

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, April 4, 2017 - 2:00 PM

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

### Regular Meeting

LONDON BREED, PRESIDENT

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

##### **Budget and Finance Committee**

Supervisors Cohen, Yee, Tang, Kim, Sheehy

Thursday

1:00 PM

##### **Budget and Finance Federal Select Committee**

Supervisors Cohen, Sheehy, Fewer

2nd and 4th Thursday

1:05 PM

##### **Budget and Finance Sub-Committee**

Supervisors Cohen, Yee, Tang

Thursday

10:00 AM

##### **Government Audit and Oversight Committee**

Supervisors Kim, Peskin, Breed

1st and 3rd Wednesday

10:00 AM

##### **Land Use and Transportation Committee**

Supervisors Farrell, Peskin, Tang

Monday

1:30 PM

##### **Public Safety and Neighborhood Services Committee**

Supervisors Ronen, Sheehy, Fewer

2nd and 4th Wednesday

10:30 AM

##### **Rules Committee**

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.

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, April 4, 2017, with President London Breed presiding.*

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

*President Breed called the meeting to order at 2:02 p.m. On the call of the roll, all Supervisors were noted present. There was a quorum.*

## **COMMUNICATIONS**

*There were no communications.*

## **APPROVAL OF MEETING MINUTES**

*President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of February 14, 2017. There were no corrections.*

**Supervisor Peskin, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of February 14, 2017. The motion carried by the following vote, following general public comment:**

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

## **AGENDA CHANGES**

*There were no agenda changes.*

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Government Audit and Oversight Committee

#### Supervisor Farrell Excused from Voting

*Supervisor Farrell requested to be excused from voting on File No. 170158, due to a possible conflict of interest.*

**Supervisor Peskin, seconded by Supervisor Sheehy, moved that Supervisor Farrell be excused from voting on File No. 170158. The motion carried by the following vote:**

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

Excused: 1 - Farrell

#### 170158 [Administrative Code - Short-Term Residential Rentals]

**Sponsors: Peskin; Breed**

Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to require Hosting Platforms to exercise reasonable care in verifying that a residential unit is on the City Registry prior to accepting a fee for booking a short-term rental transaction; and affirming the Planning Department's determination under the California Environmental Quality Act.

**FINALLY PASSED by the following vote:**

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

Excused: 1 - Farrell

#### 170197 [Settlement of Lawsuit - Blueline Rental, LLC - \$1,650,000]

Ordinance authorizing settlement of the lawsuit in eminent domain filed by the City and County of San Francisco against Blueline Rental, LLC, for \$1,650,000; the lawsuit was filed on February 24, 2017, in San Francisco Superior Court, Case No. CGC-17-557268; entitled City and County of San Francisco v. Blueline Rental, LLC; the lawsuit involves payment of just compensation for the City's acquisition of a leasehold interest at the property commonly known as 1975 Galvez Avenue, San Francisco, California, Assessor's Parcel Block No. 5250, Lot No. 16; other material terms of the settlement are that tenant, Blueline Rental, LLC agrees to vacate the 1975 Galvez Avenue property no later than April 15, 2017. (City Attorney)

**FINALLY PASSED by the following vote:**

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

## NEW BUSINESS

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

**170157 [Appropriation - General Obligation Bonds - San Francisco General Hospital and Trauma Center Bond Interest Earnings - FY2016-2017- \$12,807,266]**

**Sponsor: Mayor**

Ordinance appropriating \$12,807,266 of General Obligation Bond Interest Earnings for the San Francisco General Hospital and Trauma Center in FY2016-2017 and placing \$392,406 on Controller's Reserve pending interest accrual and review of arbitrage costs.  
(Fiscal Impact)

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

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

**170150 [Lease Agreement - SP Plus-Hyde Parking Joint Venture - Northern Waterfront Surface Parking Lots - \$2,955,607 Estimated Total Rent in First Year]**

