



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

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

Tuesday, December 13, 2016 - 2:00 PM

Regular Meeting

LONDON BREED, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, AARON PESKIN, KATY TANG, NORMAN YEE

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Farrell, Tang, Yee

Government Audit and Oversight Committee
Supervisors Peskin, Yee, Breed

Land Use and Transportation Committee
Supervisors Cohen, Peskin

Public Safety and Neighborhood Services Committee
Supervisors Kim, Avalos, Campos

Rules Committee
Supervisors Tang, Mar, Cohen

Meeting Days

Wednesday
10:00 AM

1st and 3rd Thursday
9:30 AM

Monday
1:30 PM

2nd Thursday
2:30 PM

2nd and 4th Thursday
11:00 AM

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B Goodlett Place, Room 244, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Language services are available in Spanish and Chinese at all regular and special Board meetings, excluding Committee meetings. Currently, Filipino is available upon request if made at least 48 hours in advance of the meeting to help ensure availability. Additionally, requests for Board Committee meetings must be received at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Peggy Nevin at (415) 554-5184.

所有常規及特別市參事委員會會議（Board meetings）除委員會會議（Committee meetings）之外，將予以提供西班牙文及中文的語言服務。目前，菲律賓文將根據所收到的請求予以提供，但須在會議前最少48小時作出請求，旨在確保服務屆時可予以提供。另外，向市參事委員會會議請求有關服務亦須預先在會議前最少48小時作出，也將有助於確保服務屆時可予以提供。更多資訊或請求有關服務，請致電 (415) 554-7719 聯絡 Linda Wong。

AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español y en chino en todas las reuniones regulares y reuniones especiales de la Junta, excluyendo las reuniones de los Comités. Actualmente, el idioma Filipino está disponible de ser requerido si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Adicionalmente, las solicitudes para las Reuniones de los Comités de la Junta deben ser recibidas por lo menos 48 horas antes de la reunión con el fin de ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a Derek Evans (415) 554-7702.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol at Intsik para sa lahat ng mga regular at espesyal na pulong ng Board, pero wala para sa pulong ng mga Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Filipino na maaaring i-request sa minimum na di bababa sa 48 oras bago ang pulong upang matiyak na matutugunan and inyong kahilingan. Dagdag pa, ang mga request para sa pulong ng Komite ng Board ay kailangang matanggap sa minimum na di bababa sa 48 oras bago ang pulong upang matiyak ang pagkakaroon nito. Para sa karagdagang impormasyon o para mag-request ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

*Approval of the **November 1, 2016**, Board Meeting Minutes.*

AGENDA CHANGES

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

Pursuant to Charter Section 3.100(7), the Mayor shall appear, in person, at one regularly scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board. This item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.

By supermajority vote of the Board of Supervisors (8 votes), the Board may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.

(There were no questions submitted from Supervisors representing the odd districts. Pursuant to Administrative Code, Section 2.11, due to a conflict in the Mayor's schedule, the Mayor and President arranged for the monthly appearance to be rescheduled. The President communicated to the Clerk of the Board that the appearance shall be rescheduled to January 24, 2017.)

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 through 8

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Tang, Yee

1. [161194](#) **[Appropriation - General Obligation Bond Proceeds - Public Health and Safety Projects - FY2016-2017 - \$176,000,000]**

Sponsors: Mayor; Breed, Farrell, Cohen and Peskin

Ordinance appropriating \$176,000,000 of the Series 2017A Health and Safety General Obligation Bond Proceeds to Public Works in FY2016-2017 for improvements and seismic strengthening of public health and safety facilities for critical community and mental health, emergency response and safety, and homeless shelter and service.

(Fiscal Impact)

12/06/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Farrell, Tang

2. [161237](#) **[Waiver of Banner Fee - Office of Economic and Workforce Development - Shop and Dine in the 49 Campaign]**

Sponsor: Tang

Ordinance waiving the banner fees under Public Works Code, Section 184.78, for up to 300 banners to be placed by the Office of Economic and Workforce Development to publicize the City's "Shop and Dine in the 49" campaign.

