

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, June 20, 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

10:00 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.

Volume 112 Number 21

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**Members Present:** London Breed, Malia Cohen, Sandra Lee Fewer, 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, June 20, 2017, with President London Breed presiding.*

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

*President Breed called the meeting to order at 2:03 p.m. On the call of the roll, Supervisors Farrell and Kim were noted not present. There was a quorum.*

## **COMMUNICATIONS**

*Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of communications from Supervisors Jane Kim and Mark Farrell informing the Board of their absences and requesting to be excused from today's meeting.*

### **Supervisors Farrell and Kim Excused from Attendance**

Supervisor Peskin, seconded by Supervisor Tang, moved that Supervisors Farrell and Kim be excused from attending today's meeting. The motion carried by the following vote:

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

## **APPROVAL OF MEETING MINUTES**

*President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of May 9, 2017, or the Special Meeting Minutes at the Budget and Finance Committee Meeting of May 11, 2017. There were no corrections.*

Supervisor Tang, seconded by Supervisor Sheehy, moved to approve the Board Meeting Minutes of May 9, 2017, and the Special Meeting Minutes at the Budget and Finance Committee Meeting of May 11, 2017. The motion carried by the following vote, following general public comment:

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

## **AGENDA CHANGES**

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

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

**Sponsor: Mayor**

Ordinance appropriating \$207,500,000 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)

**Ordinance No. 136-17**

**FINALLY PASSED**

### Recommendations of the Government Audit and Oversight Committee

**170494 [Memorandum of Understanding - Municipal Attorneys Association]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2019 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys Association, to extend the standby program at the District Attorney's Office through June 30, 2019. (Human Resources Department)

**Ordinance No. 132-17**

**FINALLY PASSED**

**170495 [Memorandum of Understanding - Machinists Union, Local 1414]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2019 Memorandum of Understanding between the City and County of San Francisco and the Machinists Union, Local 1414, International Association of Machinists & Aerospace Workers Machinists Automotive Trades District Lodge 190, to provide a one time wage adjustment of 1.15% to represented employees in classifications 7306 Automotive Body and Fender Workers and 7309 Car and Auto Painters, effective July 1, 2017. (Human Resources Department)

**Ordinance No. 133-17**

**FINALLY PASSED**

**170496 [Memorandum of Understanding - International Federation of Professional and Technical Engineers, Local 21]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2014-2019 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, to extend the PUC/CIP Planning Function Assignment Pay provision through June 30, 2019. (Human Resources Department)

**Ordinance No. 134-17****FINALLY PASSED****170597 [Memorandum of Understanding - Committee of Interns and Residents, Service Employees International Union]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Committee of Interns and Residents, Service Employees International Union, to be effective July 1, 2017, through June 30, 2021. (Human Resources Department)

**Ordinance No. 137-17****FINALLY PASSED****Recommendations of the Land Use and Transportation Committee****170159 [Housing Code - Timers and Devices Restricting Showerhead Water Flow]****Sponsors: Peskin; Ronen**

Ordinance amending the Housing Code to prohibit the installation of timers or devices, other than required water conservation fixtures, that restrict or interrupt the water flow from showerheads in dwellings, apartment houses, dormitories, lodging houses, and hotels, subject to an exception for owner-occupied dwelling units; requiring shower heads to have a flow of no more than 2.5 gallons per minute; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage as required by State law.

**Ordinance No. 128-17****FINALLY PASSED**

**170240 [Police, Building Codes - Lactation in the Workplace]****Sponsors: Tang, Cohen, Ronen, Kim, Breed, Fewer, Yee and Safai**

Ordinance amending the Police Code to require employers to provide employees breaks and a location for lactation and to have a policy regarding lactation in the workplace that specifies a process by which an employee will make a request for accommodation, defines minimum standards for lactation accommodation spaces, requires that tenant improvements in buildings designated for certain uses include lactation rooms, and outlines lactation accommodation best practices; amending the Building Code to specify the technical specifications of lactation rooms for tenant improvements in buildings designated for certain uses; making findings, including environmental findings and findings regarding the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

**Ordinance No. 131-17****FINALLY PASSED****The foregoing items were acted upon by the following vote:**

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

**REGULAR AGENDA****UNFINISHED BUSINESS****Recommendations of the Budget and Finance Committee***President Breed requested File Nos. 170651 and 170652 be called together.***170651 [Proposed Interim Budget and Appropriation Ordinance for Departments - FYs 2017-2018 and 2018-2019]****Sponsor: Mayor**

Proposed Interim Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2017, for the FYs ending June 30, 2018, and June 30, 2019.

