

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, March 20, 2018 - 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, SANDRA LEE FEWER, JANE KIM, AARON PESKIN, HILLARY RONEN,  
AHSHA SAFAI, JEFF SHEEHY, CATHERINE STEFANI, KATY TANG, NORMAN YEE

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

<b>Budget and Finance Committee</b> Supervisors Cohen, Fewer, Stefani, Sheehy, Yee	Thursday 1:00 PM
<b>Budget and Finance Federal Select Committee</b> Supervisors Cohen, Fewer, Tang	2nd and 4th Thursday 1:15 PM
<b>Budget and Finance Sub-Committee</b> Supervisors Cohen, Fewer, Stefani	Thursday 10:00 AM
<b>Government Audit and Oversight Committee</b> Supervisors Kim, Peskin, Breed	1st and 3rd Wednesday 10:00 AM
<b>Land Use and Transportation Committee</b> Supervisors Tang, Kim, Safai	Monday 1:30 PM
<b>Public Safety and Neighborhood Services Committee</b> Supervisors Sheehy, Ronen, Peskin	2nd and 4th Wednesday 10:00 AM
<b>Rules Committee</b> Supervisors Safai, Yee, Stefani	2nd and 4th Wednesday 2:00 PM

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

Volume 113 Number 9

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**Members Present:** London Breed, Malia Cohen, Sandra Lee Fewer, Jane Kim, Hillary Ronen, Ahsha Safai, Jeff Sheehy, Catherine Stefani, 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, March 20, 2018, 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 Peskin and Tang 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 a communication from Supervisor Aaron Peskin, dated March 20, 2018, informing the Board of his absence and requesting to be excused from today's meeting.*

*Supervisor Tang was noted present at 2:05 p.m.*

## **Supervisor Peskin Excused from Attendance**

**Supervisor Yee, seconded by Supervisor Sheehy, moved that Supervisor Peskin be excused from attending today's meeting. The motion carried by the following vote:**

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

Excused: 1 - Peskin

## **APPROVAL OF MEETING MINUTES**

*President Breed inquired whether any Board Member had any corrections to the February 13, 2018, Board Meeting Minutes. There were no corrections.*

**Supervisor Ronen, seconded by Supervisor Stefani, moved to approve the February 13, 2018, Board Meeting Minutes. The motion carried by the following vote, following general public comment:**

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

Excused: 1 - Peskin

## **AGENDA CHANGES**

*There were no agenda changes.*

## CONSENT AGENDA

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

**180082 [Appropriation - San Francisco Municipal Transportation Agency (SFMTA)-Sutter Stockton Garage Operating and Retail Rentals Revenues to SFMTA Sustainable Streets Operating Fund - Parking Management Operations - \$2,837,223 - FY2017-2018]**

**Sponsor: Mayor**

Ordinance appropriating \$2,837,223 of San Francisco Municipal Transportation Agency (SFMTA) -Sutter Stockton Garage operating and retail rentals revenues to the SFMTA Sustainable Streets operating fund for the Sutter Stockton Garage parking management operations in FY2017-2018. (Fiscal Impact)

**Ordinance No. 051-18**

**FINALLY PASSED**

**180084 [Public Employment - Amendment to the Annual Salary Ordinance for the Office of Public Defender - Legal Unit to Defend Immigrants from Deportation - FY2017-2018]**

**Sponsors: Fewer; Ronen, Sheehy, Peskin, Yee and Kim**

Ordinance amending Ordinance No. 157-17 (Annual Salary Ordinance FYs 2017-2018 and 2018-2019) to reflect the addition of seven new positions (1.75 FTEs) in FY2017-2018 at the Office of the Public Defender for supporting immigration unit expansion to defend immigrants from deportation.

(Fiscal Impact)

**Ordinance No. 052-18**

**FINALLY PASSED**

**180085 [Appropriation - General Reserve and State and Federal Contingency Reserve - Support Immigration Related Legal Services - FY2017-2018 - \$882,500]**

**Sponsors: Fewer; Ronen, Sheehy, Peskin, Yee and Kim**

Ordinance appropriating \$441,617 from the General Reserve and \$440,883 from State and Federal Contingency Reserve to the Office of Public Defender to expand immigration unit, to the Mayor's Office of Housing and Community Development to fund legal representation and rapid response social services in FY2017-18.

