

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, September 5, 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

#### Meeting Days

**Budget and Finance Committee**

Supervisors Cohen, Yee, Tang

Thursday

10:00 AM

**Budget and Finance Federal Select Committee**

Supervisors Cohen, Sheehy, Fewer

Thursday

1:00 PM

**Government Audit and Oversight Committee**

Supervisors Kim, Peskin, Breed

1st and 3rd Wednesday

10:00 AM

**Land Use and Transportation Committee**

Supervisors Farrell, Peskin, Tang

Monday

1:30 PM

**Public Safety and Neighborhood Services Committee**

Supervisors Ronen, Sheehy, Fewer

2nd and 4th Wednesday

10:00 AM

**Rules Committee**

Supervisors Safai, Fewer, Yee

2nd and 4th Wednesday

2:00 PM

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

Volume 112 Number 25

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**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, September 5, 2017, 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, all Supervisors were noted present. There was a quorum.*

## **COMMUNICATIONS**

*Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Department of Elections, dated August 4, 2017, certifying the Referendum against Ordinance No. 140-17 (File No. 170441) relating to amending the Health Code to prohibit tobacco retailers from selling flavored tobacco products, including menthol cigarettes. This matter has been scheduled for a Committee of the Whole hearing on today's agenda (File Nos. 170913 and 170441).*

## **APPROVAL OF MEETING MINUTES**

*President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of June 27, 2017, July 11, 2017, July 18, 2017, or July 25, 2017. There were no corrections.*

**Supervisor Cohen, seconded by Supervisor Safai, moved to approve the Board Meeting Minutes of June 27, 2017, July 11, 2017, July 18, 2017, and July 25, 2017. The motion carried by the following vote, following general public comment:**

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

## **AGENDA CHANGES**

*There were no agenda changes.*

## REGULAR AGENDA

### UNFINISHED BUSINESS

#### From the Board

#### **170834 [Planning Code - Inclusionary Affordable Housing Fee and Requirements]**

**Sponsors: Breed; Kim, Peskin, Safai and Tang**

Ordinance amending the Planning Code to revise the amount of the Inclusionary Affordable Housing Fee and the On-Site and Off-Site Affordable Housing Alternatives and other Inclusionary Housing requirements; to require minimum dwelling unit mix in most residential districts; to clarify Inclusionary Housing requirements in the Transbay C-3 Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Supervisor Safai, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:**

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

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

#### **170859 [Administrative Code - Establishing an Office of Cannabis and Extending the Term of the Cannabis State Legalization Task Force]**

**Sponsors: Sheehy; Cohen**

Ordinance amending the Administrative Code to establish an Office of Cannabis; to authorize the Director of the Office of Cannabis to issue permits to cannabis-related businesses; to direct the Director of the Office of Cannabis to collect permit application and annual license fees following the enactment of a subsequent ordinance establishing the amounts of those fees; and to extend the term of the Cannabis State Legalization Task Force.

(Fiscal Impact)

**Ordinance No. 187-17**

**FINALLY PASSED by the following vote:**

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

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

### **170516 [Planning Code - Medical Cannabis Dispensaries in Supervisorial District 11]**

**Sponsor: Safai**

Ordinance amending the Planning Code to limit the number of medical cannabis dispensaries in Supervisorial District 11 to three at any given time; 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 a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

**Ordinance No. 186-17**

**FINALLY PASSED by the following vote:**

Ayes: 9 - Breed, Cohen, Farrell, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Noes: 2 - Fewer, Kim

### **170693 [Planning Code - Child Care Facilities]**

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

Ordinance amending the Planning Code to allow residential uses and Child Care Facility uses to share required open space; make Child Care Facilities principally permitted in all zoning districts except the Production, Distribution, and Repair (Light Industrial Buffer) (PDR-1-B), Production, Distribution, and Repair (General) (PDR-1-G), and Industrial (Light Industrial) (M-1) zoning districts where they would be conditionally permitted, and in the Production, Distribution, and Repair (Core Production, Distribution, and Repair) (PDR-2), and Industrial (Heavy Industrial) (M-2) zoning districts where they would not be permitted; remove certain notice requirements for Child Care Facilities; make other conforming changes to references to the definition of Child Care Facility; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

*Supervisors Cohen, Breed, and Fewer requested to be added as co-sponsors.*

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

**Supervisor Yee, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 16-25, by adding a new 'Section 2' that references previously passed Ordinance Nos. 129-17 and 166-17 and how their recent passage affects this proposed Ordinance; and making other clarifying and conforming changes. The motion carried by the following vote:**

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

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

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

## NEW BUSINESS

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

*President Breed requested File Nos. 170480, 170481, 170482, 170483, 170484, 170485, and 170486 be called together. Privilege of the floor was granted unanimously to Rich Chien (Department of the Environment) who responded to questions raised throughout the discussion on these items.*

#### **170480 [Authorizing New Program Administrators - California Statewide Communities Development Authority Open Property-Assessed Clean Energy Program - Soft Story and Renewable Energy Financing]**

**Sponsor: Farrell**

Resolution authorizing new program administrators in the California Statewide Communities Development Authority ("CSCDA") Open Property-Assessed Clean Energy Program; authorizing the CSCDA to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of the City and County of San Francisco; and authorizing related actions as defined in this Resolution.

**Resolution No. 324-17**

**ADOPTED by the following vote:**

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

#### **170481 [Execution of Member Acknowledgement Addendums - Regional Collaborative Services Agreement - Association of Bay Area Governments]**

**Sponsor: Farrell**

Resolution authorizing the execution of member acknowledgement addendums of the Regional Collaborative Services Agreement with the Association of Bay Area Governments to safeguard consumer interest of San Francisco residents' participation in residential Property-Assessed Clean Energy ("PACE") Programs.

**Resolution No. 325-17**

**ADOPTED by the following vote:**

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

#### **170482 [Authorizing Inclusion of City Properties in Golden State Finance Authority Property-Assessed Clean Energy Program]**

**Sponsor: Farrell**

Resolution authorizing inclusion of properties within the City and County of San Francisco in the Golden State Finance Authority Property-Assessed Clean Energy Program to finance renewable energy generation, energy and water efficiency improvements, electric vehicle charging infrastructure, and other authorized improvements.

**Resolution No. 326-17**

**ADOPTED by the following vote:**

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

**170483 [Authorizing Inclusion of City Properties in Golden State Finance Authority Community Facilities District No. 2014-1 (Clean Energy) Property-Assessed Clean Energy Programs]**

**Sponsor: Farrell**

Resolution authorizing inclusion of properties within the City and County of San Francisco's territory in the Golden State Finance Authority Community Facilities District No. 2014-1 (Clean Energy) Property-Assessed Clean Energy Program to finance renewable energy improvements, energy efficiency and water conservation improvements, electric vehicle charging infrastructure, and other authorized improvements.

