

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, May 2, 2017 - 2:00 PM**

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

**Regular Meeting**

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LONDON BREED, PRESIDENT

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

<b>Budget and Finance Committee</b> Supervisors Cohen, Yee, Tang, Kim, Sheehy	Thursday 1:00 PM
<b>Budget and Finance Federal Select Committee</b> Supervisors Cohen, Sheehy, Fewer	2nd and 4th Thursday 1:05 PM
<b>Budget and Finance Sub-Committee</b> Supervisors Cohen, Yee, Tang	Thursday 10:00 AM
<b>Government Audit and Oversight Committee</b> Supervisors Kim, Peskin, Breed	1st and 3rd Wednesday 10:00 AM
<b>Land Use and Transportation Committee</b> Supervisors Farrell, Peskin, Tang	Monday 1:30 PM
<b>Public Safety and Neighborhood Services Committee</b> Supervisors Ronen, Sheehy, Fewer	2nd and 4th Wednesday 10:00 AM
<b>Rules Committee</b> Supervisors Safai, Fewer, Yee	2nd and 4th Wednesday 1:00 PM

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

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, May 2, 2017, with President London Breed presiding.*

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

*President Breed called the meeting to order at 2:02 p.m. On the call of the roll, Supervisors Tang and Yee were noted not present. There was a quorum.*

*Supervisor Tang was noted present at 2:04 p.m.*

## **COMMUNICATIONS**

*Alisa Somera, Legislative Deputy Director, informed the Board of Supervisors that she was in receipt of a communication from the Office of Supervisor Norman Yee informing the Board of his absence and requesting to be excused from today's meeting.*

### **Supervisor Yee Excused from Attendance**

**Supervisor Farrell, seconded by Supervisor Kim, moved to excuse Supervisor Yee from attending the Board of Supervisors Meeting of May 2, 2017. The motion carried by the following vote:**

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

Excused: 1 - Yee

## **APPROVAL OF MEETING MINUTES**

**Supervisor Ronen, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of March 21, 2017. The motion carried by the following vote, following general public comment:**

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

Excused: 1 - Yee

## **AGENDA CHANGES**

*There were no agenda changes.*

## CONSENT AGENDA

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

**170201 [Appropriation - Sales Proceeds of City Property for \$122,000,000 to the General Service Agency - FY 2016-17]**

**Sponsor: Mayor**

Ordinance appropriating \$122,000,000 sales proceeds of City property to fund the retirement and defeasance of Series 2001A & 2007A Certificates of Participation, and to fund the development costs of the 1500 Mission Street office building development and placing \$122,000,000 of proceeds on Controller's Reserve pending receipt of sales proceeds.  
(Fiscal Impact)

**Ordinance No. 094-17**

**FINALLY PASSED**

**170294 [Taxable Certificates of Participation (HOPE SF) - Amending Ordinance No. 266-10 - Not to Exceed \$38,000,000]**

**Sponsor: Mayor**

Ordinance amending Ordinance No. 266-10, authorizing the execution and delivery of Taxable Certificates of Participation (HOPE SF) in an aggregate principal amount not to exceed \$38,000,000; approving the use and occupancy of certain leased property; approving the form of and authorizing the distribution of a revised preliminary official statement relating to the execution and delivery of Taxable Certificates of Participation (HOPE SF) and authorizing the preparation, execution and delivery of a final official statement; and ratifying the approvals and terms and conditions of Ordinance No. 266-10 and related matters, as defined herein.

**Ordinance No. 096-17**

**FINALLY PASSED**

### Recommendation of the Land Use and Transportation Committee

**170125 [Planning Code - Construction of Accessory Dwelling Units]**

**Sponsor: Peskin**

Ordinance amending the Planning Code to bring the requirements and procedures for authorizing the construction of Accessory Dwelling Units (ADUs) in single-family homes into conformity with the new mandates of state law; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development after adoption pursuant to state law requirements.

**Ordinance No. 095-17**

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Yee

## REGULAR AGENDA

## NEW BUSINESS

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

#### **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 Controller's Reserve pending receipt of proceeds of indebtedness.