Resolution approving Lease No. L-16141 between the Port and SP Plus-Hyde Parking Joint Venture for a lease of surface parking lots in Port jurisdiction in the northern waterfront, including: a five-year term for Seawall Lot 321; a three-year term with two one-year Port options for Seawall Lots 323-324; and interim month-to-month parking at Seawall Lot 322-1, Pier 19½, and Pier 29½, such terms to commence following Board approval, with estimated total rent generated under the Lease for the first year of operations of \$2,955,607. (Port)

**ADOPTED by the following vote:**

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

**170152 [Agreement Extension - Airport Luggage Cart Lease and Operating Agreement - Smarte Carte, Inc. - Not to Exceed \$4,250,605]**

Resolution approving a two-year term extension for Luggage Cart Lease and Operating Agreement No. 11-0301, between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a total term July 1, 2012, through June 30, 2019, in an amount not to exceed \$4,250,605, and a new net payment total contract amount of \$12,924,595. (Airport Commission)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

President Breed requested File Nos. 170172, 170173, and 170174 be called together.

**170172 [2011 Lease and Use Agreement - Aer Lingus, Limited]**

Resolution approving the terms of 2011 Lease and Use Agreement No. 16-0298 between the City and County of San Francisco, acting by and through its Airport Commission, and Aer Lingus, Limited, to conduct flight operations at the San Francisco International Airport, for a term to commence following Board approval through June 30, 2021. (Airport Commission)

**ADOPTED by the following vote:**

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

**170173 [2011 Lease and Use Agreement - Turk Hava Yollari Anonim Ortakligi]**

Resolution approving the terms of 2011 Lease and Use Agreement No. 16-0301 between the City and County of San Francisco, acting by and through its Airport Commission, and Turk Hava Yollari Anonim Ortakligi to conduct flight operations at the San Francisco International Airport, for a term to commence following Board approval through June 30, 2021. (Airport Commission)

**ADOPTED by the following vote:**

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

**170174 [2011 Lease and Use Agreement - Redding Aero Enterprises, Inc.]**

Resolution approving the terms of 2011 Lease and Use Agreement No. 16-0326 between the City and County of San Francisco, acting by and through its Airport Commission, and Redding Aero Enterprises, Inc., to conduct flight operations at the San Francisco International Airport, for a term to commence following Board approval through June 30, 2021. (Airport Commission)

**ADOPTED by the following vote:**

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

**170193 [Supplemental Authorizations for Interdepartmental Property Transfer - MOU Amendment No. 1 - Central Shops Relocation - Increasing Transfer Price by \$8,578,429 to an Amount Not to Exceed \$82,278,429; Authorizing Notice to Proceed - Oryx Development I, LLC]**

Resolution approving supplemental authorizations for the jurisdictional transfer of 1800 Jerrold Avenue (portions of Assessor's Parcel Block Nos. 5262 and 5270) from the General Services Agency's Office of Contract Administration ("OCA") to the San Francisco Public Utilities Commission ("SFPUC") Wastewater Enterprise; and the jurisdictional transfer of 555 Selby Street and 1975 Galvez Avenue (Assessor's Parcel Block No. 5250, Lot Nos. 15 and 16), and the leasehold of 450 Toland Street (Assessor's Parcel Block No. 5230, Lot No. 18), from SFPUC to OCA (collectively "Project Site"), subject to Amendment No. 1 to the Memorandum of Understanding previously entered into between the Real Estate Division, OCA, and SFPUC to create the functionally-equivalent facilities for the relocation of the City's Central Fleet Maintenance Shop ("Central Shops") from 1800 Jerrold Avenue; increasing the total transfer price by \$8,578,429 to an amount not to exceed \$82,278,429 from SFPUC Wastewater Enterprise funds; authorizing the issuance of a Notice to Proceed for the next construction phase under a Board-authorized design-build Project Delivery Agreement with Oryx Development I, LLC, for the construction of facilities to relocate Central Shops to the Project Site; and finding the proposed transactions are in conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Utilities Commission)  
(Fiscal Impact)

*Privilege of the floor was granted unanimously to John Updike, Director (Real Estate Division), who responded to questions raised throughout the discussion.*