**Resolution No. 327-17**

**ADOPTED by the following vote:**

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

**170484 [Authorizing Inclusion of Figtree Property-Assessed Clean Energy ("PACE") Program in California Enterprise Development Renewable PACE Programs]**

**Sponsor: Farrell**

Resolution authorizing the inclusion of the Figtree Property-Assessed Clean Energy ("PACE") Program in the City and County of San Francisco's Renewable PACE Program through the California Enterprise Development Authority; and authorizing the California Enterprise Development Authority to conduct contractual assessment proceedings and levy contractual assessments within the territory of the City and County of San Francisco; and authorizing related actions, as defined herein.

**Resolution No. 328-17**

**ADOPTED by the following vote:**

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

**170485 [Authorizing Inclusion of City Properties in California Municipal Finance Authority Open Property-Assessed Clean Energy Programs]**

**Sponsor: Farrell**

Resolution authorizing the inclusion of properties within the territory of the City and County of San Francisco in the California Municipal Finance Authority Open Property-Assessed Clean Energy ("PACE") Programs; authorizing the California Municipal Finance Authority to accept applications from City property owners, conduct contractual assessment proceedings and levy contractual assessments within the territory of the City and County of San Francisco; and authorizing related actions, as defined herein.

**Resolution No. 329-17**

**ADOPTED by the following vote:**

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

**170486 [Authorizing Agreement for Collection of Special Taxes and Contractual Assessments - San Francisco Property-Assessed Clean Energy Program]****Sponsor: Farrell**

Resolution approving and authorizing execution of an agreement for collection of special taxes and contractual assessments between the City and County of San Francisco and the Golden State Finance Authority for residential, commercial, industrial and agricultural properties to address high up-front costs for property owners who wish to improve their properties through installation of measures that will generate renewable energy or reduce their energy and water use through a Property-Assessed Clean Energy ("PACE") Program; and authorizing related actions, as defined herein.

**Resolution No.** 330-17

**ADOPTED by the following vote:**

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

**170694 [Real Property Lease - Raul and Denise Arriaza and The Olson Family Trust - 1315, 1319 Evans St. - \$40,608 Annual Base Rent]**

Resolution authorizing the lease of approximately 1,128 square feet at 1315, 1319 Evans Street with one parking stall, 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 five-year option to extend, at the monthly base rent of \$3,384 for a total annual base rent of \$40,608. (Adult Probation)

**Resolution No.** 332-17

**ADOPTED by the following vote:**

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

**170801 [Contract Modification - Allied Universal Security - Security Services - Total Contract Amount of \$22,802,311]**

Resolution approving a modification of the contract between the City and County of San Francisco and Allied Universal Security, for the provision of Security Services for the period of February 1, 2014, through January 31, 2018, with no change to the term, to increase the amount by \$3,016,919 resulting in a total contract amount of \$22,802,311. (Human Services Agency) (Fiscal Impact)

**Resolution No.** 333-17

**ADOPTED by the following vote:**

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

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

### **170610 [Top of Broadway Community Benefit District - Annual Report for FY2015-2016]**

**Sponsor: Peskin**

Resolution receiving and approving an annual report for the Top of Broadway 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.

**Resolution No. 331-17**

**ADOPTED by the following vote:**

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

### **170824 [Accept Gift - Playworld Systems Inc. - Treasure Island Development Authority - New Playground Equipment - Valued at \$110,000]**

**Sponsor: Kim**

Resolution authorizing the Treasure Island Development Authority to enter into a gift agreement with Playworld Systems Inc. for the installation of new playground equipment at Treasure Island valued at \$110,000.

**Resolution No. 334-17**

**ADOPTED by the following vote:**

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

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

### **170552 [Amending Ordinance No. 1061 - Sidewalk Width Change - Masonic Avenue at Fulton and Turk Streets]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to reduce the official sidewalk width of certain locations along Masonic Avenue at the southwest corner of the intersection of Masonic Avenue and Fulton Street, and the northeast corner of the intersection of Masonic Avenue and Turk Street; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

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

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



**170130 [Street Encroachment Permit - 45 Lansing Development, LLC - Shared Public Way on Lansing Street Fronting 45 Lansing Street]****Sponsor: Kim**

Resolution granting revocable permission to 45 Lansing Development, LLC, to occupy and maintain the Lansing Street Shared Public Way on Lansing Street between Guy Place and 1st Street fronting 45 Lansing Street (Assessor's Parcel Block No. 3749, Lot No. 059); adopting environmental findings under the California Environmental Quality Act; and making findings of consistency the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

**Resolution No. 323-17****ADOPTED by the following vote:**

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

**Recommendations of the Rules Committee****170849 [Reappointment, Entertainment Commission - Laura Thomas]**

Motion reappointing Laura Thomas, for a term ending July 1, 2021, to the Entertainment Commission. (Rules Committee)

**Motion No. M17-118****APPROVED by the following vote:**

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

**170850 [Reappointment, Graffiti Advisory Board - Amy Landgraf]**

Motion reappointing Amy Landgraf (residency requirement waived), term ending April 10, 2019, to the Graffiti Advisory Board. (Rules Committee)

**Motion No. M17-119****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 Fewer, 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 Fewer introduced, welcomed, and presented a Certificate of Honor to Pete Mulvihill, on behalf of Green Apple Books, on the occasion of Green Apple Books' 50 Year Anniversary and in recognition of their many accomplishment providing a wide variety of quality books in all subject areas.*

*Supervisor Sheehy introduced, welcomed, and presented a Certificate of Honor to Claudia Arevalo and Lan Fun Lau, homecare workers, in honor of Labor Day and in recognition of their many accomplishments and continued community support providing care to residents in need throughout San Francisco.*

*Supervisor Safai introduced, welcomed, and presented a Certificate of Honor to Neha Gupta and Victoria Weatherford (Office of the City Attorney); Enrique Ovando, Major David Pierce, and Major Mark Nelson (Salvation Army); Sam Dodge (Department of Homelessness); Alicia Sandoval (Housing Rights Committee); Rosemary Bosque (Department of Building Inspection); Benjamin Amyes (Human Services Agency); Jeff Buckley (Mayor's Office); and Olivia Scanlon (Fire Department) in recognition of their efforts and accomplishments finding housing and providing solutions for numerous individuals and families that were residing in certain untenable underground living quarters.*

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

*President Breed requested File Nos. 170812, 170813, 170814, and 170815 be called together.*

*Supervisor Safai was noted absent at 3:39 p.m.*

**170812 [Hearing - Appeal of Final Environmental Impact Report Certification - 1500-1540 Market Street (One Oak Street)]**

Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for the proposed project at 1500-1540 Market Street (One Oak Street) identified in Planning Case No. 2009.0159E, certified by the Planning Commission through Motion No. 19938 dated June 15, 2017. (District 5) (Appellant: Sue Hestor, on behalf of Jason Henderson) (Filed July 17, 2017) (Clerk of the Board)

