



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, May 9, 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, Kim, Sheehy

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

Budget and Finance Sub-Committee
Supervisors Cohen, Yee, Tang

Government Audit and Oversight Committee
Supervisors Kim, Peskin, Breed

Land Use and Transportation Committee
Supervisors Farrell, Peskin, Tang

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

Rules Committee
Supervisors Safai, Fewer, Yee

Meeting Days

Thursday
1:00 PM

2nd and 4th Thursday
1:05 PM

Thursday
10:00 AM

1st and 3rd Wednesday
10:00 AM

Monday
1:30 PM

2nd and 4th Wednesday
10:30 AM

2nd and 4th Wednesday
1:00 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.

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 and Chinese at all regular and special Board meetings, excluding Committee meetings. Currently, Filipino is available upon request if made at least 48 hours in advance of the meeting to help ensure availability. Additionally, requests for Board Committee meetings must be received 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）之外，將予以提供西班牙文及中文的語言服務。目前，菲律賓文將根據所收到的請求予以提供，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。另外，向市參事委員會會議請求有關服務亦須預先在會議前最少48小時作出，也將有助於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 y en chino en todas las reuniones regulares y reuniones especiales de la Junta, excluyendo las reuniones de los Comités. Actualmente, el idioma Filipino está disponible de ser requerido si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Adicionalmente, las solicitudes para las Reuniones de los Comités de la Junta deben ser recibidas por lo menos 48 horas antes de la reunión con el fin de ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a Derek Evans (415) 554-7702.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol at Intsik para sa lahat ng mga regular at espesyal na pulong ng Board, pero wala para sa pulong ng mga Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Filipino na maaaring i-request sa minimum na di bababa sa 48 oras bago ang pulong upang matiyak na matutugunan and inyong kahilingan. Dagdag pa, ang mga request para sa pulong ng Komite ng Board ay kailangang matanggap sa minimum na di bababa sa 48 oras bago ang pulong upang matiyak ang pagkakaroon nito. Para sa karagdagang impormasyon o para mag-request 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

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

Pursuant to Charter Section 3.100(7), the Mayor shall appear, in person, at one regularly scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board. This item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.

By supermajority vote of the Board of Supervisors (8 votes), the Board may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.

*There were no questions submitted from Supervisors representing the even districts.
The Mayor may address the Board for up to five minutes.*

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 through 8

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Kim, Breed

1. [170317](#) **[Settlement of Lawsuit - Laurie Kassel - \$102,915.40]**
Ordinance authorizing settlement of the lawsuit filed by Laurie Kassel against the City and County of San Francisco for \$102,915.40; the lawsuit was filed on December 27, 2016, in San Francisco Superior Court, Case No. CGC 16-556160; entitled Laurie Kassel v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

2. [170318](#) **[Settlement of Lawsuit - Protect Our Benefits - \$750,000]**
Ordinance authorizing settlement of the plaintiff's claim for attorney's fees and costs in the lawsuit filed by Protect Our Benefits against the City and County of San Francisco for \$750,000; the lawsuit was filed on February 25, 2013, in San Francisco Superior Court, Case No. CPF-13-512788; entitled Protect Our Benefits v. City & County of San Francisco; the lawsuit involves Supplemental Cost of Living Adjustment pension benefits payable to San Francisco Employees' Retirement System retirees. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

3. [170319](#) **[Settlement of Lawsuit - Yelp Inc. - \$599,000]**
Ordinance authorizing settlement of the lawsuit filed by Yelp Inc. against the City and County of San Francisco for \$599,000; the lawsuit was filed on February 23, 2017, in San Francisco Superior Court, Case No. CGC-17-557250; entitled Yelp Inc. v. City and County of San Francisco et al.; the lawsuit involves a refund of payroll expense taxes and gross receipts taxes. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. [170320](#) **[Settlement of Lawsuit - Leslie Stewart - \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by Leslie Stewart against the City and County of San Francisco for \$75,000; the lawsuit was filed on September 10, 2015, in San Francisco Superior Court, Case No. CGC-15-547872; entitled Leslie Stewart v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City street. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
5. [170389](#) **[Settlement of Lawsuit - Maryam Mozafari - \$70,000]**
Ordinance authorizing settlement of the lawsuit filed by Maryam Mozafari against the City and County of San Francisco for \$70,000; the lawsuit was filed on June 16, 2015, in San Francisco Superior Court, Case No. CGC-15-546389; entitled Maryam Mozafari v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City sidewalk adjacent to Alta Plaza Park. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
6. [170324](#) **[Settlement of Unlitigated Claim - The University Club - \$287,500]**
Resolution approving the settlement of the unlitigated claim filed by The University Club against the City and County of San Francisco for \$287,500; claim was filed on November 28, 2016; the claim involves a transfer tax refund. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
7. [170325](#) **[Settlement of Unlitigated Claim - Credit Suisse Securities (USA) LLC - \$1,068,909]**
Resolution approving the settlement of the unlitigated claim filed by Credit Suisse Securities (USA) LLC against the City and County of San Francisco for \$1,068,909; the claim was filed on May 12, 2016; the claim involves a refund of payroll expense taxes. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
8. [170431](#) **[Settlement of Unlitigated Grievance - Sheriff's Managers and Supervisors Association - \$542,546.95]**
Resolution approving the settlement of the unlitigated grievance filed by the Sheriff's Managers and Supervisors Association, on behalf of its members, against the City and County of San Francisco for \$542,546.95; the grievance was filed on September 25, 2015; the grievance involves an employment dispute. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Cohen, Yee, Tang