(Fiscal Impact)

**Ordinance No. 053-18**

**FINALLY PASSED**

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

### **170755 [Planning Code - Landmark Designation - 2117-2123 Market Street (aka New Era Hall)]**

**Sponsor: Sheehy**

Ordinance amending the Planning Code to designate 2117-2123 Market Street (aka New Era Hall), in Assessor's Parcel Block No. 3543, Lot No. 012, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; making public necessity, convenience and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

**Ordinance No. 049-18**

**FINALLY PASSED**

## **Recommendation of the Rules Committee**

### **180230 [Appointments, Park, Recreation, and Open Space Advisory Committee - Mark Scheuer and Steven Currier]**

Motion appointing and Mark Scheuer and Steven Currier, terms ending February 1, 2020, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

**Motion No. M18-031**

**APPROVED**

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

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

Excused: 1 - Peskin

## REGULAR AGENDA

## UNFINISHED BUSINESS

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

#### **171318 [Public Works Code - Fees for Autonomous Delivery Device Testing and Nighttime Work Permits]**

**Sponsor: Yee**

Ordinance amending the Public Works Code to establish fees for Autonomous Delivery Device Testing permits and appeals of Public Works Director's decisions regarding such permits; and to increase fees for Nighttime Work permits.

**Ordinance No. 050-18**

**FINALLY PASSED** by the following vote:

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

Excused: 1 - Peskin

### Referred Without Recommendation from the Land Use and Transportation Committee

#### **180078 [Planning Code - Landmark Designation - Wall at the Intersection of Diamond Heights Boulevard and Clipper Street (aka Diamond Heights Safety Wall)]**

**Sponsor: Sheehy**

Ordinance amending the Planning Code to designate the wall located at the intersection of Diamond Heights Boulevard and Clipper Street (aka Diamond Heights Safety Wall), in Assessor's Parcel Block No. 7504, Lot No. 011, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

**Supervisor Sheehy, seconded by Supervisor Safai, moved that this Ordinance be RE-REFERRED to the Land Use and Transportation Committee. The motion carried by the following vote:**

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

Excused: 1 - Peskin

## NEW BUSINESS

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

*President Breed requested File Nos. 180113 and 180186 be called together.*

**180113 [De-Appropriation and Re-Appropriation - Airport Enterprise Fund - From Permanent Salaries Budget to Overtime Budget - Increased Overtime Expense for Security Services at the Airport Bureau - Police Department - \$926,000 - FY2017-2018]**

**Sponsor: Mayor**

Ordinance de-appropriating \$926,000 of permanent salaries budget and re-appropriating \$926,000 to overtime budget in the Police Department's operating budget in order to support the Department's increased overtime expense for security services at the Airport Bureau in FY2017-2018, as required per Ordinance No. 194-11; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval, pursuant to Charter, Section 9.113(c).  
(Fiscal Impact)

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such supplemental appropriation ordinance for passage.)

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

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

**180186 [De-Appropriation and Re-Appropriation - From Salaries, Fringe Benefits, Non-Personnel Services - Overtime and Salary Expenditures - Various Departments - \$13,348,029 - FY2017-2018]**

**Sponsor: Mayor**

Ordinance de-appropriating \$13,348,029 from permanent salaries, fringe benefit expenses, and non-personnel services, and appropriating \$13,348,029 to overtime in the Sheriff's Department, Police Department, and the Department of Emergency Management operating budgets in order to support the Departments projected increases in overtime in FY2017-2018, as required per Ordinance No. 194-11, and to salaries in the Public Health Department; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval of the Sheriff's Department, Police Department, the Department of Public Health and the Department of Emergency Management appropriations, pursuant to Charter, Section 9.113(c).  
(Fiscal Impact)

(Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such supplemental appropriation ordinance for passage.)