*President Breed opened the public hearing and indicated she would be entertaining a motion to continue this appeal to a later date. The President then inquired as to whether any member of the public wished to address the Board on the proposed continuance. Jason Henderson (Appellant) provided a brief overview of the appeal and in support of the continuance. Mike Anderson; Sasha; Jim Morshell; Marc Salomon; Depy Darb; Tony Robles; Eric Brooks; Andy Thorton; Tess Welborn; Maurie Nelson; Laurie Lederman; Mary Corrine; Norm Dabelman; Denise Ceblo; Peter Mackelman; Mike Welch; David Woo; Angel Orfint; Robin; Marlene Morgan; David Berstein; Jiro Yamamoto; Richard; Rufus Watkins; Howard; Female Speaker; Jennifer Kiebler; Male Speaker; Male Speaker; Todd David; Sue Hestor; spoke on various concerns relating to the appeal and the proposed continuance. There were no other speakers. President Breed closed public comment on the continuance.*

**Supervisor Peskin, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:**

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

**170813 [Affirming the Final Environmental Impact Report Certification - 1500-1540 Market Street (One Oak Street)]**

Motion affirming the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project at 1500-1540 Market Street (One Oak Street). (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:**

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

**170814 [Conditionally Reversing the Final Environmental Impact Report Certification - 1500-1540 Market Street (One Oak Street)]**

Motion conditionally reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project at 1500-1540 Market Street (One Oak Street), subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:**

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

**170815 [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - 1500-1540 Market Street (One Oak Street)]**

Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission's certification of the Final Environmental Impact Report for the proposed project at 1500-1540 Market Street (One Oak Street). (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:**

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

Absent: 1 - Safai

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

*Supervisor Safai was noted present at 3:42 p.m.*

*President Breed requested File Nos. 170750 and 170751 be called together.*

**170750 [General Plan Amendments - One Oak Street Project]**

Ordinance amending the General Plan by revising the height and bulk designations for the One Oak Street project, at the Van Ness Avenue / Oak Street / Market Street Intersection, Assessor's Parcel Block No. 0836, Lot Nos. 001 and 005, on Map 3 of the Market and Octavia Area Plan and on Map 5 of the Downtown Area Plan; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan as proposed for amendment, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

**Supervisor Peskin, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:**

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

**170751 [Planning Code, Zoning Map - One Oak Street Project]**

Ordinance amending the Planning Code by revising Sheet HT07 of the Zoning Map, to change the height and bulk district classification of Assessor's Parcel Block No. 0836, portions of Lot Nos. 001 and 005, for the One Oak Project, at the Van Ness Avenue / Oak Street / Market Street Intersection, as follows: rezoning the eastern portion of the property, along Van Ness Avenue, located at Assessor's Parcel Block No. 0836, Lot No. 001 (1500 Market Street), from 120/400-R-2 to 120-R-2; rezoning the central portion of the property, located at Assessor's Parcel Block No. 0836, Lot No. 005 (1540 Market Street), from 120-R-2 to 120/400-R-2; affirming the Planning Commission's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

**Supervisor Peskin, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of September 12, 2017. The motion carried by the following vote:**

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

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

*President Breed requested File Nos. 170893, 170894, 170895, and 170896 be called together.*

**170893 [Hearing - Appeal of Final Environmental Impact Report Certification - Alameda Creek Recapture Project]**

Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for the San Francisco Public Utilities Commission's proposed Alameda Creek Recapture Project, identified in Planning Case No. 2015-004827ENV, certified by the Planning Commission through Motion No. 19952 dated June 22, 2017. (Appellants: Robert Shaver of Alameda County Water District) (Filed July 24, 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. Robert Shaver (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Jeff Miller; spoke in support of the appeal. Chris Kern (Planning Department), Ellen Levin (Public Utilities Commission), and John Millsap (Office of the City Attorney) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Thomas Elson (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. Brett Radstone; Thomas Francis; spoke in support of the project and in opposition to the appeal. Robert Shaver (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 public hearing heard and filed.*

**HEARD AND FILED**

**170894 [Affirming the Final Environmental Impact Report Certification - Alameda Creek Recapture Project]**

Motion affirming the Planning Commission's certification of the Final Environmental Impact Report prepared for the San Francisco Public Utilities Commission's proposed Alameda Creek Recapture Project. (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Yee, 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

**170895 [Conditionally Reversing the Final Environmental Impact Report Certification - Alameda Creek Recapture Project]**

Motion conditionally reversing the Planning Commission's certification of the Final Environmental Impact Report for the San Francisco Public Utilities Commission's proposed Alameda Creek Recapture Project, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Motion No. M17-120**

**Supervisor Peskin, seconded by Supervisor Yee, 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

**170896 [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - Alameda Creek Recapture Project]**

Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission's certification of the Final Environmental Impact Report for the San Francisco Public Utilities Commission's proposed Alameda Creek Recapture Project. (Clerk of the Board)

**Motion No. M17-121**

**Supervisor Peskin, seconded by Supervisor Yee, moved that this Motion be APPROVED, and to direct the findings be based on significant new information provided by the National Marine Fisheries Service that additional environmental analysis is required on the operational impacts of the project on steelhead in the lower watershed as a result of project-induced effects on streamflow in Alameda Creek, and to require the Planning Department enlist an independent third party review of the groundwater/surface water model to determine if the current model adequately and accurately analyzes the fisheries issues as required by CEQA. The motion carried by the following vote:**

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

**Appointment of President Pro Tempore**

*At the request of President Breed, Supervisor Peskin assumed the chair at 4:16 p.m. The President resumed the chair at 4:20 p.m.*

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

*President Breed recessed the meeting at 4:26 p.m. and reconvened at 4:36 p.m.*

**170802 [California Environmental Quality Act Findings - San Francisco Public Utilities Commission Water System Improvement Program, Alameda Creek Recapture Project]**

Resolution adopting findings under the California Environmental Quality Act related to modifications to the San Francisco Public Utilities Commission Water System Improvement Program, Alameda Creek Recapture Project, located in Sunol Valley in Alameda County, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

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

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

## SPECIAL ORDER 3:00 P.M.

*President Breed requested File Nos. 170917, 170918, 170919, 170920, 170898, 170899, 170900, and 170901 be called together.*

### **170917 [Hearing - Appeal of Determination of Exemption From Environmental Review - 2505 Noriega Street]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on July 2, 2017, for the proposed project at 2505 Noriega Street, approved on July 13, 2017, to change the use from retail pharmacy to Medical Cannabis Dispensary, interior tenant improvements, and repair/in-kind replacement of storefront material finishes. (District 4) (Appellant: Wilson Chu, on behalf of Zhiming Bi) (Filed August 14, 2017) (Clerk of the Board)

