



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, October 3, 2017 - 2:00 PM

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

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Cohen, Yee, Tang

Budget and Finance Federal Select Committee
Supervisors Cohen, Sheehy, Fewer

Government Audit and Oversight Committee
Supervisors Kim, Peskin, Breed

Land Use and Transportation Committee
Supervisors Farrell, Peskin, Tang

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

Rules Committee
Supervisors Safai, Fewer, Yee

Meeting Days

Thursday
10:00 AM

Thursday
1:00 PM

1st and 3rd Wednesday
10:00 AM

Monday
1:30 PM

2nd and 4th Wednesday
10:00 AM

2nd and 4th Wednesday
2:00 PM

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

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AGENDA PACKET: Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B Goodlett Place, Room 244, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Peggy Nevin at (415) 554-5184.

所有常規及特別市參事委員會會議 (Board meetings) 除委員會會議 (Committee meetings) 將予以提供西班牙文, 菲律賓文, 及中文的語言服務, 但須在會議前最少48小時作出請求, 旨在確保服務屆時可予以提供。更多資訊或請求有關服務, 請致電 (415) 554-7719聯絡Linda Wong.

AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Intsik at Tagalog para sa lahat ng mga regular at espesyal na pulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Filipino na maaaring i-request sa pinakmababa na di bababa sa 48 oras bago ang pulong upang matiyak na matutugunan and inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

AGENDA CHANGES

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 and 2

Recommendation of the Budget and Finance Committee

Present: Supervisors Yee, Tang

1. [170553](#) **[Public Works Code - Waiver of Temporary Street Space Occupancy Fee for Small Business Week Sidewalk Sales]**
Sponsor: Fewer
Ordinance retroactively waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy permits on certain City streets on Saturday, May 20, 2017, as part of Small Business Week sidewalk sales.

09/26/2017; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Safai, Fewer, Yee

2. [171025](#) **[Appointment, Commission on the Aging Advisory Council - Anne Kathleen Gallagher]**
Motion appointing Anne Kathleen Gallagher, term ending March 31, 2019, to the Commission on the Aging Advisory Council. (Rules Committee)

Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

3. [170834](#) **[Planning Code - Inclusionary Affordable Housing Fee and Dwelling Unit Mix 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 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.

07/18/2017; DUPLICATED.

07/18/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/18/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/18/2017; PASSED ON FIRST READING AS AMENDED.

07/25/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/25/2017; PASSED ON FIRST READING AS AMENDED.

09/05/2017; CONTINUED ON FINAL PASSAGE.

09/12/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/12/2017; PASSED ON FIRST READING AS AMENDED.

09/19/2017; CONTINUED ON FINAL PASSAGE.

09/26/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

09/26/2017; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Cohen, Yee

4. [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)
- Question: Shall this Resolution be ADOPTED?**
5. [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)
- Question: Shall this Resolution be ADOPTED?**

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Peskin, Tang, Sheehy

6. [170209](#) **[Public Works Code - Bicycle Chop Shops]**
Sponsor: Sheehy
Ordinance amending the Public Works Code to prohibit the assembly, disassembly, sale, offer of sale, distribution, offer of distribution, or storage of bicycles and bicycle parts on the public right-of-ways, under certain conditions and with certain exceptions; authorize Public Works to remove and seize bicycles and bicycle parts following issuance of a notice of violation; and allow either the recipient of the notice or any other person who can demonstrate lawful ownership to retrieve seized items from Public Works after 30 days.
- 07/18/2017; CONTINUED ON FIRST READING.
- 07/25/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
- 07/25/2017; RE-REFERRED AS AMENDED to the Land Use and Transportation Committee.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Recommendations of the Public Safety and Neighborhood Services Committee

Present: Supervisors Ronen, Sheehy, Fewer

- 7. [170763](#) **[Environment Code - Antibiotic Use in Food Animals]**
Sponsors: Sheehy; Ronen
Ordinance amending the Environment Code to require certain retailers of raw meat and poultry to report the use of antibiotics in such products to the Department of the Environment, and require City departments to report the use of antibiotics in raw meat and poultry purchased by the City to the Department of the Environment.
Question: Shall this Ordinance be PASSED ON FIRST READING?