9. [170200](#) **[Appropriation - Capital Improvement Projects - \$4,832,455,418 - FY2016-2017]**

Sponsor: Mayor

Ordinance appropriating \$4,832,455,418 of proceeds from the sale of revenue bonds or commercial paper for capital improvement projects to the Airport Commission for FY2016-2017, and placing the total appropriation of \$4,832,455,418 on the Board of Supervisors' Reserve pending receipt of proceeds of indebtedness.

(Fiscal Impact)

05/02/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

05/02/2017; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

10. [170210](#) **[Administrative, Environment Codes - Zero Emission Vehicle Requirements for City Fleet]**

Sponsors: Tang; Farrell

Ordinance amending the Administrative and Environment Codes to require that any new passenger vehicle procured for the City fleet be a Zero Emission Vehicle, absent a waiver, and that all passenger vehicles in the City fleet be Zero Emission Vehicles by December 31, 2022; and to encourage selection of Zero Emission Vehicles in other vehicle classes as technology improves.

(Fiscal Impact)

05/02/2017; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

05/02/2017; CONTINUED AS AMENDED.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Farrell, Peskin, Tang

11. [160281](#) **[Planning Code - Dwelling Unit Mix Requirements]**
Sponsors: Yee; Farrell and Fewer
Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in no less than 35% of the total number of proposed units having two or three bedrooms with at least 10% of the total number of proposed units having three bedrooms; affirming the Planning Department's determination 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

05/02/2017; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
12. [170206](#) **[Planning Code - Off-Street Parking and Loading Requirements]**
Sponsor: Farrell
Ordinance amending the Planning Code to clarify and consolidate language, delete redundancies and outdated provisions, correct typographical errors and erroneous cross-references, base required or allowed off-street parking and loading areas on Occupied Floor Area rather than Gross Floor Area, and consolidate and update the multiple provisions for establishing the maximum quantities of accessory parking that in some cases would result in a reduction in parking; affirming the Planning Department's California Environmental Quality Act determination; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

05/02/2017; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
13. [170466](#) **[Planning Code - Noriega, Irving, Taraval, and Judah NCDs; Conditional Use Authorization for Bars, Liquor Stores, Personal Services, and Medical Cannabis Dispensaries]**
Sponsor: Tang
Ordinance amending the Planning Code to require in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts a Conditional Use authorization for Bars, Liquor Stores, and Medical Cannabis Dispensaries on the first story and for Personal Services on the second story; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

05/02/2017; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. [170467](#) **[Temporary Housing for Homeless People During Shelter Crisis - LMC San Francisco I Holdings, LLC - 1515 South Van Ness Avenue]**

Sponsors: Mayor; Ronen

Ordinance approving an agreement between the City and LMC San Francisco I Holdings, LLC, to allow the City to use the property at 1515 South Van Ness Avenue to utilize and operate a facility to provide temporary housing and services to homeless persons; directing the City Administrator, Public Works, Department of Homelessness and Supportive Housing, Department of Building Inspection, and other City departments to make repairs or improvements, consistent with health and safety standards, to use the property for temporary housing to address encampments in the Mission District; authorizing Public Works, Department of Homelessness and Supportive Housing, and Department of Public Health to enter into contracts without adhering to competitive bidding and other requirements for construction work, procurement, and personal services at the facility; and affirming the Planning Department’s determination under the California Environmental Quality Act.