(Fiscal Impact; No Budget and Legislative Analyst Report)

**Ordinance No. 138-17****FINALLY PASSED by the following vote:**

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

**170652 [Proposed Interim Annual Salary Ordinance - FYs 2017-2018 and 2018-2019]****Sponsor: Mayor**

Proposed Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2018, and June 30, 2019, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore. (Fiscal Impact; No Budget and Legislative Analyst Report)

**Ordinance No. 139-17****FINALLY PASSED by the following vote:**

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

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

*President Breed requested File Nos. 170203 and 170204 be called together.*

**170203 [Planning Code - Article 7 Reorganization; Technical and Other Amendments]****Sponsor: Mayor**

Ordinance amending the Planning Code to reorganize Article 7 and to update, correct, clarify, and simplify Code language in other Planning Code Sections; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or merger of units on the second story and above in the North Beach Neighborhood Commercial District (NCD); preserve the small storefronts, street frontage and prohibit vehicular access on certain streets within the North Beach NCD and Special Use District (SUD); create the definition of Special Food Manufacturing and amending the Eating and Drinking Controls for the North Beach SUD; 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 adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

**Ordinance No. 129-17****FINALLY PASSED by the following vote:**

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

**170204 [Planning Code - Deletion of Duplicate Definitions and Outdated Article 7 Zoning Control Tables]****Sponsor: Mayor**

Ordinance amending Planning Code, Article 7, to delete Zoning Control Tables that are superseded by new Zoning Control Tables in a companion ordinance and to delete duplicate definitions previously relocated to Article 2 and related outdated text; 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.

**Ordinance No.** 130-17

**FINALLY PASSED** by the following vote:

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

**Recommendation of the Public Safety and Neighborhood Services Committee****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.

**Ordinance No.** 135-17

**FINALLY PASSED** by the following vote:

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

## NEW BUSINESS

### Recommendations of the Land Use and Transportation Committee

#### **170554 [Amending Ordinance No. 1061 - Sidewalk Width Change - Southeast Corner of Mission and First Streets, First Street, and Fremont Street]**

**Sponsor: Kim**

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to change the official sidewalk width of certain locations along First Street southeast of Mission Street, along Mission Street between First and Fremont Streets, and along Fremont Street southeast of Mission Street, and creating a new sidewalk bulb-out at the east corner of First and Mission Streets; 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: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

#### **170602 [Real Property Conveyance - Land Dedication by Bryant Street Holdings LLC - 2070 Bryant Street - Inclusionary Affordable Housing]**

**Sponsors: Mayor; Ronen**

Resolution approving and authorizing an agreement for the conveyance of a parcel of real estate located at 2070 Bryant Street, consisting of approximately 19,000 square feet of land within Assessor's Parcel Block No. 4022 in San Francisco County, to the Mayor's Office of Housing and Community Development, pursuant to the land dedication process permitted under Planning Code, Section 419; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution, as defined herein.

**Resolution No. 258-17**

**ADOPTED by the following vote:**

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

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

### **170441 [Health Code - Banning the Sale of Flavored Tobacco Products]**

**Sponsors: Cohen; Safai, Breed, Farrell, Sheehy, Tang and Yee**

Ordinance amending the Health Code to prohibit tobacco retailers from selling flavored tobacco products, including menthol cigarettes.