- 8. [170789](#) **[Liquor License - 334 Grant Avenue - Harlan Place by Café de la Presse]**
Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises license to Presse LLC, doing business as Harlan Place by Café de la Presse located at 334 Grant Avenue (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)
Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Safai, Fewer, Yee

- 9. [171031](#) **[Appointments, Assessment Appeals Board No. 1 - Scott Spertzel, Edward Campana, Diane Robinson and Richard Lee]**
Motion appointing Scott Spertzel and Edward Campana, terms ending September 3, 2018, and reappointing Diane Robinson and Richard Lee, terms ending September 7, 2020, to the Assessment Appeals Board No. 1. (Rules Committee)
Question: Shall this Motion be APPROVED?

- 10. [171032](#) **[Appointment, Assessment Appeals Board No. 2 - Elizabeth Zareh]**
Motion appointing Elizabeth Zareh, term ending September 7, 2020, to the Assessment Appeals Board No. 2. (Rules Committee)
Question: Shall this Motion be APPROVED?

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

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.*

(Continued open from December 13, 2016)

11. 141018

[Hearing - Appeal of Tentative Map - 639 Peralta Avenue]

Hearing of persons interested in or objecting to the decision of Public Works, dated September 18, 2014, approving a Tentative Map for a 2-Unit New Construction Condominium Project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (District 9) (Appellant: Alexander M. Weyand, on behalf of William H. Bradley) (Filed September 29, 2014). (Clerk of the Board)

10/28/2014; CONTINUED OPEN.

12/16/2014; CONTINUED OPEN.

01/27/2015; CONTINUED OPEN.

04/28/2015; CONTINUED OPEN.

07/28/2015; CONTINUED OPEN.

10/06/2015; CONTINUED OPEN.

12/01/2015; CONTINUED OPEN.

01/26/2016; CONTINUED OPEN.

05/24/2016; CONTINUED OPEN.

09/06/2016; CONTINUED OPEN.

12/13/2016; CONTINUED OPEN.

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved)

12. 141019 [Approving Decision of Public Works and Approving the Tentative Parcel Map - 639 Peralta Avenue]

Motion approving decision of Public Works and approving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

10/28/2014; CONTINUED.

12/16/2014; CONTINUED.

01/27/2015; CONTINUED.

04/28/2015; CONTINUED.

07/28/2015; CONTINUED.

10/06/2015; CONTINUED.

12/01/2015; CONTINUED.

01/26/2016; CONTINUED.

05/24/2016; CONTINUED.

09/06/2016; CONTINUED.

12/13/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

13. [141020](#) [Disapproving Decision of Public Works and Disapproving the Tentative Parcel Map - 639 Peralta Avenue]

Motion conditionally disapproving the decision of Public Works and disapproving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

10/28/2014; CONTINUED.

12/16/2014; CONTINUED.

01/27/2015; CONTINUED.

04/28/2015; CONTINUED.

07/28/2015; CONTINUED.

10/06/2015; CONTINUED.

12/01/2015; CONTINUED.

01/26/2016; CONTINUED.

05/24/2016; CONTINUED.

09/06/2016; CONTINUED.

12/13/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

14. [141021](#) [Preparation of Findings Related to the Tentative Parcel Map - 639 Peralta Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (Clerk of the Board)

10/28/2014; CONTINUED.

12/16/2014; CONTINUED.

01/27/2015; CONTINUED.

04/28/2015; CONTINUED.

07/28/2015; CONTINUED.

10/06/2015; CONTINUED.

12/01/2015; CONTINUED.

01/26/2016; CONTINUED.

05/24/2016; CONTINUED.

09/06/2016; CONTINUED.

12/13/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M. - CLOSED SESSION

(Scheduled pursuant to Motion No. M17-147 (File No. 170999) approved on September 19, 2017.)