*President Breed opened the public hearing. Supervisor Tang provided opening remarks and indicated she would be making a motion to continue this appeal matter to a later date. The President then inquired as to whether any member of the public wished to address the Board on the proposed continuance. Ray Hacke; Andrew Yip; Female Speaker; Stella Cahill; Mary Kane; Female Speaker; Suzanne Cachill; Sherry; Mary Ha; Peter; Alice Hong; Female Speaker; Male Speaker; Female Speaker; Sonya Ng; Dewig; spoke on various concerns relating to the appeal and the proposed continuance. There were no other speakers. President Breed closed public comment on the continuance.*

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of October 3, 2017, at 4:30 p.m. The motion carried by the following vote:**

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

### **170918 [Affirming the Categorical Exemption Determination - 2505 Noriega Street]**

Motion affirming the determination by the Planning Department that a proposed project at 2505 Noriega Street is categorically exempt from further environmental review. (Clerk of the Board)

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 3, 2017, at 4:30 p.m. The motion carried by the following vote:**

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

### **170919 [Conditionally Reversing the Categorical Exemption Determination - 2505 Noriega Street]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 2505 Noriega Street is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 3, 2017, at 4:30 p.m. The motion carried by the following vote:**

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



**170920 [Preparation of Findings to Reverse the Categorical Exemption Determination - 2505 Noriega Street]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 2505 Noriega Street is categorically exempt from further environmental review. (Clerk of the Board)

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 3, 2017, at 4:30 p.m. The motion carried by the following vote:**

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

**SPECIAL ORDER 3:00 P.M.****170898 [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 2505 Noriega Street]**

Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Sections 303, 739.84, and formerly pursuant to Planning Code, Section 306.7, and interim zoning controls established under Resolution Nos. 179-15 and 544-16, for a proposed project located at 2505 Noriega Street, Assessor's Parcel Block No. 2069, Lot No. 012, identified in Case No. 2014-003153CUA, issued by the Planning Commission by Motion No. 19961, dated July 13, 2017, to establish a medical cannabis dispensary (MCD) (dba "The Apothecarium") within the Noriega Street Neighborhood Commercial District and a 40-X height and bulk district; and adopting findings under the California Environmental Quality Act. (District 4) (Appellant: Ray Hacke of Pacific Justice Institute, on behalf of Ark of Hope Preschool) (Filed July 27, 2017) (Clerk of the Board)

*President Breed opened the public hearing. Supervisor Tang provided opening remarks and indicated she would be making a motion to continue this appeal matter to a later date. The President then inquired as to whether any member of the public wished to address the Board on the proposed continuance. Ray Hacke; Andrew Yip; Female Speaker; Stella Cahill; Mary Kane; Female Speaker; Suzanne Cachill; Sherry; Mary Ha; Peter; Alice Hong; Female Speaker; Male Speaker; Female Speaker; Sonya Ng; Dewig; spoke on various concerns relating to the appeal and the proposed continuance. There were no other speakers. President Breed closed public comment on the continuance.*

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of October 3, 2017, at 4:30 p.m. The motion carried by the following vote:**

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

**170899 [Approving Conditional Use Authorization - Proposed Project at 2505 Noriega Street]**

Motion approving the decision of the Planning Commission by its Motion No. 19961, approving a Conditional Use Authorization identified as Planning Case No. 2014-003153CUA for a proposed project located at 2505 Noriega Street; and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 3, 2017, at 4:30 p.m. The motion carried by the following vote:**

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



**170900 [Conditionally Disapproving Conditional Use Authorization - Proposed Project at 2505 Noriega Street]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 19961, approving a Conditional Use Authorization identified as Planning Case No. 2014-003153CUA for a proposed project located at 2505 Noriega Street, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 3, 2017, at 4:30 p.m. The motion carried by the following vote:**

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

**170901 [Preparation of Findings Related to Conditional Use Authorization Appeal - Proposed Project at 2505 Noriega Street]**

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization identified as Planning Case No. 2014-003153CUA for a proposed project located at 2505 Noriega Street. (Clerk of the Board)

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to the Board of Supervisors meeting of October 3, 2017, at 4:30 p.m. The motion carried by the following vote:**

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

**SPECIAL ORDER 3:00 P.M.****Board of Supervisors Sitting as a Committee of the Whole****170913 [Referendum Hearing - Health Code - Banning the Sale of Flavored Tobacco Products]**

Hearing of persons interested in or objecting to repealing Ordinance No. 140-17 (File No. 170441) amending the Health Code to prohibit tobacco retailers from selling flavored tobacco products, including menthol cigarettes; scheduled pursuant to an initiative petition entitled "Referendum Against the City and County of San Francisco's Ordinance Prohibiting the Sale of Flavored Tobacco Products, Including Menthol Cigarettes," certified by the Department of Elections on August 4, 2017.

*President Breed opened the public hearing and Supervisor Cohen provided opening remarks. The President then inquired as to whether any member of the public wished to address the Board on the Referendum and Ordinance No. 140-17 (Health Code, Prohibiting the Sale of Flavored Tobacco Products). Abdalla Megahed; Peter; Boma Bautiste; Angela Lavallo; Carole Gruber; Female Speaker; Brian Davis; Ted Guggenheim; Liz Williams; Randy Wong; Dr. Valerie Gerber; spoke in opposition to repealing the Ordinance. Steven Niya; Miriam Zouzounis; Bradley; Star Child; Male Speaker; spoke in support of repealing the Ordinance. There were no other speakers. President Breed closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

**Committee of the Whole Adjourn and Report**

## **Referendum Reconsideration**

### **170441 [Health Code - Banning the Sale of Flavored Tobacco Products]**

**Sponsors:** Cohen; Safai, Breed, Farrell, Sheehy, Tang and Yee

Ordinance amending the Health Code to prohibit tobacco retailers from selling flavored tobacco products, including menthol cigarettes.

(Economic Impact)

**NOT REPEALED by the following vote:**

Noes: 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.*

*Peter; shared concerns regarding vaccines, the 45th President's repeal of DACA, and the Antifa.*

*Female Speaker; shared concerns regarding Jim Jones and the mass suicide at Jonestown.*

*Male Speaker; shared concerns regarding cannabis.*

*Tom Gilberty; shared concerns regarding climate change.*

*Star Child; provided suggestions on open government practices and accountability.*

*Male Speaker; shared various religious concerns.*

*Ace Washington; shared concerns regarding the out-migration of African Americans in San Francisco.*

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

### **170933 [Committee of the Whole - Disclosure Responsibilities of Board of Supervisors Under Federal Securities Laws - October 17, 2017]**

**Sponsor:** Breed

Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on October 17, 2017, at 3:00 p.m. for the Members of the Board of Supervisors to receive educational training on their legal obligations under Federal and State securities laws with respect to any Official Statement (OS) approvals.