**ADOPTED by the following vote:**

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

**170198 [Professional Services Agreement - Black & Veatch Corporation - Design Support for the Hetch Hetchy Water and Power High Voltage Power Line Clearance Mitigation - Not to Exceed \$12,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to execute a professional services agreement with Black & Veatch Corporation for specialized design services for design support to mitigate ground, wire, and structure clearance issues with Hetch Hetchy Water and Power high voltage power lines in accordance with the SFPUC's mitigation program, for an amount not to exceed \$12,000,000 over a term of ten years to commence following Board approval through April 2027. (Public Utilities Commission)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**170229 [Emergency Declaration - Construct a Temporary Road Around a Landslide Area at Calaveras Road - Total Estimated Cost Not to Exceed \$1,500,000]**

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, to construct a temporary road around a landslide area at Calaveras Road; with a total estimated cost not to exceed \$1,500,000. (Public Utilities Commission)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**170232 [Real Property Lease Extension - Huey Lan F. 2004 Trust - 1701 Ocean Avenue - \$215,400 Annual Base Rent]**

Resolution authorizing the Director of Property to exercise a Lease Extension for the real property located at 1701 Ocean Avenue with Huey Lan F. 2004 Trust for a five-year extension term to commencing upon approval by the Board of Supervisors and the Mayor, at the monthly base rent of \$17,950 for a total annual base rent of \$215,400. (Public Health Department)  
(Fiscal Impact)

*Privilege of the floor was granted unanimously to John Updike, Director (Real Estate Division), who responded to questions raised throughout the discussion.*

**ADOPTED by the following vote:**

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

**Recommendations of the Land Use and Transportation Committee****140877 [Planning Code - Downtown Support Special Use District; Fees in Lieu of On-Site Open Space; Gift Acceptance]**

**Sponsor: Kim**

Ordinance amending the Downtown Support Special Use District to authorize a monetary contribution (in lieu fee) to satisfy required on-site open space requirements, exclude certain features from floor area ratio and gross floor area calculations, and dedicate the monetary contribution for lighting and safety improvements at Victoria Manolo Draves Park; accepting as a gift an additional monetary contribution for future improvements to and maintenance of Victoria Manolo Draves Park or other existing under-utilized parks in District 6, as well as for public recreation programs to occur in these parks; 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.

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

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

**170230 [California Environmental Quality Act Findings - Sewer System Improvement Program, Southeast Water Pollution Control Plant New Headworks Facility]**

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code, Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of the Sewer System Improvement Program - Southeast Water Pollution Control Plant New Headworks Facility; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

**ADOPTED by the following vote:**

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

## **Recommendations of the Public Safety and Neighborhood Services Committee**

*President Breed requested File Nos. 161369, 170056, and 170149 be called together.*

### **161369 [Liquor License Transfer - 300 Clipper Cove Way]**

Resolution determining that the transfer of a Type 51 Club license to Treasure Island Yacht Club, Inc., dba Treasure Island Yacht Club, located at 300 Clipper Cove Way (District 6), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control issue the license. (Public Safety and Neighborhood Services Committee)

**ADOPTED by the following vote:**

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

### **170056 [Liquor License - 835 Larkin Street]**

Resolution determining that the issuance of a Type 40 on-sale beer license to Askander Harooni, dba RS94109, located at 835 Larkin Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**ADOPTED by the following vote:**

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

### **170149 [Liquor License - 900 North Point Street E205]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Pacific Retail VFC 1, Inc., dba Vom Fass Oils Vinegar Spirits, located at 900 North Point Street E205 (District 2), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**ADOPTED by the following vote:**

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

## **Recommendations of the Rules Committee**

### **170288 [Appointment, Immigrant Rights Commission - Angeles Roy]**

Motion appointing Angeles Roy, term ending June 6, 2018, to the Immigrant Rights Commission. (Rules Committee)

**Motion No. M17-049**

**APPROVED by the following vote:**

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



**170289 [Appointments, In-Home Supportive Services Public Authority - Mike Boyd and Daisy McArthur]**

Motion appointing Mike Boyd and Daisy McArthur, terms ending March 1, 2020, to the In-Home Supportive Services Public Authority. (Rules Committee)