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

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

**180079 [Lease Agreement - DFS Group, LP - Airport Concession - \$42,000,000 Minimum Annual Guarantee]**

Resolution approving the International Terminal Duty Free and Luxury Stores Lease No. 17-0303 between DFS Group, LP and the City and County of San Francisco, acting by and through its Airport Commission, for a 14-year term, to commence following Board approvals, and an initial Minimum Annual Guarantee of \$42,000,000. (Airport Commission)

**Resolution No. 066-18**

**ADOPTED by the following vote:**

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

*President Breed requested File Nos. 180119 and 180120 be called together.*

**180119 [Accept and Expend Grant - Federal Emergency Management Agency - Fire Equipment and Stress Unit Resources - \$785,762]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Fire Department to accept and expend a grant in the amount of \$785,762 from the Federal Emergency Management Agency to purchase thermal imaging cameras and resources for its Stress Unit for a one-year period of performance of May 5, 2017, through May 4, 2018, and waiving indirect costs. (Fire Department)

**Resolution No. 067-18**

**ADOPTED by the following vote:**

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

**180120 [Accept and Expend Grant - Federal Emergency Management Agency - Fire Department - Youth Firesetter Program - \$215,380]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Fire Department to accept and expend a grant in the amount of \$215,380 from the Federal Emergency Management Agency for resources related to the Youth Firesetter Prevention & Intervention Program for a one-year period of performance of September 1, 2017, through August 31, 2018, and waiving indirect costs. (Fire Department)

**Resolution No. 068-18**

**ADOPTED by the following vote:**

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

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**Recommendations of the Public Safety and Neighborhood Services Committee****171317 [Health Code - Banning Sale and Manufacture of Animal Fur Products]****Sponsors: Tang; Sheehy**

Ordinance amending the Health Code to ban the sale and manufacture in San Francisco of animal fur products.

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

**Supervisor Tang, seconded by Supervisor Stefani, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 5, Lines 15-21, by adding a new 'Section 1D.4(e)' to read '(e) The enforcement provisions in Section 1D.5(b) shall not apply to persons or entities engaged in the sale, offer for sale, display for sale, trade, gift, donation, or other distribution of a Fur Product between January 1, 2019 and December 31, 2019, if the person or entity selling, offering for sale, displaying for sale, trading, giving, donating, or otherwise distributing the Fur Product purchased or obtained the Fur Product on or before March 20, 2018, so long as the person or entity produces upon the Director's request an invoice showing that the person or entity purchased or obtained the Fur Produce on or before March 20, 2018.'** The motion carried by the following vote:

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

Excused: 1 - Peskin

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

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

Excused: 1 - Peskin

**180087 [Park, Health Codes - Transbay Rooftop Park]****Sponsor: Kim**

Ordinance amending the Park Code to treat the rooftop park located above the Transbay Transit Center as a City park for certain purposes; amending the Health Code to prohibit smoking on the rooftop park; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

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

Excused: 1 - Peskin



## **Recommendations of the Rules Committee**

### **171170 [Police, Administrative Codes - Considering Criminal History in Employment and Housing Decisions]**

**Sponsors: Cohen; Kim, Yee and Ronen**

Ordinance amending the Police Code to prohibit employers and housing providers from inquiring about, requiring disclosure of, or basing housing and employment decisions on convictions for decriminalized behavior, including the non-commercial use and cultivation of cannabis; reducing from 20 to 5 the number of employees required for an employer to be covered by the Fair Chance Ordinance (Article 49); prohibit employers and housing providers from inquiring about, requiring disclosure of, or basing housing and employment decisions on a person's conviction history until after a conditional offer of employment; authorize the City to impose penalties for the first violation of that Ordinance, increase the penalties for subsequent violations, and authorize the payment of penalties to the victims of those violations; create a private right of action for the victims; and amend the Administrative Code to, among other things, as defined herein, require City contractors and subcontractors to adhere to the above requirements when making decisions regarding employment of persons for work on City contracts and subcontracts.

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

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

Excused: 1 - Peskin

### **180088 [Administrative Code - Mayoral Appearance at the Board of Supervisors]**

**Sponsors: Peskin; Ronen**

Ordinance amending the Administrative Code to modify the process for the Mayor to appear at the Board of Supervisors for a question-and-answer session.  
(Supervisor Stefani dissented in Committee.)