CONFERENCE WITH LABOR NEGOTIATORS

15. [171023](#) **[Closed Session - Labor Negotiations - October 3, 2017]**
Closed Session for the Board of Supervisors to convene on October 3, 2017, at 3:00 p.m., with the Department of Human Resources under Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding labor negotiations of the City's open labor contracts; scheduled pursuant to Motion No. M17-147, approved September 19, 2017. (Clerk of the Board)

Closed Session: The Board of Supervisors shall confer with labor negotiators.

[Elect To Disclose]

Motion that the Board finds it is in the best interest of the public that the Board elect at this time to disclose its closed session deliberations.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

After a closed session, if one occurs, pending approval of above action to disclose, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

SPECIAL ORDER 4:30 P.M.

(Continued open from September 5, 2017.)

16. [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)

09/05/2017; CONTINUED OPEN.

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved)**17. [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)

09/05/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

18. [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)

09/05/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

19. [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)

09/05/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

(Continued open from September 5, 2017.)

20. [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)

09/05/2017; CONTINUED OPEN.

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved)

21. [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)

09/05/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

22. [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)

09/05/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

23. [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)

09/05/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Budget and Finance Committee at a Regular Meeting on Thursday, September 28, 2017, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, October 3, 2017.

24. [170997](#) **[Multifamily Housing Revenue Bonds - 2675 Folsom Street and 970 Treat Avenue - Not to Exceed \$130,000,000]**

Sponsor: Ronen

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$130,000,000 for 2675 Folsom Street and 970 Treat Avenue; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$130,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

Question: Shall this Resolution be ADOPTED?

25. [171021](#) **[Multifamily Housing Revenue Bonds - One Church Street, 45 Church Street, and One Webster Street - Not to Exceed \$45,000,000]**

Sponsor: Sheehy

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$45,000,000 for One Church Street, 45 Church Street, and One Webster Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$45,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

Question: Shall this Resolution be ADOPTED?

26. **ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

27. **PUBLIC COMMENT**

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

28. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[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."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[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.

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**171033****[Settlement of Lawsuit - Dora Delfi Mejia Jacobo - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Dora Delfi Mejia Jacobo against the City and County of San Francisco for \$50,000; the lawsuit was filed on May 19, 2015, in San Francisco Superior Court, Case No. CGC-15-545823; entitled Dora Delfi Mejia Jacobo v. Greg Suhr in his official capacity, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

09/25/2017; RECEIVED FROM DEPARTMENT.

10/03/2017; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

171034**[Settlement of Lawsuit - Tasha Spencer - \$160,000]**

Ordinance authorizing settlement of the lawsuit filed by Tasha Spencer against the City and County of San Francisco for \$160,000; the lawsuit was filed on September 27, 2016, in San Francisco Superior Court, Case No. CGC 16-554523; entitled Tasha Spencer v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

09/25/2017; RECEIVED FROM DEPARTMENT.

10/03/2017; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS**171035****[Settlement of Unlitigated Claim - Kelli Grotzke - \$78,193]**

Resolution approving the settlement of the unlitigated claim filed by Kelli Grotzke against the City and County of San Francisco for \$78,193; the claim was filed on September 24, 2013; the claim involves an employment dispute. (City Attorney)

09/25/2017; RECEIVED FROM DEPARTMENT.

10/03/2017; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

171036**[Settlement of Claim - Kacey Christie - \$62,500]**

Resolution approving the settlement of the unlitigated claim filed by Kacey Christie against the City and County of San Francisco for \$62,500; the claim was filed on May 31, 2017; the claim involves a personal injury on a City street. (City Attorney)

09/25/2017; RECEIVED FROM DEPARTMENT.

10/03/2017; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

171037 [Settlement of Unlitigated Claim - UBS Financial Services, Inc. - \$125,266.48]

Resolution approving the settlement of the unlitigated claim filed by UBS Financial Services against the City and County of San Francisco for \$125,266.48; the claim was filed on February 17, 2017; the claim involves personal property tax refund. (City Attorney)

09/25/2017; RECEIVED FROM DEPARTMENT.

10/03/2017; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

171038 [Emergency Declaration - Repair of the Moccasin Powerhouse Unit 2 Generator Step-up Transformer- Total Estimated Cost Not to Exceed \$400,000]

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission (SFPUC) pursuant to San Francisco Administrative Code, Section 6.60, to repair the buswork and bushings on the Moccasin Powerhouse Unit 2 generator step-up transformer, with a total estimated cost not to exceed \$400,000. (Public Utilities Commission)

09/25/2017; RECEIVED FROM DEPARTMENT.