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

05/02/2017; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Cohen, Yee, Tang

15. [170271](#) **[Administrative Code - Transfer of Moscone Center Garage and Performing Arts Garage to Municipal Transportation Agency]**

Ordinance amending the Administrative Code to transfer the Moscone Center Garage (255-3rd Street) and the Performing Arts Garage (360 Grove Street) from the Parking Authority to the Municipal Transportation Agency; assigning a ground lease for certain Public Works property for access between the Performing Arts Garage and Gough Street; affirming the 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. (Municipal Transportation Agency)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. [170274](#) **[Accept and Expend Grant - Federal Emergency Management Agency - Adequate Fire and Emergency Response Grant Program - Amend the Annual Salary Ordinance - \$8,533,872]**
Sponsor: Sheehy
Ordinance retroactively authorizing the Fire Department to accept and expend a grant in the amount of \$8,533,872 from the Federal Emergency Management Agency for staffing for the Adequate Fire and Emergency Response Grant Program; and amending Ordinance No. 146-16 (Annual Salary Ordinance FYs 2016-2017 and 2017-2018) to reflect the addition of 36 grant-funded Class H002 Firefighters at 36.00 FTE for July 1, 2016, through June 30, 2017, and 36.00 FTE for July 1, 2017, through June 30, 2018. (Fire Department)
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
17. [170298](#) **[Administrative Code - Animal Shelter Fund]**
Sponsor: Tang
Ordinance amending the Administrative Code to create a gift fund for the construction and furnishing of the new animal shelter.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
18. [170243](#) **[Real Property Lease Renewal - WCPI Commercial, LLC - 1449 Webster Street - Maximum Rent of \$157,300 in Initial Year]**
Sponsor: Breed
Resolution authorizing the exercise of an option to extend the lease of 3,900 square feet at 1449 Webster Street with WCPI Commercial, LLC, as Landlord, for three years, subject to City's right to terminate, for the Office of Economic and Workforce Development's Western Addition employment assistance programs, for \$13,000 monthly with annual increases between 2% and 5%, for a maximum rent of \$157,300 in the initial year of the lease extension term of September 1, 2017, through August 31, 2020; and adding one further option to extend the term with the same terms and conditions for an additional three year term.
- Question: Shall this Resolution be ADOPTED?**
19. [170309](#) **[Accept and Expend Grant - San Francisco Parks Alliance - Community Events, Staff Development, Recreational Programming - FY2015-2016 - \$217,282]**
Sponsor: Sheehy
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant in the amount of approximately \$217,282 from the San Francisco Parks Alliance to fund community events, staff development, recreation programming, and other activities for FY2015-2016; and waiving indirect costs. (Recreation and Park Department)
- Question: Shall this Resolution be ADOPTED?**

20. [170344](#) **[Planning and Engineering Services Agreement - Brown and Caldwell - Southeast Plant Biosolids Digester Facilities - Not to Exceed \$153,500,000]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 1 to Planning and Engineering Design Services Agreement No. CS-235, for specialized planning and engineering services for the proposed new Southeast Plant Biosolids Digester Facilities, between the City and County of San Francisco and Brown and Caldwell, increasing the agreement by \$73,500,000 for a total amount not to exceed \$153,500,000 and extend the term by two and one half years, for a total agreement duration of twelve and one half years from August 5, 2013, through December 31, 2025, pursuant to Charter, Section 9.118. (Public Utilities Commission)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
21. [170424](#) **[Accept and Expend Gift - San Francisco General Hospital Foundation - Public Health/Community Outreach Campaign - \$664,567]**
Sponsor: Sheehy
Resolution retroactively authorizing the Department of Public Health to accept and expend a gift in the amount of \$664,567 from the San Francisco General Hospital Foundation, to participate in a program entitled Public Health/Community Outreach Campaign, for the period of February 1, 2017, through January 31, 2019, and waiving indirect costs. (Public Health Department)
- Question: Shall this Resolution be ADOPTED?**
22. [170450](#) **[Multifamily Housing Revenue Bonds - 1150-3rd Street (also known as Mission Bay South Block 3 East) - Not to Exceed \$90,000,000]**
Sponsor: Kim
Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "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 \$90,000,000 for 1150-3rd Street (Assessor's Parcel Block No. 8711, Lot No. 026); 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 \$90,000,000; 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. (Mayor's Office of Housing and Community Development)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Kim, Peskin

23. [170123](#) **[Public Works Code - Construction Site Runoff on Port Property - Enforcement]**
Ordinance amending the Public Works Code to authorize the Port Executive Director to impose penalties for failure to comply with requirements relating to construction site runoff on property within Port Commission jurisdiction. (Port)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Kim, Peskin, Breed

24. [170278](#) **[Civic Center Community Benefit District - Annual Report for FY2015-2016]**
Sponsor: Kim
Resolution receiving and approving an annual report for the Civic Center 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.