(Fiscal Impact)

**Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by placing the total appropriation of \$4,832,455,418 on the Board of Supervisors' Reserve. The motion carried by the following vote:**

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

Excused: 1 - Yee

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)

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

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

Excused: 1 - Yee

**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, 2020; and to encourage selection of Zero Emission Vehicles in other vehicle classes as technology improves. (Fiscal Impact)

**Supervisor Tang, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding verbiage to ensure the City's municipal fleet is a light-duty passenger fleet by the year 2022, unless an exemption applies or a waiver is granted; creating a distinction between light-duty vehicles that park on City-owned property versus those that park on non-City-owned property, and adding additional requirements or waiver limits based on this distinction; and making other clarifying and conforming changes. The motion carried by the following vote:**

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

Excused: 1 - Yee

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)

**Supervisor Tang, seconded by Supervisor Ronen, moved that this Ordinance be CONTINUED AS AMENDED to the Board of Supervisors meeting of May 9, 2017. The motion carried by the following vote:**

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

Excused: 1 - Yee

**170211 [Airport Commission Capital Plan Bonds - \$4,358,694,227 - Airport Commission Commercial Paper Notes - \$100,000,000]****Sponsor: Mayor**

Resolution approving the issuance of up to an additional \$4,358,694,227 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds to finance and refinance Airport Capital Plan projects; approving the issuance and re-issuance from time to time of up to an additional \$100,000,000 aggregate principal amount of San Francisco International Airport Subordinate Commercial Paper Notes for any lawful Airport purpose; and ratifying and confirming certain Resolutions of the Board and the Airport Commission related to the foregoing. (Fiscal Impact)

**Resolution No. 156-17****ADOPTED by the following vote:**

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

Excused: 1 - Yee

**170264 [Agreement Amendment - Mott MacDonald - Construction Management Services - New Irvington Tunnel Project - Not to Exceed \$21,100,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to execute Amendment No. 5 to Agreement No. CS-918, New Irvington Tunnel Project-Construction Management Services with Mott MacDonald, to continue providing construction management services for the final construction and closeout of the tunnel, increasing the agreement by \$350,000 for a total agreement amount not to exceed \$21,100,000 and with a time extension of 12 months, for a total agreement duration of seven years and three months from August 1, 2009, through April 14, 2018, pursuant to Charter, Section 9.118. (Public Utilities Commission)  
(Fiscal Impact)

**Resolution No.** 157-17

**ADOPTED by the following vote:**

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

*President Breed requested File Nos. 170267 and 170268 be called together.*

**170267 [Agreement Amendment - State Department of Health Care Services - Substance Use Disorder Services - FYs 2014-2017 - \$58,504,385]**

Resolution retroactively authorizing the Department of Public Health, Behavioral Health Services to enter into Amendment No. A05 to a multi-year agreement for substance use disorder services with the State Department of Health Care Services, in the amount of \$58,504,385 for the term of July 1, 2014, through June 14, 2017; and authorizing and designating the Department of Public Health County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. (Public Health Department)  
(Fiscal Impact)

**Resolution No.** 158-17

**ADOPTED by the following vote:**

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

**170268 [Contract Agreement - State Department of Health Care Services - Substance Use Disorder Services - FYs 2017-2019 - \$128,849,925]**

Resolution authorizing the Department of Public Health, Behavioral Health Services to enter into a multi-year organized delivery system intergovernmental agreement for substance use disorder services with the State Department of Health Care Services, in the amount of \$128,849,925 for the term of June 15, 2017, through June 30, 2019; and authorizing and designating the Department of Public Health County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. (Public Health Department)  
(Fiscal Impact)

**Resolution No.** 159-17

**ADOPTED by the following vote:**

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

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

### **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.

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

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

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

Excused: 1 - Yee

### **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.

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

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

Excused: 1 - Yee

### **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.

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

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

Excused: 1 - Yee

## **Recommendations of the Rules Committee**

**170461** **[Appointment, Municipal Transportation Agency Board of Directors - Art Torres]**  
Motion approving the Mayor's nomination for the appointment of Art Torres to the Municipal Transportation Agency Board of Directors, for a term ending March 1, 2021. (Rules Committee) (Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: April 18, 2017.)