**Motion No.** M17-122

**APPROVED**

**170928 [Final Map 8883 - 1545 Pine Street]**

Motion approving Final Map 8883, a 100 residential unit and three commercial unit, mixed-use condominium project, located at 1545 Pine Street, being a subdivision of Assessor's Parcel Block No. 0667, Lot Nos. 016, 017, 018, 018A, and 019; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-123**

**APPROVED**

**170929 [Final Map 9072 - 800 Indiana Street]**

Motion approving Final Map 9072, a 326 residential unit condominium project, located at 800 Indiana Street, being a subdivision of Assessor's Parcel Block No. 4105, Lot No. 009, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-124**

**APPROVED**

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

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

**Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Farrell requested that File No. 170888 be severed so that it may be considered separately.*

**170888 [Committee of the Whole - Tax Sale of Presidio Terrace Common Area - November 28, 2017]**

Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on October 31, 2017, at 3:00 p.m. to consider rescission of the tax sale of the Presidio Terrace Common Area, pursuant to California Revenue and Taxation Code, Section 3731; and establishing the process and conduct of the hearing. (Clerk of the Board)

**Supervisor Farrell, seconded by Supervisor Ronen, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by changing the scheduled Committee of the Whole hearing date from October 31, 2017, to November 28, 2017. The motion carried by the following vote:**

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

Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on November 28, 2017, at 3:00 p.m. to consider rescission of the tax sale of the Presidio Terrace Common Area, pursuant to California Revenue and Taxation Code, Section 3731; and establishing the process and conduct of the hearing. (Clerk of the Board)

**Supervisor Farrell, seconded by Supervisor Ronen, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 5-8, by adding 'FURTHER MOVED, That the petitioner or its representative shall submit the names and addresses of interested parties to be notified of the hearing to the Office of the Clerk of the Board no later than 12:00 noon on Friday, October 6, 2017, and those parties will be notified in addition the purchaser of the property or successor of interest; and, be it;' and Lines 17-24, by adding 'FURTHER MOVED, That the petitioner or its representative and the purchaser or successor of interest shall submit any written briefs and documentation they want available to the Board members prior to the hearing and included in the packet materials no later than 12:00 noon on Friday, November 17, 2017, and the Tax Collector and City departments shall submit their responses to the petitioner, any written briefs and documentation no later than Monday, November 20, 2017; any written briefs and documentation received after these deadlines may not be a part of the hearing packet materials and the submitting party shall be responsible for distribution; and, be it'. The motion carried by the following vote:**

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

**Motion No. M17-125**

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

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

*Supervisor Peskin requested that File No. 170914 be severed so that it may be considered separately.*

**170914 [Adoption of Findings Related to Conditional Use Authorization - Proposed Project at 824 Hyde Street]**

Motion adopting findings in support of the Board of Supervisors' disapproval of the decision of the Planning Commission by its Motion No. 19926, regarding the Conditional Use Authorization identified as Planning Case No. 2016-010544CUA for a proposed project located at 824 Hyde Street. (Clerk of the Board)

**Supervisor Peskin, seconded by Supervisor Safai, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 5-7, by striking 'in fact, there are currently no tourist hotels on Hyde Street between Fisherman's Wharf and Market Street, and the proposed project would be the first' and adding 'and that replacing rent controlled housing with any other type of development or use that does not serve working families and individuals creates harmful precedent for the rest of the City's at-risk rent controlled housing stock'. The motion carried by the following vote:**

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

**Motion No. M17-126**

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

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

Supervisor Sheehy was noted absent at 6:19 p.m.

### **Supervisor Sheehy Excused from Attendance**

Supervisor Kim, seconded by Supervisor Yee, moved that Supervisor Sheehy be excused beginning at 6:19 p.m. and for the remainder of the meeting. The motion carried by the following vote:

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

Excused: 1 - Sheehy

## **IMPERATIVE AGENDA**

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

Supervisor Safai, seconded by Supervisor Ronen, moved **ADOPTION** of the serious injury finding. The motion carried by the following vote:

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

Excused: 1 - Sheehy

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

Supervisor Safai, seconded by Supervisor Ronen, moved **ADOPTION** of the Brown Act finding. The motion carried by the following vote:

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

Excused: 1 - Sheehy

### **170936 [Committee of the Whole - Closing of Skilled Nursing and Sub-Acute Unit at St. Luke's Hospital - September 12, 2017]**

**Sponsor: Safai**

Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on September 12, 2017, at 3:00 p.m., for the Members of the Board of Supervisors to discuss the closing of the skilled nursing and sub-acute units at St. Luke's Hospital, as well as legislative solutions; and requesting the Department of Public Health, Human Services Agency, and Office of Economic and Workforce Development to report.

*President Breed inquired as to whether any member of the public wished to address the Board relating to the Motion to Sit as a Committee of the Whole to discuss the closing of skilled nursing and sub-acute units at St. Luke's Hospital as referenced in File No. 170936. Tom Gilberty; shared concerns regarding the closing of certain units at St. Luke's Hospital. The President declared public comment closed.*

**Motion No. M17-127**

**APPROVED** by the following vote:

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

Excused: 1 - Sheehy

## 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

#### **170937 [Administrative Code - Tenant Assistance Fund for Hazardous Housing]**

**Sponsors: Mayor; Safai**

Ordinance amending the Administrative Code to establish the Tenant Assistance Fund for Hazardous Housing and to allow certain eligible tenants displaced due to administrative orders to vacate issued by the Department of Building Inspection or the Fire Department to receive financial assistance from the Fund for up to two years.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/5/2017.

#### **170938 [Planning Code, Zoning Map - 1629 Market Street Special Use District]**

**Sponsors: Mayor; Kim and Sheehy**

Ordinance amending the Planning Code and the Zoning Map to add the 1629 Market Street Special Use District; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/5/2017.

#### **170939 [Development Agreement - Strada Brady, LLC - Market and Colton Streets]**

**Sponsors: Mayor; Kim**

Ordinance approving a Development Agreement between the City and County of San Francisco and Strada Brady, LLC, a California limited liability company, for the development project at the approximately 2.2-acre site located at Market, 12th, Stevenson, Chase Court, and Brady Streets, with various public benefits including improved open spaces and supportive affordable housing; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); setting the impact fees and exactions as set forth in the Development Agreement; and confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B and 56; and ratifying certain actions taken in connection therewith.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/5/2017.

**170940 [Planning Code, Zoning Map - Mission Rock Special Use District]****Sponsors: Mayor; Kim**

Ordinance amending the Planning Code and the Zoning Map to add the Mission Rock Special Use District, generally bounded by China Basin to the north; Pier 48, the marginal wharf between Pier 48 and Pier 50, the associated shoreline area and Terry Francois Boulevard to the east; Mission Rock Street to the south; and 3rd Street to the west; to amend other related provisions; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and Planning Code, Section 302.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/5/2017.