(Economic Impact)

**Supervisor Cohen, seconded by Supervisor Safai, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 8, Line 6, to change the operative date of the Ordinance by striking 'January 1, 2018' and adding 'April 1, 2018.' The motion carried by the following vote:**

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

(Economic Impact)

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

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

## **Recommendations of the Rules Committee**

### **170595 [Reappointment, Police Commission - Petra DeJesus]**

Motion confirming the Rules Committee's nomination of, and reappointing, Petra DeJesus, term ending April 30, 2021, to the Police Commission. (Rules Committee)

(Supervisor Safai dissented in committee.)

**Motion No. M17-098**

**APPROVED by the following vote:**

Ayes: 8 - Breed, Cohen, Fewer, Peskin, Ronen, Sheehy, Tang, Yee

Noes: 1 - Safai

Excused: 2 - Farrell, Kim

### **170710 [Appointments, Sweatfree Procurement Advisory Group - Dave Marin, Jason Oringer, Yuval Miller, and Julienne Fisher]**

Motion appointing Dave Marin, and reappointing Jason Oringer, Yuval Miller, and Julienne Fisher, terms ending December 17, 2017, to the Sweatfree Procurement Advisory Group. (Rules Committee)

**Motion No. M17-099**

**APPROVED by the following vote:**

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

**170722 [Reappointment, Sunshine Ordinance Task Force - Fiona Hinze]**

Motion reappointing Fiona Hinze, term ending April 27, 2019, to the Sunshine Ordinance Task Force. (Rules Committee)

**Motion No.** M17-100

**APPROVED by the following vote:**

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

**170723 [Appointment, Food Security Task Force - Michelle Kim]**

Motion appointing Michelle Kim (residency requirement waived), for an indefinite term, to the Food Security Task Force. (Rules Committee)

**Motion No.** M17-101

**APPROVED by the following vote:**

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

**170724 [Appointment, Child Care Planning and Advisory Council - Mario Paz]**

Motion appointing Mario Paz (residency requirement waived), term ending March 19, 2018, to the Child Care Planning and Advisory Council. (Rules Committee)

**Motion No.** M17-102

**APPROVED by the following vote:**

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

**170725 [Appointment, In-Home Supportive Services Public Authority - William Pitts]**

Motion appointing William Pitts, term ending March 1, 2020, to the In-Home Supportive Services Public Authority. (Rules Committee)

**Motion No.** M17-103

**APPROVED by the following vote:**

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

**170726 [Appointments, Graffiti Advisory Board - Alex Mitra, Darcy Brown, Daniel Kling, and Rebecca Delgado Rottman]**

Motion appointing Alex Mitra and reappointing Darcy Brown, Daniel Kling, and Rebecca Delgado Rottman, terms ending April 10, 2019, to the Graffiti Advisory Board. (Rules Committee)

**Motion No.** M17-104

**APPROVED by the following vote:**

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

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

Supervisor Peskin, seconded by Supervisor Safai, 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: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to Ruth Gottstein in recognition of her many accomplishments advocating for civil rights.

### LGBTQ PRIDE MONTH

Supervisor Sheehy provided opening remarks and all Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of LGBTQ Pride Month, their accomplishments, and their continued community support as referenced below:

Supervisor Sheehy recognized Keith Baraka and San Francisco ResQ;

Supervisor Safai recognized Tom DeCaigny, Director of Cultural Affairs;

Supervisor Ronen recognized Jesus Barragan (Office of Supervisor Hillary Ronen);

Supervisor Yee recognized Rick Johnson (Midtown Terrace Home Owner's Association);

Supervisor Breed recognized Melonie and Melorra Green;

Supervisor Peskin recognized Juanita MORE!;

Supervisor Tang recognized Pastor Megan Rohrer (Grace Evangelical Lutheran Church); and

Supervisor Cohen recognized Angela Calvillo, Clerk of the Board (Board of Supervisors).

## ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

## PUBLIC COMMENT

Abdalla Megahed; shared concerns regarding homeless assistance and services.

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

Charlie Walker; expressed concerns regarding the minimization of the Juneteenth Festival.

Male Speaker; shared concerns regarding homophobia.

