BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, April 11, 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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, April 11, 2017, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:01 p.m. On the call of the roll, Supervisors Kim and Sheehy were noted not present. There was a quorum.

COMMUNICATIONS

There were no communications.

Supervisor Kim was noted present at 2:03 p.m.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of February 28, 2017. There were no corrections.

Supervisor Kim, seconded by Supervisor Tang, moved to approve the Board Meeting Minutes of February 28, 2017. The motion carried by the following vote, following general public comment:

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

Absent: 1 - Sheehy

AGENDA CHANGES

There were no agenda changes.

Supervisor Sheehy was noted present at 2:04 p.m.

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

There were no questions submitted from Supervisors representing the odd districts. Mayor Edwin Lee addressed the Board of Supervisors regarding the need to provide continued support, services and programs to the next generation in order to prepare them for the future, including educational and professional opportunities, ensuring available housing, and removing barriers that prevent them from succeeding. Following public comment this matter was filed. No further action was taken.

CONSENT AGENDA

Recommendation 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)

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

170228 **[Settlement of Lawsuit - CF Contracting, Inc. - Up to $120,000]**
Ordinance authorizing settlement of the lawsuit filed by CF Contracting, Inc. ("CFC") against the City and County of San Francisco for $110,000, plus $10,000 if CFC reaches substantial completion of the Mountain Lake Park Playground Renovation with Public Works by February 14, 2017; the lawsuit was filed on March 22, 2016, in the Superior Court of California, County of San Francisco, Case No. CGC-16-551060; entitled CF Contracting, Inc. v. City and County of San Francisco; the lawsuit involves CFC's allegation that the City wrongfully denied bid relief and rejected of one of the subcontractors CFC listed in its bid; other material terms of the settlement are 1) the City will release claims for delay and extend the Contract's completion dates, 2) the City will retain certain rights to assess liquidated damages if CFC does not achieve substantial completion by February 28, 2017, and 3) CFC will release the City from claims, with limited exceptions. (City Attorney)

PASSED, ON FIRST READING

170233 **[Settlement of Unlitigated Claim - Mei Har Chin - $44,500]**
Resolution approving the settlement of the unlitigated claim filed by Mei Har Chin against the City and County of San Francisco for $44,500; the claim was filed on September 23, 2016; the claim involves a personal injury on a City street. (City Attorney)

ADOPTED

170234 **[Settlement of Unlitigated Claim - Marriott International Administrative Services, Inc. - $383,346.02]**
Resolution approving the settlement of the unlitigated claim filed by Marriott International Administrative Services, Inc. against the City and County of San Francisco for $383,346.02; the claim was filed on April 19, 2016; the claim involves a refund of payroll expense taxes. (City Attorney)

ADOPTED

Recommendation 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.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

NEW BUSINESS

Recommendation of the Government Audit and Oversight Committee

170215 **[Yerba Buena Community Benefit District - Annual Report to the City - FY2015-2016]**
Sponsor: Kim
Resolution receiving and approving the annual report for the Yerba Buena 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.

ADOPTED 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 Yee, seconded by Supervisor Tang, 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

Supervisors Yee and Tang introduced, welcomed, and presented a Certificate of Honor to Janet Atchan who was bestowed the 2016 Dispatcher of the Year award in recognition of her exemplary performance, specifically during the shooting of a San Francisco Police Officer. Supervisor Fewer and Chief William Scott (Police Department) shared in this commendation.

Supervisor Fewer introduced, welcomed, and presented a Certificate of Honor to Claire Watsky, in recognition of National Library Week, and her many accomplishments and continued community support providing literary services and programs.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to April Veneracion Ang, former Legislative Aide for Supervisor Kim, in recognition of her numerous accomplishments during the last eight years with the Board of Supervisors and continued community support.

Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to Will Leong, in recognition of his retirement from the San Francisco Pretrial Diversion Project as the CEO, and his many accomplishments facilitating positive and effective alternatives to criminal charges for individuals throughout San Francisco. Sheriff Vicki Hennessy (Sheriff's Department) shared in this commendation.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Sheila Chung-Hagen, former Legislative Aide for Supervisor Ronen, in recognition of her numerous accomplishments during her tenure with the Board of Supervisors and continued community support.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed support of the Resolution regarding Senate Bill 562 (File No. 170304).
Don Beckler; expressed support of the Resolution regarding Senate Bill 562 (File No. 170304).
Male Speaker; expressed support of the Resolution regarding Senate Bill 562 (File No. 170304).
Ray; shared concerns regarding the opposition towards the Falun Dafa and denial from participating in certain parades.
Female Speaker; shared concerns regarding the opposition towards the Falun Dafa and denial from participating in certain parades.
Male Speaker; shared concerns regarding the opposition towards the Falun Dafa and denial from participating in certain parades.
Female Speaker; shared concerns regarding the opposition towards the Falun Dafa and denial from participating in certain parades.
Male Speaker; shared concerns regarding politics in San Francisco.
Charles Rathbone (Medallion Holders Assocation); expressed support of the Resolution waiving the 2017 taxi medallion renewal fee (File No. 170356).
Carl Magmoto; expressed support of the Resolution waiving the 2017 taxi medallion renewal fee (File No. 170356).
Tara Halsman; expressed support of the Resolution waiving the 2017 taxi medallion renewal fee (File No. 170356).
Dave Schneider; expressed support of the Resolution waiving the 2017 taxi medallion renewal fee (File No. 170356).
Michael Baier; requested support denouncing the persecution of gay individuals in Chechnya.
Jin Crawford; extended an invitation for a community meeting.
Female Speaker; shared an eviction experience that included break-ins by the landlord.
Margaret Cummins; expressed support of the Resolution regarding Senate Bill 562 (File No. 170304).
Maria Guillen (SEIU, Local 1021); expressed support of the Resolution regarding Senate Bill 562 (File No. 170304).
Nancy Cross; shared various concerns regarding access and housing.
Ed Kinchley (SEIU, Local 1021); shared concerns regarding the health care system.
Jeff Salinas; expressed concerns regarding union workers and support of legislative matters.
James Collins; expressed support of the Resolution regarding Senate Bill 562 (File No. 170304).
Johannes; expressed support of the Resolution regarding Senate Bill 562 (File No. 170304).
Marcelo Fonseca; expressed support of the Resolution waiving the 2017 taxi medallion renewal fee (File No. 170356).
Javon Roles; expressed support of the Resolution waiving the 2017 taxi medallion renewal fee (File No. 170356).
Karen Bowger; expressed support of the Resolution regarding Senate Bill 562 (File No. 170304).
Male Speaker; shared concerns regarding pro-war protestors.
Tom Gilberty; shared thoughts regarding capitalism and the 8 Washington project.
Otto Dufty; shared various concerns regarding the labor council.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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.

ADOPTED

170353 **[Urging the Department of Public Health to Convene a Safe Injection Services Task Force]**
Sponsors: Breed; Sheehy, Ronen and Kim
Resolution urging the Department of Public Health to convene a Safe Injection Services Task Force to make recommendations to the Mayor, the Board of Supervisors, and City departments regarding safe injection services.

ADOPTED

170354 **[Opposing California State Senate Bill 649 (Hueso) - Wireless and Small Cell Telecommunication Facilities]**
Sponsor: Farrell
Resolution opposing California State Senate Bill 649, authored by Senator Ben Hueso, which would prevent San Francisco and municipalities throughout the State from having local control over the placement and design of wireless facilities, and preclude localities from charging reasonable fees for the commercial use of municipal assets.

ADOPTED

170356 **[Urging the San Francisco Municipal Transportation Agency to Waive the 2017 Taxi Medallion Renewal Fee for All Medallion Holders]**
Sponsors: Peskin; Ronen
Resolution urging the San Francisco Municipal Transportation Agency and its Board to waive the Medallion Renewal Fee set forth in Transportation Code, Section 320, for all Taxi Cab Medallion Holders.

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

ADOPTED

170357 **[Armenian Genocide Commemoration Day - April 24, 2017]**
Sponsors: Peskin; Ronen
Resolution declaring April 24, 2017, as Armenian Genocide Commemoration Day in the City and County of San Francisco.

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

ADOPTED

170326 **[Committee of the Whole - Report of Assessment Costs - Accelerated Sidewalk Abatement Program - May 2, 2017]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 2, 2017, at 5:00 p.m., to hold a public hearing on a 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 out of a blight abatement fund. (Clerk of the Board)

Motion No. M17-055

APPROVED

170329 **[Committee of the Whole - Report of Assessment Costs - Sidewalk Inspection and Repair Program - May 2, 2017]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 2, 2017, at 5:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for work done or caused to be done through the Sidewalk Inspection and Repair Program, pursuant to Public Works Code, Section 706.9, and Administrative Code, Section 80, the cost thereof having been paid for by the City and County out of a revolving fund. (Clerk of the Board)

Motion No. M17-056

APPROVED

170332 **[Committee of the Whole - Report of Assessment Costs - Blighted Properties - May 9, 2017]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 9, 2017, at 5:00 p.m., to hold a public hearing on a Resolution approving 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 out of a blight abatement fund. (Clerk of the Board)

Motion No. M17-057

APPROVED

170335 **[Committee of the Whole - Report of Assessment Costs - Building Code Enforcement Violations - May 23, 2017]**

Motion scheduling the Board of Supervisors to convene a Committee of the Whole on May 23, 2017, at 5:00 p.m., to hold a public hearing on a Resolution confirming a report of delinquent charges for code enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of 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, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

Motion No. M17-058

APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Supervisor Peskin, seconded by Supervisor Ronen, moved to rescind the previous vote in order to reopen public comment and allow additional testimony on these matters. The motion carried by the following vote:
Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Yee requested that File No. 170358 be severed so that it may be considered separately.