**Motion No.** M17-067

**APPROVED** by the following vote:

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

## **Supervisor Peskin Excused from Voting**

Supervisor Kim, seconded by Supervisor Farrell, moved that Supervisor Peskin be excused from voting on File No. 170462. The motion carried by the following vote:

Ayes: 9 - Breed, Cohen, Farrell, Fewer, Kim, Ronen, Safai, Sheehy, Tang  
Excused: 2 - Peskin, Yee

**170462** **[Appointment, Bay Conservation and Development Commission - Supervisor Aaron Peskin]**

Motion appointing Supervisor Aaron Peskin, for an indefinite term, to the Bay Conservation and Development Commission. (Rules Committee)

**Motion No.** M17-068

**APPROVED** by the following vote:

Ayes: 9 - Breed, Cohen, Farrell, Fewer, Kim, Ronen, Safai, Sheehy, Tang  
Excused: 2 - Peskin, Yee

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

*There were no commendations.*



## SPECIAL ORDER 3:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### **170497 [Hearing - Committee of the Whole - Findings and Recommendations Regarding Law Enforcement Practices - Update - May 2, 2017]**

**Sponsors: Cohen; Ronen**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on May 2, 2017, to hear and receive updates on the final reports, findings, and recommendations of the Blue Ribbon Panel on Transparency, Accountability, and Fairness in Law Enforcement; the Department of Justice Initial Assessment Report of the San Francisco Police Department; the President's Task Force on 21st Century Policing; and the Civil Grand Jury's Report, entitled "Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings;" and requesting the Police Department, the Department of Human Resources, the Department of Police Accountability, and the Police Commission to report; scheduled pursuant to Motion No. M16-164, approved on November 15, 2016.

*President Breed opened the public hearing and Supervisor Cohen indicated she would be making a motion to continue this hearing to a later date. Francisco Da Costa; David Costa; Jackie Barshaft; Male Speaker; Michael Adams; Tom Gilbert; shared various concerns relating to the hearing matter. There were no other speakers. President Breed closed public comment, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**Supervisor Cohen, seconded by Supervisor Ronen, moved that this Hearing be CONTINUED to the Board of Supervisors Meeting of May 16, 2017. The motion carried by the following vote:**

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

### Committee of the Whole Adjourn and Report

*President Breed recessed the meeting at 3:59 p.m. and reconvened at 5:01 p.m. Upon reconvening, Supervisors Farrell and Sheehy were noted absent.*

*Supervisors Farrell and Sheehy were noted present at 5:03 p.m.*

**SPECIAL ORDER 5:00 P.M.**

*President Breed requested File Nos. 170327, 170328, 170330, and 170331 be called together.*

**Board of Supervisors Sitting as a Committee of the Whole****170327 [Hearing - Committee of the Whole - Report of Assessment Costs - Accelerated Sidewalk Abatement Program]**

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 through the Accelerated Sidewalk Abatement Program, 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. M17-055, approved on April 11, 2017. (Clerk of the Board)

*President Breed opened the public hearing and inquired as to whether any member of the public wished to address the Board relating to assessments as referenced in File Nos. 170328 and 170331. Michael Lennon (Public Works) provided an overview of the assessments. Brian Har; Tom Mets; Bradley Burk; spoke objecting to the proposed assessments. There were no other speakers. President Breed closed public comment, declared the public hearing filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

**Committee of the Whole Adjourn and Report**

*President Breed recessed the meeting at 5:17 p.m. and reconvened at 5:47 p.m. Upon reconvening, Supervisor Peskin was noted absent.*

**170328 [Report of Assessment Costs for Blighted Properties - Accelerated Sidewalk Abatement Program]**

Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, 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)

*Michael Lennon (Public Works) requested that the following addresses be removed from the accompanying report due to recent resolution or receipt of payment: 267 Topez Way; 163 Edinburgh Street; 655-10th Avenue; 2898 Jackson Street; 432 Powell Street; 400 Molimo Drive; 103 Lower Terrace; 4301-21st Street; 348 Sanchez Street; 2770 Harrison Street; 1266 Hampshire Street; and 130 Brazil Avenue.*

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

*The amendments to the accompanying report, as provided by Public Works, included in File No. 170328, were received without objection.*