Tom Gilberty; shared various political concerns and the impacts of health care reform.

Peter Warfield; shared concerns regarding the Public Library, the use of RFID and privacy.

Otto Duffy; shared concerns regarding inclusionary housing and imbalanced political situations.

Supervisor Sheehy provided a statement in response to unfounded allegations made during public comment regarding a certain Supervisor and homophobia, and reiterated his support of the Supervisor.

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **170742 [Approval of a 180-Day Extension for Planning Commission Review of Planning Code - Car-Share and Shared Limited Range Vehicle Parking Requirements (File No. 170625)]**

**Sponsor: Breed**

Resolution extending by 180 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 170625) 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.

**Resolution No. 259-17**

**ADOPTED**

### **170737 [Final Map 8605 - 620-622 Baker Street]**

Motion approving Final Map 8605, a five unit residential condominium project, located at 620-622 Baker Street, being a subdivision of Assessor's Parcel Block No. 1178, Lot No. 016; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M17-105**

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

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

*Supervisor Peskin requested that File No. 170744 be severed so that it may be considered separately.*

### **170744 [Aleeta Van Runkle Day - June 20, 2017]**

**Sponsor: Peskin**

Resolution declaring June 20, 2017, as Aleeta Van Runkle Day in San Francisco in recognition of her many years of outstanding service in the City Attorney's Office and her well-deserved retirement.

**Resolution No. 260-17**

**ADOPTED by the following vote:**

Ayes: 9 - Breed, Cohen, Fewer, Peskin, Ronen, Safai, Sheehy, Tang, Yee

Excused: 2 - Farrell, Kim

## **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

#### **170761 [Public Works, Administrative Codes - Street Encroachment Permits and Maintenance Fund for Certain Permits]**

**Sponsor: Mayor**

Ordinance amending the Public Works Code to update provisions on street encroachment permits, establish appeals procedures and fees for such appeals, waive the annual public right-of-way occupancy assessment fee in lieu of the waiver for permit fee payment for certain permits, modify the street encroachment permit process for governmental entities, and create a temporary street encroachment permit for a maximum period of 30 months; amending the Administrative Code to establish an encroachment maintenance fund for permits where the permittee is not an adjacent property owner; and affirming the Planning Department's determination under the California Environmental Quality Act.

06/20/17; ASSIGNED to Land Use and Transportation Committee.

#### **170762 [Health Service System Plans and Contribution Rates - Calendar Year 2018]**

**Sponsor: Farrell**

Ordinance approving Health Service System plans and contribution rates for calendar year 2018. (Health Service System)  
(Pursuant to Charter, Section A8.423, this matter requires three-fourths vote of the full membership of the Board of Supervisors (9 votes) for passage.)

06/20/17; ASSIGNED to Budget and Finance Sub-Committee.

**170417 [Administrative Code - Owner Move-In Evictions and Other Landlord-Tenant Matters]****Sponsors: Peskin; Kim and Ronen**

Ordinance amending the Administrative Code regarding owner and relative move-in ("OMI") evictions to require a landlord seeking to recover possession of a unit for an OMI to provide the tenant with an approved form to advise the Rent Board of address changes; clarify the evidentiary standard for finding that an OMI was performed in good faith; require a landlord to file documentation with the Rent Board regarding the status of the OMI, with a penalty for not filing such documentation, and requiring the Rent Board to transmit a random sampling of such documentation to the District Attorney; extend from three to five years the time period after an OMI during which a landlord who intends to re-rent the unit must first offer the unit to the displaced tenant; authorize a tenant who has been charged excess rent within five years after an OMI to sue for treble damages; as to matters not limited to OMI evictions, provide that a landlord's failure to timely file a copy of the notice to vacate with the Rent Board is a defense in an unlawful detainer proceeding; provide that a tenant waiver of rights in a buyout agreement is not enforceable if the buyout is not timely filed with the Rent Board; extend from one to three years the statute of limitations for wrongful eviction claims; authorize interested non-profit organizations to sue for wrongful eviction and collection of excess rent; and making clarifying changes.