Question: Shall this Resolution be ADOPTED?

25. [170355](#) **[Central Market Community Benefit District - Annual Report for Calendar Year 2015]**
Sponsor: Kim
Resolution receiving and approving an annual report for the Central Market Community Benefit District for calendar year 2015, 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.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Farrell, Peskin, Tang

26. [161014](#) **[Planning Code - Exempting Certain Historic Landmarks from Requirement to Obtain Conditional Use and Replace Production, Distribution, and Repair, Institutional Community, and Arts Activities Uses]**

Sponsor: Kim

Ordinance amending Planning Code, Section 202.8 to exempt certain designated historic landmarks from obtaining conditional use authorization to remove certain Production, Distribution, and Repair, Institutional Community, and Arts Activities Uses, and providing replacement space for such uses; 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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. [170156](#) **[Planning Code, Zoning Map - Production, Distribution, and Repair Controls; Eliminating the Transit-Oriented Retail Special Use District, and Correcting Height Limits in the UMU District]**

Sponsors: Mayor; Ronen

Ordinance amending the Planning Code and Zoning Map to prohibit Gym and Massage uses in the Production, Distribution, and Repair (PDR) zoning districts, eliminate the Transit-Oriented Retail Special Use District, which includes all parcels in PDR districts along 16th Street from Mission Street to Potrero Avenue, and correct the height limits on certain parcels in the Urban Mixed Use (UMU) District to allow for groundfloor PDR uses; affirming the Planning Commission'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 necessity, convenience, and welfare under Planning Code, Section 302.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Safai, Fewer, Breed

28. [170460](#) **[Mayoral Appointment, Police Commission - Robert Hirsch]**
Motion approving the Mayor's nomination for the appointment of Robert Hirsch to the Police Commission, for a term ending April 30, 2020. (Rules Committee)

(Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: April 18, 2017.)

(Supervisor Fewer dissented in committee.)

Question: Shall this Motion be APPROVED?

Present: Supervisors Safai, Fewer

29. [170501](#) **[Appointment, Peninsula Corridor Joint Powers Board - Gillian Gillett]**
Motion appointing Gillian Gillett, for an indefinite term, to the Peninsula Corridor Joint Powers Board. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

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

Asian Pacific American Heritage Month
- 2:30 p.m. Odd Districts (Districts 7, 1, 3, 5, 9, 11)
- 3:05 p.m. Even Districts (Districts 2, 4, 6, 8, 10)

SPECIAL ORDER 4:00 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.

(Public hearing continued open from April 18, 2017.)

30. [161146](#) [Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed Project at 2675 Folsom 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 Community Plan Exemption by the Planning Department on June 27, 2016, and approved by the Planning Commission on September 22, 2016, for the proposed project located at 2675 Folsom Street, to allow the demolition of three two-story warehouse and storage structures, and construction of a four-story, 40-foot tall residential building of approximately 109,917 square feet, within the UMU (Urban Mixed Use), RH-2 (Residential Housing, Two Family), and RH-3 (Residential Housing, Three Family) Zoning Districts and a 40-X Height and Bulk District. (District 9) (Appellant: J. Scott Weaver, on behalf of Calle 24 Latino Cultural District Community Council) (Filed October 21, 2016) (Clerk of the Board)

11/29/2016; CONTINUED OPEN.

12/13/2016; CONTINUED OPEN.

01/10/2017; CONTINUED OPEN.

03/21/2017; CONTINUED OPEN.

04/18/2017; 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.)

31. [161147](#) [Affirming the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street]

Motion affirming the determination by the Planning Department that a proposed project at 2675 Folsom Street is exempt from further environmental review under a Community Plan Exemption. (Clerk of the Board)

11/29/2016; CONTINUED.

12/13/2016; CONTINUED.

01/10/2017; CONTINUED.

03/21/2017; CONTINUED.

04/18/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

32. [161148](#) [Conditionally Reversing the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street]

Motion conditionally reversing the determination by the Planning Department that a proposed project at 2675 Folsom Street does not require further environmental review under a Community Plan Exemption, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

11/29/2016; CONTINUED.