10/03/2017; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

171039 [Purchase and Sale Agreement - Buddhi Dharma Lien Guo Foundation - 7484 Sheridan Road, Sunol, CA - \$3,305,000]

Resolution approving and authorizing the execution of a Purchase and Sale Agreement with the Buddhi Dharma Lien Guo Foundation ("Buyer") or Buyer's assignee, for the sale by the City and County of San Francisco, acting through the San Francisco Public Utilities Commission, to Buyer of approximately 84 acres of improved real property located at 7484 Sheridan Road, Sunol, California for \$3,305,000; adopting findings under the California Environmental Quality Act; adopting findings that the sale is consistent with the General Plan, and the priority policies of Planning Code, Section 101.1; and authorizing the Director of Property and/or the SFPUC's General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Public Utilities Commission)

09/22/2017; RECEIVED FROM DEPARTMENT.

10/03/2017; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

171040 [Contract Amendment No. 3 - New Flyer of America, Inc. - Purchase of Low Floor Diesel-Hybrid Buses - Not to Exceed \$413,774,673]

Resolution approving Amendment No. 3 to Contract No. CPT 713 (Procurement of 40-Ft and 60-Ft Low Floor Diesel Hybrid Coaches) with New Flyer of America Inc., to revise the list of spare parts and special tools and to include the list of additional equipment added to the vehicles during the production phase of the Contract, for an additional amount of \$1,504,252 and a total contract amount not to exceed \$413,774,673, with no change to the term of the contract. (Municipal Transportation Agency)

09/25/2017; RECEIVED FROM DEPARTMENT.

10/03/2017; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

171051 [Petitions and Communications]

Petitions and Communications received from September 18, 2017, through September 25, 2017, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 3, 2017.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor, pursuant to Health and Safety Code, Section 34179(a) (10), and Motion No. M12-9, making the following reappointments to the Redevelopment Successor Agency Oversight Board, terms ending January 24, 2020: Copy: Each Supervisor. (1)

Kenneth Bukowski
Lisa Motoyama

From the Residential Rent Stabilization and Arbitration Board submitting an annual report for FY2016-2017. Copy: Each Supervisor. (2)

From the Department of Human Resources, pursuant to Administrative Code, Section 16.82, submitting an annual report regarding Hospitalization and Medical Treatment. Copy: Each Supervisor. (3)

Office of the Treasurer & Tax Collector, submitting a Pooled Investment plan for August 2017. Copy: Each Supervisor. (4)

From Raquel Rivera, Family Council Coordinator, regarding St. Luke's Sub-Acute & Skilled Nursing Facility. Copy: Each Supervisor. (5)

From Tedi Vriheas, Assistant Vice President of External Affairs, AT&T Services, Inc., regarding the proposed legislation amending Public Works Code, Article 27. File No. 170442. Copy: Each Supervisor. (6)

From the Planning Department, submitting notice of Preparation of Environmental Impact Report and Notice of Public Scoping Meeting for 3333 California Street Mixed Use Project. (7)

From concerned citizens, regarding Comfort Women Day. Approximately 200 letters. (8)

From Mari Eliza, regarding traffic problems in San Francisco. File No. 170209. Copy: Each Supervisor. (9)

From Alex Aldrich, regarding the proposed legislation on banning glass bottles in City parks. File No. 170556. Copy: Each Supervisor. (10)

From Glen Wantz, regarding rental car break-ins. File Nos. 161065 and 170421. Copy: Each Supervisors. (11)

From Erin Zuccaro, regarding Ford Bikes. Copy: Each Supervisor. (12)

From Shirley Johnson, Ph.D, regarding the proposed legislation on One Oak Street. File Nos. 170812-170815. Copy: Each Supervisor. (13)

From a concerned citizen, regarding construction in the Rincon Hill neighborhood. Copy: Each Supervisor. (14)

ADJOURNMENT