04/11/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/11/2017.

04/19/17; REFERRED TO DEPARTMENT.

06/06/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

06/13/17; REFERRED TO DEPARTMENT.

06/13/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

06/16/17; REFERRED TO DEPARTMENT.

06/20/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

**170763 [Environment Code - Antibiotic Use in Food Animals]****Sponsor: Sheehy**

Ordinance amending the Environment Code to require certain retailers of raw meat and poultry to report the use of antibiotics in such products to the Department of the Environment, and require City departments to report the use of antibiotics in meat purchased by the City to the Department of the Environment.

06/20/17; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 7/20/2017.

**170764 [Administrative Code - Mid-Year Reports on Department Overtime Expenditures]****Sponsor: Yee**

Ordinance amending the Administrative Code to require the Controller to include in mid-year financial reports to the Board of Supervisors and Mayor information regarding the overtime expenditures of the Airport, Department of Emergency Management, Fire Department, Police Department, Department of Public Health, Public Utilities Commission, Public Works, Recreation and Park Department, and Sheriff's Department.

06/20/17; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 7/20/2017.

## Resolutions

### **170765 [Multifamily Housing Revenue Bonds - 1500-1580 Mission Street and 77 South Van Ness Avenue (also known as "Goodwill") - Not to Exceed \$475,000,000]**

**Sponsor: Mayor**

Resolution approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$475,000,000 for the purpose of providing financing for the construction of approximately 550 units of residential rental housing located at 1500-1580 Mission Street and 77 South Van Ness Avenue, also known as Goodwill; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein.

06/20/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

### **170766 [Accept and Expend Grant - Bay Area Air Quality Management District - Proposition 1B: Goods Movement Emission Reduction Program - \$1,371,250]**

**Sponsors: Mayor; Ronen**

Resolution retroactively authorizing the Port of San Francisco to accept and expend a grant in the amount of \$1,371,250 from the Bay Area Air Quality Management's Proposition: 1B Goods Movement Emission Reduction Program to purchase a new Tier 4 low emission locomotive for the period of May 1, 2017, through December 31, 2018. (Port)

06/20/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

### **170767 [Supporting California State Assembly Bill 186 (Eggman, Wiener, and Friedman) - Controlled Substances: Safer Drug Consumption Program]**

**Sponsor: Breed**

Resolution supporting California State Assembly Bill 186, introduced by Assembly Member Susan Eggman, authored by Senator Scott Wiener and Assembly Member Laura Friedman, which would authorize specified counties or cities within those counties to authorize the operation of supervised injection services programs for adults that satisfies specified requirements.

06/20/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **170768 [Interdepartmental Jurisdictional Transfer of City Property - 25th, Illinois, Cesar Chavez, and Maryland Streets - \$29,700,000]**

**Sponsor: Cohen**

Resolution approving the jurisdictional transfer of approximately 17 acres of City-owned real property comprised of portions of Assessor's Parcel Block Nos. 4297, 4298, 4299, 4300, 4310, and 4313, and bounded by 25th, Illinois, Cesar Chavez, and Maryland Streets, in the City and County of San Francisco, from the Port Commission to the Municipal Transportation Agency for no additional consideration; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

06/20/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**170769 [Multifamily Housing Revenue Bonds - Alice Griffith Phase 4 Apartments Project - Not to Exceed \$14,450,000]****Sponsor: Cohen**

Resolution authorizing the issuance, sale and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$14,450,000 for the purpose of providing financing for the acquisition and construction of a 31-unit multifamily rental housing project known as Alice Griffith Phase 4 Apartments Project; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Mayor's Office of Housing and Community Development)

06/20/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**170770 [Supporting the Protection of Designated National Marine Sanctuaries]****Sponsors: Fewer; Peskin, Yee, Kim, Ronen, Tang and Safai**

Resolution supporting the protection of designated National Marine Sanctuaries, along the California coast, against the threat of offshore oil exploration and drilling.