**Motion No.** M17-050

**APPROVED** by the following vote:

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

**170290 [Appointments, Citizens Committee on Community Development - Emma Kelsey and Clint Loftman]**

Motion appointing Emma Kelsey and Clint Loftman, terms ending February 23, 2019, to the Citizen's Committee on Community Development. (Rules Committee)

**Motion No.** M17-051

**APPROVED** by the following vote:

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

**170291 [Appointment, Cannabis State Legalization Task Force - Robert Keli'iho'omalu]**

Motion appointing Robert Keli'iho'omalu, term ending August 31, 2017, to the Cannabis State Legalization Task Force. (Rules Committee)

**Motion No.** M17-052

**APPROVED** by the following vote:

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

**170292 [Appointment, Airport Facilities Naming Advisory Committee - John Martin]**

Motion appointing John Martin, for an indefinite term, to the Airport Facilities Naming Advisory Committee. (Rules Committee)

**Motion No.** M17-053

**APPROVED** by the following vote:

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

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

**Supervisor Sheehy, seconded by Supervisor Farrell, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:**

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

*Supervisor Sheehy introduced, welcomed, and presented Certificates of Honor to AmeriCorps and Senior Corps in recognition of County National Day of Service, Corporation for National and Community Service's accomplishments, and continued community support.*

**ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Andrew Yip; shared his various thoughts and experiences with the Board.*

*Francisco Da Costa; shared concerns regarding transparency and accountability.*

*Mohammed El Camine; shared concerns regarding affordable housing and the homeless.*

*Amy Andera; spoke in support of the Resolution supporting State Assembly Bill 523 (File No. 170307) regarding allocation-equity in clean energy investments.*

*Marlena; spoke in support of the Resolution supporting State Assembly Bill 523 (File No. 170307) regarding allocation-equity in clean energy investments.*

*Laura; spoke in support of the Resolution supporting State Assembly Bill 523 (File No. 170307) regarding allocation-equity in clean energy investments.*

*Tony Robles; expressed concerns regarding a constituent's experience being evicted from her home.*

*Tom Gilberty; shared concerns regarding the Police Department, affordable housing, and positive changes in our community.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **170301 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance (File No. 161349) Allowing Scooter Parking In Certain Designated Parking Spaces]** **Sponsor: Breed**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 161349) amending the Planning Code to allow scooter parking in certain designated parking spaces; 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 findings under Planning Code, Section 302.

**ADOPTED**

### **170306 [Urging the California State Legislature to Amend the California Vehicle and Public Utilities Codes Related to Regulation of Transportation Network Companies]** **Sponsors: Peskin; Fewer, Yee and Ronen**

Resolution urging the California state legislature to amend the California Vehicle and Public Utilities Codes to enable local jurisdictions to access trip data for Transportation Network Companies (TNCs) and to permit and conduct enforcement of TNCs as warranted to ensure safety and disability access, and manage congestion.

*Supervisors Yee and Ronen requested to be added as co-sponsors.*

**ADOPTED**

**170307 [Supporting California State Assembly Bill 523 (Reyes) - Electric Program Investments Charge: Allocation-Equity in Clean Energy Investments]****Sponsors: Ronen; Fewer and Peskin**

Resolution supporting California State Assembly Bill 523, Electric Program Investments Charge: Allocation-Equity in Clean Energy Investments, authored by Assembly Member Reyes, dedicating a minimum of 25% of the available funds administered by the California Energy Commission in the Electric Program Investment Charge for clean energy projects located within and benefiting individuals living in designated disadvantaged communities and an additional 10% of the funds to low income communities.

**ADOPTED****170310 [Issuance of Subpoena Duces Tecum - Hardip S. Pannu]****Sponsor: Peskin**

Motion directing the Clerk of the Board of Supervisors to issue a subpoena duces tecum to Hardip S. Pannu, requiring him to appear at the Special Meeting of the Government Audit and Oversight Committee on April 28, 2017, at 10:00 a.m., to provide oral information at the hearing of File No. 160975 and respond to questions regarding the design, engineering, review, and approval process for the project at 301 Mission Street; and requiring him to produce documents, records, and other materials in his possession related to that project.