**Resolution No. 160-17**

**ADOPTED, after accepting the amendments to the accompanying report, by the following vote:**

Ayes: 9 - Breed, Cohen, Farrell, Fewer, Kim, Ronen, Safai, Sheehy, Tang

Excused: 1 - Yee

Absent: 1 - Peskin

## SPECIAL ORDER 5:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### **170330 [Hearing - Committee of the Whole - Report of Assessment Costs - Sidewalk Inspection and Repair Program]**

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to Public Works Code, Sections 707 and 707.1, the costs thereof having been paid for by the City and County out of a revolving fund; scheduled pursuant to Motion No. M17-056, approved on April 11, 2017. (Clerk of the Board)

*President Breed opened the public hearing and inquired as to whether any member of the public wished to address the Board relating to assessments as referenced in File Nos. 170328 and 170331. Michael Lennon (Public Works) provided an overview of the assessments. Brian Har; Tom Mets; Bradley Burk; spoke objecting to the proposed assessments. There were no other speakers. President Breed closed public comment, declared the public hearing filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

### Committee of the Whole Adjourn and Report

#### **170331 [Report of Assessment Costs - Sidewalk Inspection and Repair Program]**

Resolution approving a report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program ordered to be performed by said Director pursuant to the provisions of Public Works Code, Section 706.9, and Administrative Code, Section 80, the costs thereof having been paid for by the City and County out of a revolving fund. (Public Works)

*Michael Lennon (Public Works) requested that the following addresses be removed from the accompanying report due to recent resolution or receipt of payment: 2772 Sacramento Street; 1926 Lake Street; 1745 Broadway; 1901 Pacific Avenue; 1919 Octavia Street; 1801 Gough Street; 1911 Sacramento Street; 327 Austin Street; 1747 Pine Street; 1405 Franklin Street; 1520 Gough Street; 1440 Sutter Street; 563 Fell Street; 415 Laguna Street; 1045 Masonic Avenue; 1520 Page Street; 1530 Page Street; 2100-12th Avenue; 367 Moultrie Street; 287 Broad Street; and 227 Sagamore Street.*

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

*The amendments to the accompanying report, as provided by Public Works, included in File No. 170331, were received without objection.*

**Resolution No. 161-17**

**ADOPTED, after accepting the amendments to the accompanying report, by the following vote:**

Ayes: 9 - Breed, Cohen, Farrell, Fewer, Kim, Ronen, Safai, Sheehy, Tang

Excused: 1 - Yee

Absent: 1 - Peskin

## COMMITTEE REPORT

### Recommendation of the Land Use and Transportation Committee

#### **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.

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

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

Excused: 1 - Yee

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Abdalla Megahed; shared concerns regarding stolen property.*

*Male Speaker; shared concerns regarding WWII.*

*Francisco Da Costa; shared concerns regarding the Police Commission.*

*Tom Gilbert; shared concerns regarding Uber and Airbnb.*

*Male Speaker; shared various religious concerns.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **170487 [Day of Inclusion - May 6, 2017]**

#### **Sponsors: Fewer; Yee, Tang, Ronen, Kim and Peskin**

Resolution declaring May 6, 2017, to be a Day of Inclusion for the City and County of San Francisco, in recognition of the harm caused by the Chinese Exclusion Act and immigration policies based on racial and religious intolerance.

*Supervisors Ronen, Kim, and Peskin requested to be added as co-sponsors.*

**Resolution No.** 162-17

**ADOPTED** by the following vote:

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

Excused: 1 - Yee

## IMPERATIVE AGENDA

*There were no imperative agenda items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### **Introduced by a Supervisor or the Mayor**

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

### **Ordinances**

### **170520 [Appropriation - Proceeds from Special Tax Bonds - Transbay Transit Center Project - FY2016-2017 - \$207,500,000]**

**Sponsor: Mayor**

Ordinance appropriating \$152,000,000 of Special Tax Bonds, Series 2017A and Series 2017B, to general City responsibility for financing related to the Transbay Transit Center Project and Transbay Plan infrastructure projects in FY2016-2017. (Controller)

05/02/17; ASSIGNED to Budget and Finance Sub-Committee.

**170514 [Planning Code - Fulton Street Grocery Store Special Use District]****Sponsor: Breed**

Ordinance amending the Planning Code, Section 249.35A, to allow a grocery store that may be defined as a formula retail use and adding criteria for approval; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

05/02/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/1/2017.