06/20/17; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**170771 [Amendment to Memorandum of Understanding - San Francisco Local Agency Formation Commission - Not to Exceed \$2,100,000]****Sponsor: Fewer**

Resolution retroactively authorizing the General Manager of the San Francisco Public Utilities Commission to execute the third amendment to the Memorandum of Understanding with the San Francisco Local Agency Formation Commission, extending its duration by two years, for a total agreement duration of 11 years from FY2008-2009 through FY2018-2019, with no change to the total amount not to exceed \$2,100,000 pursuant to Charter, Section 9.118.

06/20/17; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**Requests for Hearing****170772 [Hearing - Office of Economic and Workforce Development's TechSF Program]****Sponsor: Fewer**

Hearing to receive a presentation from the Office of Economic and Workforce Development regarding its TechSF Program; and requesting the Office of Economic Workforce and Development to report.

06/20/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**170773 [Hearing - Closing of the Skilled Nursing and Sub-Acute Units in St. Luke's Hospital]****Sponsor: Safai**

Hearing to discuss the closing of the skilled nursing and sub-acute units in St. Luke's Hospital; and requesting the Department of Public Health, Human Services Agency, and the Office of Economic and Workforce Development to report.

06/20/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**170642 [Hearing - Committee of the Whole - Japantown Community Benefit District - July 25, 2017]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on July 25, 2017, at 3:00 p.m., to consider establishment of a property-based business improvement district to be known as the Japantown Community Benefit District, pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code, Sections 36600, et seq.) and City and County of San Francisco Business and Tax Regulations Code, Article 15; scheduled pursuant to Resolution No. 198-17, adopted on May 23, 2017. (Clerk of the Board)

06/20/17; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**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****170727 [Settlement of Lawsuit - Alfred Fred Pittman - \$30,000]**

Ordinance authorizing settlement of the lawsuit filed by Alfred Fred Pittman against the City and County of San Francisco for \$30,000; the lawsuit was filed on June 20, 2013, in United States District Court, Case No. 13-CV-02095; entitled Alfred Fred Pittman v. City and County of San Francisco; the lawsuit involves alleged civil rights violations. (City Attorney)

06/09/17; RECEIVED FROM DEPARTMENT.

06/20/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170728 [Settlement of Lawsuit - Barbara Burke and Miles Burke - \$65,000]**

Ordinance authorizing settlement of the lawsuit filed by Barbara Burke and Miles Burke against the City and County of San Francisco for \$65,000; the lawsuit was filed on May 20, 2015, in San Francisco Superior Court, Case No. CGC-15-545917; entitled Barbara Burke and Miles Burke v. City and County of San Francisco, Does 1-10; the lawsuit involves personal injury from an alleged dangerous condition of public property. (City Attorney)

06/09/17; RECEIVED FROM DEPARTMENT.

06/20/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170729 [Settlement of Lawsuit - San Francisco Apartment Association, et al. - \$130,440]**

Ordinance authorizing settlement of the lawsuit filed by San Francisco Apartment Association, Coalition For Better Housing, and San Francisco Association of Realtors against the City and County of San Francisco for \$130,440; the lawsuit was filed on January 28, 2014, in San Francisco Superior Court, Case No. CPF-14-513452; entitled San Francisco Apartment Association, et al. v. City and County of San Francisco; the lawsuit involves a claim for attorney's fees and costs following Petitioners' challenge to Section 317(e)(4) of Ordinance No. 287-13 on the grounds it is preempted by the state Ellis Act. (City Attorney)

06/09/17; RECEIVED FROM DEPARTMENT.

06/20/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170730 [Settlement of Lawsuit - Jose H. Lima Osorio - \$57,500]**

Ordinance authorizing settlement of the lawsuit filed by Jose H. Lima Osorio against the City and County of San Francisco for \$57,500; the lawsuit was filed on March 9, 2016, in San Francisco Superior Court, Case No. CGC-16-550862; entitled Jose H. Lima Osorio v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injuries when plaintiff was struck by a vehicle while in the crosswalk. (City Attorney)

06/09/17; RECEIVED FROM DEPARTMENT.