**Supervisor Safai, seconded by Supervisor Cohen, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of April 3, 2018. The motion carried by the following vote:**

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

Excused: 1 - Peskin

### **180212 [Mayoral Appointment, Director of the Department of Police Accountability - Paul Henderson]**

Motion approving the Mayor's nomination of Paul Henderson as the Director of the Department of Police Accountability, serving at the pleasure of the Police Commission, pursuant to Charter Section 4.136(b). (Clerk of the Board)

(Charter, Section 4.136, provides that this nomination is subject to confirmation by the Board of Supervisors. If the Board of Supervisors fails to act on this nomination within 30 days, the appointment shall be deemed approved. Transmittal date: March 5, 2018.)

*Privilege of the floor was granted unanimously to Paul Henderson, Director (Department of Police Accountability), who responded to questions raised throughout the discussion.*

**Motion No. M18-032**

**APPROVED by the following vote:**

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

Excused: 1 - Peskin

**180229 [Mayoral Appointment, Historic Preservation Commission - Kate Black]**

Motion approving the Mayor's nomination of Kate Black for appointment to the Historic Preservation Commission, for a term ending December 31, 2018. (Clerk of the Board) (Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: March 6, 2018.)

**Motion No.** M18-033

**APPROVED** by the following vote:

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

Excused: 1 - Peskin

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

Supervisor Stefani, 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: 10 - Breed, Cohen, Fewer, Kim, Ronen, Safai, Sheehy, Stefani, Tang, Yee

Excused: 1 - Peskin

**WOMEN'S HISTORY MONTH**

President Breed provided opening remarks and Dr. Emily Murase, Director (Department on the Status of Women), presented additional information on the "Women Making History Awards Ceremony." Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Women's History Month, their accomplishments, and their continued community support as referenced below:

Supervisor Stefani recognized Seema Daryanani;

Supervisor Tang recognized Valerie Ziegler;

President Breed recognized Amalia Martinez;

Supervisor Kim recognized Connie Moy;

Supervisor Kim, on behalf of Supervisor Peskin, recognized Ana Handelman;

Supervisor Sheehy recognized Johana Esmelanda Ramirez;

Supervisor Cohen recognized Claudine Bingham;

Supervisor Fewer recognized Kathe Burick;

Supervisor Yee recognized Candace Wong;

Supervisor Ronen recognized Yensing Sihapanya; and

Supervisor Safai recognized Dr. Estela R. Garcia.

**Appointment of President Pro Tempore**

At the request of President Breed, Supervisor Safai assumed the chair at 3:40 p.m. The President resumed the chair at 3:42 p.m.

## COMMITTEE REPORT

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

#### **180197 [Accept Gift - Market Street Association - Snowflake Lights - Valued at \$134,757]**

**Sponsor: Kim**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to accept a gift of snowflake lights valued at \$134,757 from the Market Street Association for use for the annual Market Street snowflake lights program.

**Resolution No.** 069-18

**ADOPTED by the following vote:**

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

Excused: 1 - Peskin

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Mr. Wright; shared concerns regarding the backlog of rape kits, the rights of rape victims, and discrimination in affordable housing.*

*Speaker; expressed concerns regarding the Fire Department's response time.*

*Ali; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.*

*Speaker; congratulated the women honored today during commendations, and*

*Namdev Sharma; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.*

*Tarlochan Singh; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.*

*Patty Quadra; shared concerns regarding displacement from rent control housing, and the construction of luxury townhomes at 115 Telegraph Hill.*

*Ace Washington; expressed concerns regarding Mayor forums and the need for one in the Fillmore.*

*Mark Bruno; expressed concerns about the lack of noticing for development projects.*

*Wynship W. Hillier; requested the Board cease all funding to Citywide Case Management.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****180241 [Arbor Week - March 11, 2018, through March 18, 2018]****Sponsor: Fewer**

Resolution declaring March 11, 2018, through March 18, 2018, as Arbor Week in the City and County of San Francisco.

**Resolution No. 070-18**

**ADOPTED**

**180248 [Declaring Support for United States House of Representatives Bill 669 - Restricting First Use of Nuclear Weapons Act of 2017]****Sponsor: Tang**

Resolution declaring support for United States House of Representatives Bill 669, the Restricting First Use of Nuclear Weapons Act of 2017, which prohibits the conduct of a first-use nuclear strike absent a declaration of war by Congress.