12/13/2016; CONTINUED.

01/10/2017; CONTINUED.

03/21/2017; CONTINUED.

04/18/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

33. [161149](#) [Preparation of Findings to Reverse the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street]

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Exemption determination by the Planning Department that a proposed project at 2675 Folsom Street does not require further environmental review. (Clerk of the Board)

11/29/2016; CONTINUED.

12/13/2016; CONTINUED.

01/10/2017; CONTINUED.

03/21/2017; CONTINUED.

04/18/2017; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Hearing scheduled pursuant to Motion No. M17-057 (File No. 170332) approved on April 11, 2017.)

34. [170333](#) **[Hearing - Committee of the Whole - Report of Assessment Costs - Blighted Properties]**

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties, ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for by the City and County out of a blight abatement fund, scheduled pursuant to Motion No. M17-057, approved April 11, 2017. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

35. [170334](#) **[Report of Assessment Costs - Blighted Properties]**

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties, ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for by the City and County out of a blight abatement fund. (Public Works)

Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

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

The following items will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, May 8, 2017, at 1:30 p.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, May 9, 2017.

36. [170408](#) **[General Plan Amendments - 1500 Mission Street Project]**
Ordinance amending the General Plan by revising the height and bulk designations for the 1500 Mission Street project, Assessor's Parcel Block No. 3506, Lot Nos. 006 and 007, 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)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
37. [170348](#) **[Planning Code, Zoning Map - 1500 Mission Street Special Use District]**
Sponsor: Mayor
Ordinance amending the Planning Code to create the 1500 Mission Street Special Use District to facilitate development of the 1500 Mission Street (Assessor's Parcel Block No. 3506, Lot Nos. 006 and 007) project, to regulate bulk controls in the Special Use District, to modify Zoning Map SU07 to place the project site into this Special Use District, and Zoning Map HT07 to establish the height and bulk district designations for the project site; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Planning Commission)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

38. 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.

39. 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.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

Items 40 through 45

40. [170523](#) **[Supporting the Caltrain Peninsula Corridor Electrification Project]**
Sponsors: Breed; Peskin, Ronen and Sheehy
 Resolution supporting the Caltrain Peninsula Corridor Electrification Project, and urging the Federal Transportation Administration to approve the full funding grant agreement for the project.

 05/02/2017; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
41. [170524](#) **[Supporting the She Decides Initiative and Opposing the Enactment of the Mexico City Policy]**
Sponsors: Kim; Safai and Fewer
 Resolution supporting the She Decides Global Initiative spearheaded by the Netherlands which aims to support women's fundamental rights around the world to decide if, when, and how many children they have, by filling any gaps in funding resulting from the U.S. President's reinstatement of the Mexico City Policy (also referred to as the "Gag Rule"), which bans financial support to foreign organizations that provide access to safe abortion or any information about abortion, even if they do so with non-U.S. funding.

 05/02/2017; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. [170525](#) [Opposing the Budget Change Proposal of the California Department of Fish and Wildlife on Commercial Fishing Landing Taxes]

Sponsor: Peskin

Resolution urging the California State Senate and Assembly to oppose the Budget Change Proposal of the California Department of Fish and Wildlife that would increase commercial fishing landing taxes in the California State Budget FY2017-2018.

05/02/2017; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. [170526](#) [Supporting California State Assembly Bill 1129 (Stone) - Coastal Access and Protection]

Sponsor: Peskin

Resolution urging the California State Legislature to support and pass California State Assembly Bill 1129, introduced by Assembly Member Stone, in recognition of San Francisco's commitment to ensuring environmental protection of and public access to California's coastline in the face of anticipated sea level rise.

05/02/2017; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. [170527](#) [Tom "Red" McGarvey Day - May 7, 2017]

Sponsor: Sheehy

Resolution commending Tom McGarvey on the occasion of his 90th birthday, honoring his dedication to San Francisco's small businesses, and declaring May 7, 2017, as Tom "Red" McGarvey Day in the City and County of San Francisco.

05/02/2017; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. [170508](#) [Final Map 9024 - 241-10th Street]

Motion approving Final Map 9024, a 28 Residential Unit and one Commercial Unit, Mixed-Use Condominium Project, located at 241-10th Street, being a merger and re-subdivision of Assessor's Parcel Block No. 3518, Lot Nos. 020 and 038, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

04/26/2017; RECEIVED FROM DEPARTMENT.