06/20/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170731 [Settlement of Lawsuit - BHR Operations LLC, dba Crowne Plaza and dba Holiday Inn Fisherman's Wharf, et al. - \$1,613,554.74]**

Ordinance authorizing settlement of two lawsuits filed by BHR Operations LLC, dba Crowne Plaza and dba Holiday Inn Fisherman's Wharf, et al. against the City and County of San Francisco for \$1,613,554.74 to be distributed as follows: BHR Operations LLC \$379,969.68, Hotel Nikko of San Francisco Inc. \$201,741.40, Datam S.F. LLC \$277,953.69, RP/Kinetic Parc 55 Owner, LLC \$25,601.63, S.F. Hilton LLC \$447,301.52, W2005 Argent Hotel Realty LLC \$42,857.19, British Airways Plc \$163,369.38, Cathay Pacific Airways Ltd \$74,760.25; the lawsuits were filed in San Francisco Superior Court, as Case No. CGC-10-498514 entitled BHR Operations LLC, dba Crowne Plaza and dba Holiday Inn Fisherman's Wharf, et al. v. City and County of San Francisco, et al. filed on April 9, 2010, and Case No. CGC-10-505526 entitled British Airways Plc v. City and County of San Francisco, et al. filed on November 19, 2010; other material terms of the settlement include the City's retaining transient occupancy taxes collected by the Tax Collector, and the plaintiffs' agreement to pay transient occupancy taxes in the future according to the Tax Collector's regulations; the lawsuits involve a dispute between the City and the hotel and airline industry about whether airline crew rooms are exempt from the City's transient occupancy tax. (City Attorney)

06/09/17; RECEIVED FROM DEPARTMENT.

06/20/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170732 [Settlement of Lawsuit - Betsy Isabel Ayala - \$75,000]**

Ordinance authorizing settlement of the lawsuit filed by Betsy Isabel Ayala against the City and County of San Francisco for \$75,000; the lawsuit was filed on July 7, 2015, in San Francisco Superior Court, Case No. CGC-15-546742; entitled Betsy Isabel Ayala v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

06/09/17; RECEIVED FROM DEPARTMENT.

06/20/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170733 [Subdivision Code - Transfer Subdivision Maps]**

Ordinance amending the Subdivision Code to allow subdivision map applicants to apply for and obtain final or parcel transfer subdivision maps that are for conveyancing and/or financing purposes only, but do not grant any development rights; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works)

06/09/17; RECEIVED FROM DEPARTMENT.

06/20/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/20/2017.

## PROPOSED RESOLUTIONS

**170734 [Settlement of Unlitigated Claim - Everlane Inc. - \$117,726.22]**

Resolution approving the settlement of the unlitigated claim filed by Everlane Inc. against the City and County of San Francisco for \$117,726.22; claim was filed on January 26, 2017; the claim involves property damage arising from flooding. (City Attorney)

06/09/17; RECEIVED FROM DEPARTMENT.

06/20/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170735 [Settlement of Unlitigated Claim - Adam Holm, dba Pseudo Studio - \$33,202.60]**

Resolution approving the settlement of the unlitigated claim filed by Adam Holm, dba Pseudo Studio against the City and County of San Francisco for \$33,202.60; the claim was filed on February 21, 2017; the claim involves property damage arising from flooding. (City Attorney)

06/09/17; RECEIVED FROM DEPARTMENT.

06/20/17; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## In Memoriams

*Ed Nevin Jr. - Board President Breed  
Paul Rosenberg - Supervisors Fewer and Peskin  
Gerson Bakar - Supervisor Peskin  
Katherine Koelsch - Supervisor Peskin  
Barbara Kasoff - Supervisor Peskin  
Dr. Alfred Lee - Supervisor Yee  
Wayne Chan - Entire Board  
Benson Louie - Entire Board  
Michael Lefiti - Entire Board*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour 4:32 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 July 25, 2017.*

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Angela Calvillo, Clerk of the Board