**170515 [Administrative Code - Fire Victims Assistance Fund]****Sponsors: Ronen; Fewer, Sheehy, Kim, Yee and Safai**

Ordinance amending the Administrative Code to allow tenants who have been displaced by fires to receive payments from the Fire Victims Assistance Fund for up to four years, instead of two years, if they earn 70% of Area Median Income or less, have not secured permanent replacement housing, and have applied for an affordable housing preference from the City as a tenant displaced by a fire.

05/02/17; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 6/1/2017.

**170516 [Planning Code - Medical Cannabis Dispensaries in Supervisorial District 11]****Sponsor: Safai**

Ordinance amending the Planning Code to limit the number of medical cannabis dispensaries in Supervisorial District 11 to three at any given time; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

05/02/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/1/2017.

**Resolutions****170517 [Teeter Plan Extension - Community Facilities District No. 2014-1 (Transbay Transit Center)]****Sponsor: Mayor**

Resolution extending the Teeter Plan to special taxes levied for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center). (Controller)

05/02/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170518 [Annexation of Property - Community Facilities District No. 2014-1 (Transbay Transit Center)]****Sponsor: Mayor**

Resolution determining that property located at Assessor's Parcel Block No. 3740, Lot No. 029, and Block No. 3740, Lot Nos. 030-032, is annexed to the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center); and directing the Clerk of the Board of Supervisors to Record Notice of the Annexation. (Controller)

05/02/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170519 [Issuance of Special Tax Bonds - Community Facilities District No. 2014-1 (Transbay Transit Center) - Not to Exceed Aggregate Principal Amount of \$207,500,000]**

**Sponsor: Mayor**

Resolution authorizing the issuance and sale of two series of Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) in the aggregate principal amount not to exceed \$152,000,000; and approving related documents and determining other matters in connection therewith, as defined herein. (Controller)

05/02/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170521 [Accept and Expend Grant - State Transportation Development Act, Article 3 - Pedestrian and Bicycle Projects - \$991,150]**

**Sponsor: Mayor**

Resolution authorizing the acceptance and expenditure of State Transportation Development Act, Article 3, Pedestrian and Bicycle Project grant funding for FY2017-2018, in the amount of \$991,150 which includes \$495,575 for Public Works and \$495,575 for the Municipal Transportation Agency, for the term of July 1, 2017, through June 30, 2020. (Public Works)

05/02/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170522 [Real Property Acquisition - 772 Pacific Avenue - Shew Yick Trust One, Robert Yick Trust Two, and Robert Yick Non-Exempt Assets Trust - Affordable Housing Project - Below Fair Market Value Purchase of \$5,000,000]**

**Sponsors: Mayor; Peskin**

Resolution authorizing the Real Estate Division, on behalf of the Mayor's Office of Housing and Community Development, to acquire Real Property located at 772 Pacific Avenue from Shew Yick Trust One (Trustees Robert Yick and Andy Ting), Robert Yick Trust Two (Trustee Joseph Yick), and Robert Yick Non-Exempt Assets Trust (Trustee Mark Shustoff), for the purchase at below fair market value of \$5,000,000 for use in constructing affordable housing for San Franciscans. (Fiscal Impact)

05/02/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**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.

05/02/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**170524 [Supporting the She Decides Initiative and Opposing the Enactment of the Mexico City Policy]**

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

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.

05/02/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**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.

05/02/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

05/02/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

05/02/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Motions****170532 [Mayoral Appointment, Commission on the Status of Women - Marjan Ghafourpour Philhour]**

Motion approving/rejecting the Mayor's appointment of Marjan Ghafourpour Philhour to the Commission on the Status of Women, for a term ending January 22, 2019. (Rules Committee) (Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the 30-day period shall result in the appointee continuing to serve as appointed. Transmittal date: April 25, 2017.)

05/02/17; RECEIVED AND ASSIGNED to Rules Committee.

**170533 [Mayoral Appointment, Arts Commission - Mary Y. Jung]**

Motion approving/rejecting the Mayor's appointment of Mary Y. Jung to the Arts Commission, for a term ending January 15, 2021. (Rules Committee)

(Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the 30-day period shall result in the appointee continuing to serve as appointed. Transmittal date: April 25, 2017.)