05/03/2017; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

46. 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 is 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 RESOLUTIONS**170470 [Increase of Wastewater Enterprise Commercial Paper Program - Not to Exceed \$750,000,000]**

Resolution authorizing an increase of the principal amount of the Wastewater Enterprise's Commercial Paper Program by \$250,000,000 from a principal amount not to exceed \$500,000,000 to a principal amount not to exceed \$750,000,000 such Commercial Paper to be issued from time to time by the San Francisco Public Utilities Commission to finance on an interim basis various capital projects benefitting the Wastewater Enterprise, pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith, as defined herein. (Public Utilities Commission)

04/28/2017; RECEIVED FROM DEPARTMENT.

05/09/2017; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

170507 [Settlement of Lawsuit and Tolling Agreement - Airbnb, Inc. and HomeAway.com, Inc. - City to Receive \$80,000 plus \$10,000 Annually]

Resolution endorsing settlement of the lawsuit filed by Airbnb, Inc. and HomeAway.com, Inc. against the City and County of San Francisco and authorizing a Tolling Agreement; the lawsuit was filed on June 27, 2016, in the United States District Court for the Northern District of California, Case No. 16-cv-03615; entitled Airbnb, Inc., et al. v. City and County of San Francisco; the lawsuit involves a challenge to Ordinance Nos. 104-16 and 178-16, which regulate hosting platforms that provide booking services for short-term residential rentals; material terms of the settlement include a framework for Airbnb and HomeAway to take reasonable care to verify that short-term rental listings are lawfully registered before offering booking services, Airbnb and HomeAway's agreement to remove unregistered listings on their websites, Airbnb and HomeAway's payment of \$40,000 each to the City plus \$5,000 each annually to establish an Application Program Interface, and the City's agreement to toll statutes of limitation. (City Attorney)

05/01/2017; RECEIVED FROM DEPARTMENT.

05/09/2017; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

170537 [Petitions and Communications]

Petitions and Communications received from April 24, 2017, through May 1, 2017, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 9, 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 Charter, Section 3.100(18), making the following appointments: Copy: Each Supervisor. (1)

Mary Y. Jung - Art Commission - term ending January 15, 2021

Perry Lang - Aging and Adult Services Commission - term ending
January 15, 2019

Gustavo Serina - Aging and Adult Services Commission - term ending
July 21, 2020

Jeremy Wallenberg - Aging and Adult Services Commission - term ending
January 15, 2020

Marjan Ghafourpour Philhour - Commission of the Status of Women - term ending
January 22, 2019

From the Clerk of the Board, reporting that the following individual submitted a Form 700 Statement: (2)

Sheila Chung Hagan - Legislative Aide - Leaving

From Contract Monitoring Division of the City Administrator's Office, pursuant to Administrative Code Chapter 14B.5(A) submitting the Local Business Enterprise Contracting Report for Q1 and Q2 of FY2016-17. Copy: Each Supervisor. (3)

From the Planning Department, submitting a draft EIR for the proposed Seawall Lot 337 and Pier 48 Mixed-Use Project. Copy: Each Supervisor. (4)

From the Department of Human Resources, submitting an Administrative Code, Chapter 12B, Waiver Request. Copy: Each Supervisor. (5)

From the San Francisco Local Business Enterprise Unit, regarding the proposed Project Labor Agreement Legislation. File No. 170205. Copy: Each Supervisor. (6)

From Reuben, Junius & Rose, LLP, regarding a Type 20 license for a location at 799 Beach Street. File No. 170513. (7)

From concerned citizens, regarding Proposal A, which would preserve affordable housing for truly low income households, and expand the definition to include a full range of income levels. 17 Letters. Copy: Each Supervisor (8)

From Spike Kahn of Pacific Felt Factory Arts Space, regarding Proposition C. Copy: Each Supervisor (9)

From Wendy Lowinger, regarding the appointment of Petra DeJesus to the Police Commission. Copy: Each Supervisor. (10)

From Courtney Damkroger, regarding 953 Treat Street. File No. 170313. Copy: Each Supervisor. (11)

From Magick Altman, regarding Use of Force policy. Copy: Each Supervisor. (12)

From Natalie Saylor, Saylor Consulting, regarding the Southeast Wastewater Facility.

Copy: Each Supervisor. (13)

From Thomas J. Busse, expressing various thoughts of public comment. Copy: Each Supervisor. (14)

ADJOURNMENT