**Motion No. M17-054****APPROVED**

The foregoing items were acted upon by the following vote:

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

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

*President Breed requested that File No. 170304 be severed so that it may be considered separately.*

**170304 [Supporting California State Senate Bill 562 (Lara and Atkins) - Californians for a Healthy California Act - Establishing of a Comprehensive Universal Single-Payer Health Care Coverage Program]****Sponsors: Kim; Ronen, Cohen, Fewer, Yee, Peskin and Sheehy**

Resolution supporting California State Senate Bill 562, authored by Senators Lara and Atkins, the Californians for a Healthy California Act, that would establish a comprehensive universal single-payer health care coverage program and a system for health care cost control for the benefit of all state residents.

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

**Supervisor Kim, seconded by Supervisor Yee, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of April 11, 2017. The motion carried by the following vote:**

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

Supervisor Peskin requested that File No. 170305 be severed so that it may be considered separately.

**170305 [Urging the Retirement Board to Renew Its Commitment to Divest from Fossil Fuel Companies]**

**Sponsors: Peskin; Fewer and Ronen**

Resolution urging the Retirement Board of the Employees' Retirement System to renew its commitment to divest from publicly-traded fossil fuel companies, pursuant to its commitments to do so since October 2013, and to provide an update on public and private equity fossil fuel holdings.

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

Supervisor Peskin requested this matter be REFERRED to the Government Audit and Oversight Committee.

## IMPERATIVE AGENDA

*[Purely Commendatory Finding]*

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

**Supervisor Peskin, seconded by Supervisor Farrell, moved ADOPTION of the commendatory finding. The motion carried by the following vote:**

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

*[Brown Act Finding]*

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

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

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

**170347 [Food Runners 30th Anniversary - Food Runners Day - April 7, 2017]**

**Sponsor: Peskin**

Resolution commending Food Runners, and its founder Mary Risley, on the occasion of the organization's 30th year delivering excess food to those in need; and declaring April 7, 2017, as Food Runners Day in the City and County of San Francisco.

*President Breed inquired as to whether any member of the public wished to address the Board relating to the Resolution commending Food Runners on its 30th anniversary and declaring April 7, 2017, as Food Runners Day, as referenced in File No. 170347. There were no speakers. The President declared public comment closed.*

**ADOPTED by the following vote:**

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

## 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](http://www.sfbos.org/legislation_introduced).

### Introduced at the Request of a Department

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

## PROPOSED ORDINANCES

### **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)

03/16/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **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)

03/20/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**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)

03/20/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**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)

03/27/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**170224 [Annual Fundraising Drive - 2017]**

Resolution designating those agencies qualified to participate in the 2017 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (City Administrator)

03/21/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170321 [Agreement Amendment - Positive Resource Center - Behavioral Health Services - Not to Exceed \$10,744,447]**

Resolution approving a third amendment to the Department of Public Health agreement for behavioral health services with Positive Resource Center, to increase the contract by \$2,649,515 for a total amount not to exceed \$10,744,447. (Public Health Department)

03/27/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170322 [License and Services Agreement Modification - Airport Research and Development Foundation - Application-Based Commercial Ground Transportation Trip Fee Collection Services]**

Resolution retroactively approving Modification No. 1 to License and Services Agreement No. 50037 between the City and County of San Francisco, acting by and through its Airport Commission, and Airport Research and Development Foundation, a not-for-profit corporation, to cap the City's Administrative Services Fee at \$250,000 annually for the period of March 13, 2017, through March 12, 2020. (Airport Commission)

03/13/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170323 [Prevailing Wage Rates - Security Guard Services]**

Resolution fixing prevailing wage rates for individuals engaged in security guard services at facilities or on property owned or leased by the City, and for events on City property. (Civil Service Commission)

03/24/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**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)

03/16/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**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)

03/27/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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

Resolution approving 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 out of a blight abatement fund. (Public Works)

03/27/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Board of Supervisors.

**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)

03/27/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Board of Supervisors.

**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)

03/23/17; RECEIVED FROM DEPARTMENT.

04/04/17; RECEIVED AND ASSIGNED to Board of Supervisors.

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 3:38 p.m.*