**170941 [Planning Code, Zoning Map - Transit Center Special Sign District]****Sponsor: Kim**

Ordinance amending the Planning Code to create the Transit Center Special Sign District (bounded by Market Street on the north, Folsom Street on the south, Steuart Street on the east, and between New Montgomery and Third Streets on the west, and in the area bounded by Folsom, Harrison, Essex, and Second Streets, but excluding the planned City Park between Mission, Howard, Second, and Beale Streets and those portions of the Transit Center District Plan Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land bounded by Spear, Mission, Folsom, and Second Streets), to restrict the size and height of new signs within 200 feet of and visible from an existing or planned public park or open space, and to restrict illumination of certain new signs in those areas; amending the Zoning Map to show the Transit Center Special Sign District; 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 a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/5/2017.

**170870 [Building, Fire Codes - Fire Alarm System Upgrade Requirements]****Sponsor: Peskin**

Ordinance amending the Existing Building and Fire Codes to require buildings sold or transferred after September 1, 2017, to comply with fire alarm system upgrade requirements for sleeping areas; to exempt mandatory seismic strengthening alterations and transient hotels from the alarm system upgrade requirement that otherwise applies to completion of work under a building permit with a cost of construction of \$50,000 or more; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

07/25/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/25/2017.

08/01/17; REFERRED TO DEPARTMENT.

08/04/17; RESPONSE RECEIVED.

08/22/17; RESPONSE RECEIVED.

09/05/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.



**170942 [Building Code - Third Party Expert Fees]****Sponsor: Peskin**

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

09/05/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/5/2017.

**170419 [Planning Code - North Beach, Telegraph Hill, Broadway and Chinatown Area Controls]****Sponsor: Peskin**

Ordinance amending the Planning Code to support Legacy Businesses; expand the definition of historic buildings and impose additional requirements in the Broadway Neighborhood Commercial District (NCD) and North Beach Special Use District (SUD); prohibit certain uses in the North Beach SUD; reduce the lot size limit in the North Beach SUD; modify the requirements for approval of parking garages in the Telegraph Hill-North Beach Residential SUD, the North Beach NCD, and Chinatown Mixed Use Districts; reduce off-street parking spaces permitted for residential uses in the Telegraph Hill-North Beach Residential SUD, and the Broadway and North Beach NCDs; revise the definition of Formula Retail; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

04/11/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/11/2017.

04/21/17; REFERRED TO DEPARTMENT.

04/28/17; RESPONSE RECEIVED.

07/11/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

07/14/17; REFERRED TO DEPARTMENT.

07/18/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

07/19/17; RESPONSE RECEIVED.

07/19/17; REFERRED TO DEPARTMENT.

08/04/17; RESPONSE RECEIVED.

09/05/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

**170943 [Accept Gift - Alta Laguna, LLC - 55 Laguna Street; In-Kind Agreement]****Sponsor: Sheehy**

Ordinance accepting as a gift to the City from Alta Laguna, LLC certain costs of constructing public open space and community facility improvements at 55 Laguna Street, pursuant to an In-Kind Agreement with the City; accepting as a gift the costs associated with maintaining the improvements; and making findings under the California Environmental Quality Act.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/5/2017.



**170944 [Waiver of Banner Fee - Office of Economic and Workforce Development - Shop and Dine in the 49 Campaign]****Sponsor: Tang**

Ordinance waiving the banner fees under Public Works Code, Section 184.78, for up to 300 banners to be placed by the Office of Economic and Workforce Development to publicize the City's "Shop and Dine in the 49" campaign.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/5/2017.

**Resolutions****170945 [Adopting the Vision, Goals, and Objectives of The Bay Area Comprehensive Economic Development Strategy - Establish a County Regional Economic Development District]****Sponsors: Mayor; Yee**

Resolution adopting the Vision, Goals and Objectives of The Bay Area Comprehensive Economic Development Strategy to establish a nine county regional Economic Development District recognized by the United States Economic Development Administration, to improve access to economic and workforce related grants and technical assistance from federal and state agencies and private foundations to foster greater public and private collaboration in addressing economic, workforce and equity issues that no single jurisdiction, organization or enterprise can solve alone.

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170946 [Approval of a 90-Day Extension for Planning Commission Review of Fulton Street Grocery Store Special Use District (File No. 170514)]****Sponsor: Breed**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 170514) amending the Planning Code to allow a grocery store that may be defined as a formula retail use in the Fulton Street Grocery Store Special Use District, and adding criteria for approval; extending the duration of the controls; and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

09/05/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**170947 [Accept and Expend Grant - National Endowment for the Arts Our Town - Market Street Prototyping Festival - \$75,000]****Sponsor: Farrell**

Resolution retroactively authorizing the Arts Commission to accept and expend a grant from the National Endowment for the Arts Our Town for the Market Street Prototyping Festival in the amount of \$75,000 with a grant cycle from October 1, 2015, through September 30, 2017. (Arts Commission)

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170948 [Issuance of Bonds - San Francisco Art Institute, a California Nonprofit Public Benefit Corporation - Not to Exceed \$20,000,000]****Sponsor: Farrell**

Resolution approving (a) in accordance with Internal Revenue Code, Section 147(f) the issuance of revenue bonds or a tax-exempt loan by the California Municipal Finance Authority (the "Authority") in an aggregate issue price not to exceed \$7,000,000 (the "Tax-Exempt Bonds") to (i) refinance all or a portion of certain outstanding debt obligations that originally financed and refinanced the acquisition, construction, equipping and furnishing of facilities, within the City and County of San Francisco (the "City"), owned and managed by San Francisco Art Institute, a California nonprofit public benefit corporation (the "Borrower"), in connection with the provision of educational and other services in the City, including the instruction of students enrolled in its undergraduate and graduate fine arts degree programs, (ii) finance additional improvements to such facilities, (iii) pay capitalized interest on the Tax-Exempt Bonds, and (iv) pay certain expenses incurred in connection with the issuance of the Tax-Exempt Bonds; and (b) in accordance with the Joint Exercise of Powers Agreement, dated as of January 1, 2004, among the Authority and certain local agencies, including the City, as amended from time to time, the issuance of revenue bonds or a loan by the Authority in an aggregate issue price not to exceed \$13,000,000 (the "Taxable Bonds" and, together with the Tax-Exempt Bonds, the "Bonds") to (i) refinance all or a portion of certain outstanding debt obligations that originally financed and refinanced the construction, equipping and furnishing of facilities, within the City, leased and occupied by the Borrower, in connection with the provision of educational and other services in the City, including the instruction of students enrolled in its undergraduate and graduate fine arts degree programs, (ii) finance additional improvements to such facilities, (iii) pay capitalized interest on the Taxable Bonds, and (iv) pay certain expenses incurred in connection with the issuance of the Bonds.