**Resolution No. 071-18**

**ADOPTED**

**180236 [Final Map 7971 - 65 Ringold Street]**

Motion approving Final Map 7971, a 423 mixed-use condominium project, located at 65 Ringold Street, being a merger and subdivision of Assessor's Parcel Block No. 3756, Lot No. 003, and Assessor's Parcel Block No. 3756, Lot No. 015; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M18-034**

**APPROVED**

**180237 [Final Map 8923 - 1 Hill Street]**

Motion approving Final Map 8923, a 12 residential unit and one commercial unit, mixed-use condominium project, located at 1 Hill Street, being a subdivision of Assessor's Parcel Block No. 3617, Lot No. 008; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M18-035**

**APPROVED**

**180249 [Issuance of Subpoena Duces Tecum - Ramin Golesorkhi]****Sponsor: Peskin**

Motion directing the Clerk of the Board of Supervisors to issue a subpoena duces tecum to Ramin Golesorkhi, requiring him to appear at the Government Audit & Oversight Committee on April 4, 2018, at 10:00 a.m., to provide oral information at the hearing of File No. 160975 and respond to questions regarding the design, geotechnical analysis, engineering, and peer review for the projects at 301 Mission Street and 80 Natoma Street; and requiring him to produce documents, correspondence, records, and other materials in his possession related to that project.

**Motion No. M18-036**

**APPROVED**

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Peskin

## 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

### **180156 [Health Code - Designation of City Attorney to Institute Mental Health Conservatorship and Assisted Outpatient Treatment Proceedings]**

**Sponsor: Breed**

Ordinance amending the Health Code to designate the City Attorney rather than the District Attorney to institute judicial proceedings under the Lanterman-Petris-Short Act to appoint conservators for persons with mental health disorders and compel participation in assisted outpatient treatment; and expressing the Board of Supervisors' intent to add positions to the Office of the City Attorney to institute such proceedings, and appropriate funding for that purpose. (Fiscal Impact)

02/13/18; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 3/15/2018.

02/21/18; REFERRED TO DEPARTMENT.

03/20/18; SUBSTITUTED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**180190 [Planning Code - Lower Polk Street Alcohol Restricted Use District]****Sponsor: Peskin**

Ordinance amending the Planning Code to extend the Lower Polk Street Alcohol Restricted Use District to June 1, 2023; to expand the circumstances in that District when temporary closures of liquor establishments are not considered abandonment of such uses, and provide that such temporary closures in that District are not considered an enlargement, alteration, intensification, abandonment, or change of use, provided that any demolition permits required for the repair, renovation, or remodeling work have been approved by January 1, 2018; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

02/27/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/29/2018.

03/06/18; REFERRED TO DEPARTMENT.

03/20/18; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

**180267 [Planning Code - Hotel Uses in North Beach]****Sponsor: Peskin**

Ordinance amending the Planning Code to limit hotel uses in the Telegraph Hill - North Beach Residential Special Use District and the North Beach Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

03/20/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/19/2018.

**180268 [Planning, Building Codes - Accessory Dwelling Units]****Sponsor: Tang**

Ordinance amending the Planning Code to authorize the Zoning Administrator to waive or modify bicycle parking requirements for an Accessory Dwelling Unit (ADU), allow more than one unauthorized unit constructed without a permit to be legalized, exempt from the permit notification requirement ADUs constructed within the defined existing built envelope, allow conversion of an existing stand-alone garage or storage structure to an ADU and expansion of the existing building envelope to add dormers, eliminate the street tree requirement for an ADU, and allow one ADU to be added to a new residential building of three units or less as a component of the new construction; amending the Building Code to provide for a preapplication plan review for ADUs; 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; adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302; and directing the Clerk to send a copy of this ordinance to the California Department of Housing and Community Development.

03/20/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/19/2018.