05/02/17; RECEIVED AND ASSIGNED to Rules Committee.

**170534 [Mayoral Appointment, Aging and Adult Services Commission - Perry Lang]**

Motion approving/rejecting the Mayor's appointment of Perry Lang to the Aging and Adult Services Commission, for a term ending January 15, 2019. (Rules Committee)

(Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the 30-day period shall result in the appointee continuing to serve as appointed. Transmittal date: April 25, 2017.)

05/02/17; RECEIVED AND ASSIGNED to Rules Committee.

**170535 [Mayoral Reappointment, Aging and Adult Services Commission - Gustavo Serriñá]**

Motion approving/rejecting the Mayor's reappointment of Gustavo Serriñá to the Aging and Adults Services Commission, for a term ending July 21, 2020. (Rules Committee)

(Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the 30-day period shall result in the appointee continuing to serve as appointed. Transmittal date: April 25, 2017.)

05/02/17; RECEIVED AND ASSIGNED to Rules Committee.

**170536 [Mayoral Appointment, Aging and Adult Services Commission - Jeremy Wallenberg]**

Motion approving/rejecting the Mayor's appointment of Jeremy Wallenberg to the Aging and Adults Services Commission, for a term ending January 15, 2020. (Rules Committee)

(Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the 30-day period shall result in the appointee continuing to serve as appointed. Transmittal date: April 25, 2017.)

05/02/17; RECEIVED AND ASSIGNED to Rules Committee.

## **Requests for Hearing**

### **170528 [Hearing - Comprehensive Annual Financial Report - FY2015-2016]**

**Sponsor: Kim**

Hearing on the Comprehensive Annual Financial Report (CAFR), Single Audit, and management letters prepared by the City's external auditors Macias Gini & O'Connell and KPMG, LLP, for FY2015-2016, and their audit plans for FY2016-2017, pursuant to Charter, Section 9.117; and requesting the external auditors and the Controller's Office to report.

05/02/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **170529 [Hearing - Mission Creek Study on Adapting to Rising Tides]**

**Sponsor: Peskin**

Hearing on the September 2016 study released on the "Mission Creek Study: Adapting to Rising Tides;" and requesting the Port, Planning Department, City Administrator, Capital Planning Program, and SPUR to report.

05/02/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

### **170530 [Hearing - Barriers to Home Ownership Access for Underserved Communities]**

**Sponsors: Peskin; Kim and Ronen**

Hearing on the Mayor's Office of Housing and Community Development "Access to Housing" study with a focus on home ownership barriers for ethnic and racial groups, comparisons of the Bay Area regional median income and San Francisco household median income data sets, and the City's affordable housing noticing and applications systems for communities of color; and requesting the Mayor's Office of Housing and Community Development to report.

05/02/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **170531 [Hearing - 911 Call Center Response Times, Training Requirements, and Staffing Levels]**

**Sponsor: Peskin**

Hearing to receive data on 911 Call Center response times and training, to identify and present necessary conditions for meeting the 90% immediate response time goal, including review of appropriate staffing levels; and requesting the Department of Emergency Management to report.

05/02/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

## **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**

### **170337 [Report of Assessment Costs - Building Code Enforcement Violations]**

Resolution approving Report of Delinquent Charges for Assessment Costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, the costs thereof having accrued pursuant to code enforcement violations. (Building Inspection Department)

04/24/17; RECEIVED FROM DEPARTMENT.

05/02/17; RECEIVED AND ASSIGNED to Board of Supervisors.

### **170465 [Settlement of Unlitigated Claim - T-Mobile West, LLC - \$500,000]**

Resolution approving the settlement of the unlitigated claim filed by T-Mobile West, LLC against the City and County of San Francisco for \$500,000; the claim was filed on August 7, 2015; the claim involves a refund of utility users taxes (telephone users taxes) and access line taxes. (City Attorney)

04/21/17; RECEIVED FROM DEPARTMENT.

05/02/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 5:54 p.m.*

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

*Approved by the Board of Supervisors on June 13, 2017.*

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Angela Calvillo, Clerk of the Board