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170949 [Defend DACA and All Immigrants]****Sponsors: Kim; Fewer, Yee, Ronen, Peskin, Cohen, Safai, Breed and Tang**

Resolution condemning the rescission of the Deferred Action for Childhood Arrivals (DACA) Program and expressing continued support for all immigrants.

09/05/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**170950 [Approving Issuance of Bonds - California Statewide Communities Development Authority - San Francisco Museum of Modern Art - Not to Exceed \$30,000,000]****Sponsor: Kim**

Resolution approving in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance of tax-exempt obligations by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$30,000,000 for the financing or refinancing of various capital facilities owned or to be owned by San Francisco Museum of Modern Art.

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170951 [Teeter Plan Extension - School Parcel Tax]****Sponsor: Peskin**

Resolution extending the Teeter Plan to special taxes levied for the San Francisco Unified School District under the School Parcel Tax.  
(Fiscal Impact)

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170952 [Teeter Plan Extension - City College Parcel Tax]****Sponsor: Peskin**

Resolution extending the Teeter Plan to the parcel tax levied for the San Francisco Community College District under the City College Parcel Tax.  
(Fiscal Impact)

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170953 [Teeter Plan Extension - Bay Restoration Authority Parcel Tax]****Sponsor: Peskin**

Resolution extending the Teeter Plan to parcel taxes levied for the San Francisco Bay Restoration Authority under the San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Program.  
(Fiscal Impact)

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170954 [Teeter Plan Extension - School Facilities Special Tax]****Sponsor: Peskin**

Resolution extending the Teeter Plan to special taxes levied for the San Francisco Unified School District under the School Facilities Special Tax.  
(Fiscal Impact)

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170955 [Accept and Expend Grant - The Regents of the University of California, Office of the President - PrEP-T: Advancing PrEP Delivery in the Transgender Community - \$144,996]****Sponsor: Sheehy**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$144,996 from The Regents of the University of California, Office of the President to participate in a program entitled PrEP-T: Advancing PrEP Delivery in the Transgender Community for the period of April 1, 2016, through March 31, 2018. (Public Health Department)

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170956 [Accept and Expend Grant - California Department of Parks and Recreation - Twin Peaks Trail System Improvements - \$121,131]****Sponsor: Sheehy**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a Habitat Conservation Fund Grant from the California Department of Parks and Recreation in the amount of \$121,131 for the Twin Peaks Trail System Improvements; authorizing the Director of Real Estate to file a Declaration of Restriction with the Assessor-Recorder against the property designated as Assessor's Parcel Block No. 2643, Lot No. 021, providing that the use restrictions contained in the Grant Agreement will be covenants, conditions, and restrictions on the use of the property until June 30, 2036; and authorizing the Director of Real Estate to take actions necessary to annul the deed restriction recorded against the property designated as Assessor's Parcel Block No. 2643, Lot No. 003. (Recreation and Park Department)

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170957 [Commending Kim Shuck - San Francisco's Seventh Poet Laureate]****Sponsor: Sheehy**

Resolution commending Kim Shuck on her appointment as San Francisco's seventh poet laureate and celebrating her inaugural address on September 14, 2017, at the Main Library.

09/05/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing****170958 [Hearing - Update on First Student School Bus Transportation's School Bus Fleet]****Sponsors: Cohen; Sheehy and Yee**

Hearing to receive an update on First Student School Bus Transportation's school bus fleet, specifically regarding its schedules from the Bayview Hunters Point neighborhood to the Castro neighborhood; and requesting San Francisco Unified School District and First Student to report.

09/05/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**170959 [Hearing - Housing Costs and Housing Cost Information Tracking by City Departments]****Sponsor: Fewer**

Hearing on housing costs and housing cost information tracking by City departments; and requesting the Planning Department and Office of the Assessor-Recorder to report.

09/05/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**170960 [Hearing - Emergency Preparedness]****Sponsors: Kim; Yee and Peskin**

Hearing on the City's response plan for a natural disaster that specifically addresses the needs of the most vulnerable residents, including but not limited to those individuals with special needs that may impact their mobility and ability to receive and make external communications, requesting information from relevant City departments regarding the type of modeling and future planning utilized for securing the City's seawall and sea-facing perimeter; and requesting the Department of Emergency Management, Fire Department, Police Department, Department of Public Health, and the Office of Resilience and Recovery to report.

09/05/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**170961 [Hearing - Proposed Central SoMa Plan]****Sponsor: Kim**

Hearing on the proposed Central SoMa Plan, divided into different presentations on: general overview of the Plan; housing overview including discussion on affordability, jobs/housing link, developer obligations, and density bonus; infrastructure and the public realm including but not limited to discussion on open space, transportation, and streetscaping; and Community building and neighborhood stabilization; and requesting the Planning Department, San Francisco Municipal Transportation Agency, and the Mayor's Office of Housing and Community Development to report.

09/05/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**170962 [Hearing - City's Coordinated Response to September 2017 Heatwave]****Sponsors: Peskin; Breed and Kim**

Hearing on San Francisco's coordinated preparation and response to the record-breaking September 2017 heatwave; and requesting the Department of Emergency Management and the Fire Department to report.

09/05/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170963 [Hearing - Committee of the Whole - Tax Sale of Presidio Terrace Common Area - November 28, 2017]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on November 28, 2017, at 3:00 p.m., to consider the rescission of the tax sale of the Presidio Terrace Common Area, pursuant to California Revenue and Taxation Code, Section 3731; scheduled pursuant to Motion No. M17-125, approved by the Board on September 5, 2017. (Clerk of the Board)

09/05/17; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**170964 [Hearing - Committee of the Whole - Disclosure Responsibilities of Board of Supervisors Under Federal Securities Laws - October 17, 2017]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on October 17, 2017, at 3:00 p.m., to receive educational training on their legal obligations under Federal and State securities laws with respect to any Official Statement (OS) approvals; scheduled pursuant to Motion No. M17-122, approved by the Board on September 5, 2017. (Clerk of the Board)

09/05/17; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**170965 [Hearing - Committee of the Whole - Closing of Skilled Nursing and Sub-Acute Unit at St. Luke's Hospital - September 12, 2017]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on September 12, 2017, at 3:00 p.m., to discuss the closing of the skilled nursing and sub-acute units at St. Luke's Hospital, as well as legislative solutions; and requesting the Department of Public Health, Human Services Agency, and Office of Economic and Workforce Development to report; scheduled pursuant to Motion No. M17-127, approved by the Board on September 5, 2017. (Clerk of the Board)

09/05/17; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**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****170830 [Transportation Code - Motorized Scooter and Moped Parking Restrictions]**

Ordinance amending the Transportation Code to permit motorized scooters and mopeds to park in designated motorcycle parking spaces; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

08/28/17; RECEIVED FROM DEPARTMENT.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/5/2017.