**180280 [Campaign and Governmental Conduct Code - Campaign Finance and Conflict of Interest]****Sponsor: Peskin**

Ordinance amending the Campaign and Governmental Conduct Code to 1) prohibit earmarking of contributions and false identification of contributors; 2) modify contributor card requirements; 3) require disclosure of contributions solicited by City elective officers for ballot measure and independent expenditure committees; 4) require additional disclosures for campaign contributions from business entities to political committees; 5) require disclosure of bundled campaign contributions; 6) extend the prohibition on campaign contributions to candidates for City elective offices and City elective officers who must approve certain City contracts; 7) require committees to file a third pre-election statement prior to an election; 8) remove the prohibition against distribution of campaign advertisements containing false endorsements; 9) allow members of the public to receive a portion of penalties collected in certain enforcement actions; 10) require financial disclosures from certain major donors to local political committees; 11) impose additional disclaimer requirements; 12) permit the Ethics Commission to recommend contract debarment as a penalty for campaign finance violations; 13) create new conflict of interest and political activity rules for elected officials and members of boards and commissions; 14) specify recusal procedures for members of boards and commissions; and 15) establish local behested payment reporting requirements for donors and City officers.

(Pursuant to Campaign and Governmental Conduct Code, Section 3.204, this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

03/20/18; ASSIGNED to Rules Committee.

**RESOLUTIONS****180269 [Apply for, Accept, and Expend Grant - Metropolitan Transportation Commission - OneBayArea Grant - \$19,346,000]****Sponsor: Mayor**

Resolution authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission (MTC); committing any necessary matching funds; stating assurance to complete the projects; and authorizing San Francisco Public Works to accept and expend \$19,346,000 in OneBayArea Grant funds awarded through the MTC. (Public Works) (Fiscal Impact; No Budget and Legislative Analyst Report)

03/20/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**180270 [Accept and Expend Grant - Federal Highway Administration - Emergency Relief Program - Addressing Severe Erosion Along O'Shaughnessy Boulevard - \$2,789,354]****Sponsor: Mayor**

Resolution retroactively authorizing the Director of Public Works to act as the agent of the City and County of San Francisco, as a non-state agency, to accept and expend federal financial assistance under Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, from the United States Department of Transportation Federal Highway Administration, and/or state financial assistance under the California Disaster Assistance Act, for an amount not to exceed \$2,789,354, to reimburse the local funds used to cover the 2017 emergency response costs and pay for the federal share of the permanent restoration to address the emergency condition of the severe erosion along O'Shaughnessy Boulevard. (Public Works) (Fiscal Impact; No Budget and Legislative Analyst Report)

03/20/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.



**180271 [Commending Members of the Fire Department Who Responded and Fought the Fire at 659 Union Street on March 17, 2018]****Sponsors: Breed; Peskin**

Resolution commending members of the Fire Department including Emergency Medical Technicians and Paramedics who responded to and helped fight the four-alarm fire at 659 Union Street on March 17, 2018.

03/20/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180272 [California Environmental Quality Act Findings - San Francisco Public Utilities Commission Sewer System Improvement Program - Biosolids Digester Facilities Project]****Sponsor: Cohen**

Resolution adopting findings under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and San Francisco Administrative Code, Chapter 31, including the adoption of a Statement of Overriding Considerations and a Mitigation and Monitoring Reporting Program, related to the funding of the Biosolids Digester Facilities Project; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

03/20/18; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**180273 [Recognizing Problem Gambling Awareness Month - March 2018]****Sponsors: Fewer; Yee**

Resolution recognizing March 2018 as Problem Gambling Awareness Month in the City and County of San Francisco.

03/20/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180274 [Supporting California State Assembly Bill 2243 (Friedman) - Sex Worker Immunity]****Sponsors: Tang; Ronen**

Resolution declaring support for California State Assembly Bill 2243, authored by State Assembly Member Laura Friedman, which provide protections for sex workers who want to come forward to report a crime of violence perpetrated against them during an act of prostitution, or want to testify as a witness to such a crime.

03/20/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**180275 [National Kidney Month - March 2018]****Sponsor: Tang**

Resolution declaring March as National Kidney Month in San Francisco; urging all San Franciscans at risk for kidney disease to get tested for kidney disease so that they can seek to prevent progression of the disease.

03/20/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



## MOTION

### **180276 [Calling from Committee - Committee of the Whole - Proposed Ordinance (File No. 180280) - Anti-Corruption and Accountability Ordinance - April 3, 2018]**

**Sponsor: Peskin**

Motion calling from the Rules Committee, pursuant to Board Rule 3.37, the proposed Ordinance (File No. 180280) amending the Campaign and Governmental Conduct Code to institute various campaign finance and conflict of interest reforms; and scheduling the Board of Supervisors to include consideration of the proposed Ordinance at the previously scheduled Committee of the Whole public hearing on April 3, 2018, at 3:00 p.m., in the joint meeting with the San Francisco Ethics Commission.