170358 **[Opposing the Dismantling of the Coordinated Care Initiative and the In-Home Supportive Services Maintenance of Effort (MOE) Cost Sharing Agreement - Supporting Ongoing Negotiations to Fund and Reinstate the 2012 MOE]**
Sponsors: Yee; Cohen and Fewer
Resolution opposing the dismantling of the Coordinated Care Initiative and the In-Home Supportive Services (IHSS) Maintenance of Effort (MOE) Cost Sharing Agreement under the Governor's FY2017-2018 Budget; and supporting the California State Legislature and Governor Brown's ongoing negotiations to fully fund the IHSS and reinstate the 2012 MOE.

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

Supervisor Yee, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 11, by striking 'health' and adding 'personal care', striking 'daily care' and adding 'chore services', striking 'over' and adding 'an estimated', striking '530,000' and adding '500,000', Line 13, by striking 'over' and adding 'approximately', and Lines 17-18, by striking '1991 State and Local Program Realignment re-classified IHSS as a federal entitlement program' and adding 'IHSS program is an entitlement under the state's Medicaid State Plan'; on Page 2, Line 9, by striking '$500,000,000' and adding '$623,000,000', Line 12, by striking 'half' and adding 'significantly less than', and Line 18, by striking 'at least' and adding 'approximately'; and Page 3, Line 9, by adding 'FURTHER RESOLVED, That the Clerk of the Board be directed to send a copy of this resolution to the offices of Governor Jerry Brown and the California State Legislature.' The motion carried by the following vote:

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

ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Supervisor Peskin, seconded by Supervisor Ronen, moved to rescind the previous vote in order to reopen public comment and allow additional testimony on this matter. The motion carried by the following vote:
Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang, Yee

ADOPTED AS AMENDED by the following vote:

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

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

170341 **[Agreement - Alliant Insurance Services, Inc. - Insurance Broker and Risk Management Consulting Services - Not to Exceed $34,000,000]**
Resolution authorizing the Director of Risk Management to execute a brokerage and risk management consulting services agreement with Alliant Insurance Services, Inc., for Insurance Broker and Risk Management Consulting Services, for a not to exceed amount of $34,000,000 with a term of three years and an option to extend the agreement for three additional two year terms, for the period of July 1, 2017, or effective date through June 30, 2020. (City Administrator)

03/29/17; RECEIVED FROM DEPARTMENT.

04/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170342 **[Contract Amendment - Aon Risk Insurance Services West, Inc. - Insurance Broker and Risk Management Consulting Services - $19,955,292]**
Resolution authorizing the Director of Risk Management to enter into the Third Amendment of a contract with Aon Risk Insurance Services West, Inc., for insurance broker and risk management consulting services, to increase the contract limit from $15,755,292 to $19,955,292 for a term ending July 21, 2018. (City Administrator)

03/29/17; RECEIVED FROM DEPARTMENT.

04/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170343 **[Professional Services Agreement - HDR Engineering, Inc. - Construction Management Staff Augmentation Services for the New Headworks Facility Project - Not to Exceed $17,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Professional Services Agreement No. PRO.0028, New Headworks Facility Construction Management Staff Augmentation Services, with HDR Engineering, Inc., to provide construction management staff augmentation services for the New Headworks Facility Project, for an amount not to exceed $17,000,000 over a term of six years to commence following Board approval through July 2023. (Public Utilities Commission)

03/31/17; RECEIVED FROM DEPARTMENT.

04/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

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)

03/31/17; RECEIVED FROM DEPARTMENT.

04/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

170345 **[Real Property Lease Extension - BRCP 1390 Market, LLC - 1390 Market Street - $3,898,578 in Initial Year]**

Resolution approving the Fourth Amendment to a lease between BRCP 1390 Market, LLC, as Landlord, and the City and County of San Francisco, as tenant, for approximately 69,402 square feet at 1390 Market Street (Fox Plaza), for use by the Office of the City Attorney at an initial annual rent of $3,898,578.41 (or $354,416.22 per month with one month abated) and 3% annual increases thereafter, extending the term for five years from January 1, 2018, to December 31, 2022; and approving the continued use of a portion of the premises for child care services. (City Attorney's Office)

04/03/17; RECEIVED FROM DEPARTMENT.

04/11/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 4:19 p.m.