**170921 [Administrative Code - Establish a Trial Local Business Enterprise Joint Venture and Core Discipline Incentive Program]**

Ordinance amending the Administrative Code to establish a trial Local Business Enterprise (LBE) incentive program that would allow an LBE joint venture rating bonus on professional services and design-build contracts over \$20 million, and allow departments to use the amount of LBE subcontractor participation in core disciplines as selection criteria in professional services contract procurements. (Public Utilities Commission)

07/19/17; RECEIVED FROM DEPARTMENT.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/5/2017.

**170922 [Planning Code - Landmark Designation of 2731-2735 Folsom Street (aka Gaughran House)]**

Ordinance amending the Planning Code to designate 2731-2735 Folsom Street (aka Gaughran House), Lot No. 031 in Assessor's Parcel Block No. 3640, 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 the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

07/26/17; RECEIVED FROM DEPARTMENT.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/5/2017.

**170923 [Planning Code - Landmark Designation of 1399 McAllister Street (aka Third Baptist Church Complex)]****Sponsor: Breed**

Ordinance amending the Planning Code to designate 1399 McAllister Street (aka Third Baptist Church Complex), in Assessor's Parcel Block No. 0778, Lot No. 013, 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 the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

08/24/17; RECEIVED FROM DEPARTMENT.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/5/2017.

**170924 [Settlement of Lawsuit - Linda Chen - \$350,000]**

Ordinance authorizing settlement of the lawsuit filed by Linda Chen against the City and County of San Francisco for \$350,000; the lawsuit was filed on November 7, 2014, in San Francisco Superior Court, Case No. CGC 14-542604; entitled Linda Chen v. San Francisco Police Department, et al.; the lawsuit involves an employment dispute. (City Attorney)

07/21/17; RECEIVED FROM DEPARTMENT.

09/05/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170925 [Settlement of Lawsuit - Peter Firestone - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Peter Firestone against the City and County of San Francisco for \$50,000; the lawsuit was filed on October 24, 2014, in San Francisco Superior Court, Case No. CGC-14-542359; entitled Peter Firestone v. Xuong Lu, et al.; the lawsuit involves alleged personal injury from vehicle collision; other material terms of the settlement are co-defendants to pay \$60,000. (City Attorney)

07/31/17; RECEIVED FROM DEPARTMENT.

09/05/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170926 [Settlement of Lawsuit - Daniel Levin, Maria Levin, Park Lane Associates, L.P., San Francisco Apartment Association, and Coalition for Better Housing - \$259,800]**

Ordinance authorizing settlement of the lawsuit filed by Daniel Levin, Maria Levin, Park Lane Associates, L.P., San Francisco Apartment Association, and Coalition for Better Housing against the City and County of San Francisco for \$259,800; the lawsuit was filed on July 24, 2014, in the United States District Court for the Northern District of California, Case No. 3:14-cv-3352-CRB; entitled Daniel Levin et al. v. City and County of San Francisco; the lawsuit involves whether Ordinance No. 54-14, which required landlords to provide increased relocation payments to displaced tenants following certain types of evictions, unlawfully took plaintiffs' property. (City Attorney)

08/03/17; RECEIVED FROM DEPARTMENT.

09/05/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.



**170927 [Settlement of Lawsuit - Pacific Rod & Gun Club - City to Receive \$8,250,000]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Rod & Gun Club for \$8,250,000; the lawsuit was filed on March 27, 2014, in San Francisco Superior Court, Case No. CGC-14-538294; entitled City and County of San Francisco v. Pacific Rod & Gun Club; the City sued its former tenant Pacific Rod & Gun Club for nuisance and breach of contract to recover the City's hazardous material remediation expenses resulting from the Club's use of shotgun shells containing lead and arsenic and targets containing asphalt compounds at a gun range that it operated on City property on Lake Merced from 1933 to 2015. (City Attorney)

08/18/17; RECEIVED FROM DEPARTMENT.

09/05/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170930 [General Plan - Pier 70 Mixed-Use District Project]**

Ordinance amending the General Plan to revise Maps 4 and 5 of the Urban Design Element to refer to the Pier 70 Mixed-Use Project Special Use District; adopting findings under the California Environmental Quality Act, and Planning Code, Section 340; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

08/28/17; RECEIVED FROM DEPARTMENT.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/5/2017.

**170931 [Transportation Code - Shared Vehicle Parking Restrictions]**

Ordinance amending the Transportation Code to change the term "Car Share Vehicle" to "Shared Vehicle" and permit Shared Vehicles to Park in designated Parking Spaces; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

08/28/17; RECEIVED FROM DEPARTMENT.

09/05/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/5/2017.

## PROPOSED RESOLUTIONS

**170668 [Lease Agreement - Alliance Ground International, LLC - Airport Building 648 - Estimated Rent of \$4,219,299.66]**

Resolution approving Lease Agreement No. 17-0112 between Alliance Ground International, LLC and the City and County of San Francisco, acting by and through its Airport Commission, for exclusive use of approximately 40,778 square feet of space in Airport Building 648, for an estimated total minimum rent of \$4,219,299.66 and a projected term of three years and nine months. (Airport Commission)

07/21/17; RECEIVED FROM DEPARTMENT.

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.



**170669 [Software License and Maintenance Agreement - Mythics Inc. - Oracle Licenses and Software Support - Not to Exceed \$11,832,968.89]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Agreement No. CS-1090 with Mythics Inc. for the purchase of certain as-needed Oracle licenses and software support, for an amount not to exceed \$11,832,968.89, and with an anticipated term to commence November 30, 2017, through March 22, 2023. (Public Utilities Commission)  
(Fiscal Impact)

08/11/17; RECEIVED FROM DEPARTMENT.

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170670 [Settlement of Unlitigated Claim - 1fb.net, Inc. - \$37,740.98]**

Resolution approving the settlement of the unlitigated claim filed by 1fb.net, Inc. against the City and County of San Francisco for \$37,740.98; the claim was filed on March 13, 2017; the claim involves a refund of payroll expense taxes. (City Attorney)

07/31/17; RECEIVED FROM DEPARTMENT.

09/05/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170932 [Adopting Public Works' Report - Implementation of Contractor Performance Database - Chapter 6 Public Works Departments]**

Resolution adopting a report from the Department of Public Works, on behalf of Chapter 6 public works departments, on the implementation of the contractor performance evaluation program and database. (Public Works)  
(Fiscal Impact; No Budget and Legislative Analyst Report.)

08/28/17; RECEIVED FROM DEPARTMENT.

09/05/17; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**In Memoriams**

*Irene Cho - Supervisor Kim  
Alan Levinson - Full Board  
Robert Hamaguchi - Supervisor Breed  
Earl Gage - Supervisor Breed  
Kyle Hazell - Supervisor Breed  
Raymond Hammond - Supervisor Breed*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 6:27 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 October 17, 2017.*

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Angela Calvillo, Clerk of the Board