Public Utilities Commission to execute this amendment, increasing the agreement amount by \$14,030,000 for a total not-to-exceed agreement amount of \$19,630,000 and to extend the term of the agreement up to three years, for a total term of November 1, 2015, through October 13, 2021, with a three-year option to extend. (Public Utilities Commission)

05/23/18; RECEIVED FROM DEPARTMENT.

06/05/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180561 [Contract Agreement - Addiction, Research and Treatment, Inc., dba Bay Area Addiction, Research and Treatment, Inc. BAART - Methadone Services - Not to Exceed \$35,952,000]

Resolution approving a contract agreement with Addiction, Research and Treatment Inc., dba Bay Area Addiction, Research and Treatment, Inc., for methadone services in an amount not to exceed \$35,952,000 for a contract term of four years from July 1, 2018, through June 30, 2022, with one six-year option to extend. (Public Health Department)

05/21/18; RECEIVED FROM DEPARTMENT.

06/05/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180562 [Contract Amendment - New Flyer of America, Inc. - Purchase of Low Floor Diesel-Hybrid Buses - Not to Exceed \$428,654,904]

Resolution approving Amendment No. 4 to Contract No. CPT 713 (Procurement of 40-Ft and 60-Ft Low Floor Diesel Hybrid Coaches) with New Flyer of America Inc., to change 68 coaches from parallel propulsion to series propulsion, amend the list of additional equipment added during the production phase of the contract, and amend the Schedule of Prices to reflect these changes, for an additional amount of \$14,880,231 and a total contract amount not to exceed \$428,654,904 with no change to the term of the contract. (Municipal Transportation Agency)

05/21/18; RECEIVED FROM DEPARTMENT.

06/05/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180563 [Real Property Sublease - HealthRIGHT 360 - 1735 Mission Street - DPH Electronic Health Records Initiative - \$625,617 Initial Annualized Base Rent]

Resolution authorizing the sublease of approximately 19,975 square feet at 1735 Mission Street with HealthRIGHT 360, a California nonprofit corporation, for a three and a half-year term to commence July 1, 2018, through January 16, 2022, at the monthly base rent of \$52,135 for an annualized initial base rent of \$625,617 with a 1% annual increase on each January 17, reimbursement up to \$764,498 to landlord for tenant improvements, and additional charge for utilities and services per month. (Real Estate Department)

05/18/18; RECEIVED FROM DEPARTMENT.

06/05/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180564 [Renewal Agreement - Data Center Space and Services - 3101 Gold Center Drive, Rancho Cordova, California - \$756,840 Annual Base Rent - Not to Exceed \$2,385,938.10]

Resolution authorizing a renewal agreement for the use of space and communication services within an existing data center located at 3101 Gold Center Drive, Rancho Cordova, California from the State of California Technology Agency, Office of Technology Services, for a three-year term, commencing July 1, 2018, through June 30, 2021, at a monthly base rate of \$62,720 for a total annual rate of \$756,840 in an amount not exceed \$2,385,938.10. (Real Estate Department)

05/17/18; RECEIVED FROM DEPARTMENT.

06/05/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 4:32 p.m.