03/20/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## REQUESTS FOR HEARING

### **180277 [Hearing - Status of City Departments Handling Criminal Sexual Assault and Sexual Harassment Cases]**

**Sponsors: Ronen; Kim**

Hearing on how criminal sexual assault and sexual harassment cases are handled by city departments when victims come forward to seek justice against their attackers, and hear presentations on how evidence is collected and processed, health services are provided to survivors, cases are investigated by the Police Department, handling of the prosecution of these cases by the District Attorney's office, how each department ensures that sexual assault survivors are taken seriously and treated with respect through this process; and requesting the Medical Examiners Officer, Department of Public Health, Police Department, and District Attorney's Office to report.

03/20/18; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

### **180278 [Hearing - Status of District 9 Affordable Housing Pipeline Schedule]**

**Sponsor: Ronen**

Hearing to clarify timelines for starting construction on seven affordable housing projects in District 9 with the goal of developing solutions that will bring units to the community more quickly; and requesting the Mayor's Office of Housing and Community Development and project development teams to report.

03/20/18; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

### **180279 [Hearing - City's Current Employment Opportunities for Older Adults and Adults with Disabilities]**

**Sponsors: Yee; Ronen, Fewer, Sheehy and Kim**

Hearing on the City's current employment opportunities, needs, and gaps for older adults and adults with disabilities; and requesting the Office of Economic and Workforce Development, Department of Aging and Adult Services, and Mayor's Office on Disability to report.

03/20/18; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**180226 [Hearing - Committee of the Whole - Joint Meeting with the San Francisco Ethics Commission - Proposed Ordinances (File Nos. 180001 and 180280) - Anti-Corruption and Accountability Ordinances - April 3, 2018]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on April 3, 2018, at 3:00 p.m., in a joint meeting with the San Francisco Ethics Commission, to hold a public hearing to consider the proposed Ordinances (File Nos. 180001 and 180280) - the Anti-Corruption and Accountability Ordinances - amending the Campaign and Governmental Conduct Code to institute various campaign finance and conflict of interest reforms; scheduled pursuant to Motion No. M18-029, approved by the Board on March 6, 2018, and approval of the Motion contained in File No. 180276 on April 3, 2018. (Clerk of the Board)

03/06/18; 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**

**180233 [Administrative Code - Office of Cannabis, Criminal History Information Access and Inquiries]**

Ordinance amending the Administrative Code to authorize the Director of the Office of Cannabis to access summary criminal history information to perform permit and licensing duties. (City Administrator)

03/12/18; RECEIVED FROM DEPARTMENT.

03/20/18; ASSIGNED to Rules Committee.

**180234 [Settlement of Lawsuit - California State Lands Commission - Non-Monetary Terms]**

Ordinance authorizing settlement of the lawsuit filed by the California State Lands Commission against the City and County of San Francisco; the lawsuit was filed on July 15, 2014, in San Francisco Superior Court, Case No. CGC-14-540531; entitled California State Lands Commission v. City and County of San Francisco; the lawsuit challenges a 2014 voter initiative Ordinance, Proposition B, as facially invalid under state law and the City's Charter; and the settlement requires the City to make public trust findings in certain approvals regarding Port property and to consider amending the Municipal Elections Code to inform voters of the public trust in ballot measures affecting the trust. (City Attorney)

03/07/18; RECEIVED FROM DEPARTMENT.

03/20/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTION

### **180235 [California Constitution Appropriations Limit - FY2017-2018 - \$3,489,694,774]**

Resolution establishing the appropriations limit of \$3,489,694,774 for FY2017-2018, pursuant to California Constitution, Article XIII B. (Controller)

(Fiscal Impact; No Budget and Legislative Analyst Report)

03/08/18; RECEIVED FROM DEPARTMENT.

03/20/18; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## **In Memoriams**

*Dana Harrison - Supervisor Breed*

*Matthew Wolford - Supervisor Tang*

*Shalini van Hoek - Supervisor Tang*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour 4:34 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 April 24, 2018.*

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Angela Calvillo, Clerk of the Board