12/06/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Tang, Yee

3. [161286](#) **[Project Partnership Agreement - United States Army Corps of Engineers - Dredging of Central Basin by Pier 70 - Waiving Certain Requirements of Environment and Administrative Codes - Not to Exceed \$3,139,850]**

Sponsor: Mayor

Ordinance approving and authorizing the Executive Director of the Port of San Francisco ("Port") to execute a Project Partnership Agreement with the United States Army Corps of Engineers ("USACE") to allow federal dredging of the Central Basin adjacent to Pier 70 conditioned upon the Port providing a 25% matching share not to exceed \$2,242,750 for the initial project costs, and the Port providing a 10% matching share, not to exceed an additional \$897,100 for federal maintenance dredging of the Central Basin payable over the following 30 years, for a total matching share from the Port not to exceed \$3,139,850; exempting the Agreement from certain requirements of the Environment Code and Administrative Code except to the extent that the Agreement obligates USACE to satisfy any such requirements; and affirming the Planning Department's determination under the California Environmental Quality Act.

12/06/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Yee, Breed

4. [161158](#) **[Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filing Requirements]**

Sponsor: Breed

Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements for the City, San Francisco Community College District, San Francisco Unified School District, and Successor Agency to the Redevelopment Agency, by adding, deleting, and changing titles of designated officials and employees to reflect organizational and staffing changes, and by refining disclosure requirements for designated officials and employees.

12/06/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. [161238](#) **[Settlement of Claims - Ronald and Patricia Martell - \$5,007,400.31 and Hold Harmless; Appropriating \$4,000,000 from the Water Enterprise Fund Balance - Waiver of Contract Requirements for Landslide Repair on Private Property Not to Exceed \$500,000]**

Sponsor: Yee

Ordinance authorizing final settlement of Claim No. 16-02314 filed by Ronald and Patricia Martell against the City and County of San Francisco by payment of \$4,469,637.02 establishing a third-party escrow account in the amount of \$537,763.29 as a Landslide Contingency Fund, for a total potential payment of \$5,007,400.31 and holding claimants harmless from third party claims for a limited period; the claim was filed on February 25, 2016; the claim involves alleged property damage arising from the January 25, 2016, landslide on Casitas Avenue; appropriating \$4,000,000 from the Water Enterprise fund balance for such purpose; and waiving Administrative Code contract requirements except for Administrative Code, Section 12B.1(a) (nondiscrimination) and Section 6.22(e) (prevailing wage), for San Francisco Public Utilities Commission (SFPUC) contracts to implement landslide stabilization measures at 256 Casitas Avenue prior to April 1, 2017, or to undertake landslide repairs on 266 Casitas Avenue, with an engineer or construction contractor, subject to approval by the applicable property owner at 256 Casitas Avenue and/or 266 Casitas Avenue, if the SFPUC's Commission President and General Manager determine such contract is necessary to protect public facilities or minimize or avoid City liability, not to exceed \$500,000 in total for any such contracts. (City Attorney)

12/06/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Cohen, Wiener, Peskin

6. [161095](#) **[Planning Code, Zoning Map - 1493-1497 Potrero Avenue]**
Ordinance amending the Planning Code to revise Sectional Map HT08 of the Zoning Map to rezone the height and bulk designation for 1493-1497 Potrero Avenue, Assessor's Parcel Block No. 4277, Lot No. 016, from Open Space (OS) to 40-X; 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. (Planning Commission)

12/06/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. [161184](#) **[General Plan Amendment - Downtown Area Plan Map 5]**

Sponsor: Kim

Ordinance amending the General Plan by revising the height designation for Assessor's Parcel Block No. 3701, Lot Nos. 20 and 21, on Map 5 of the Downtown Area Plan from 120-X to 200-X; adopting and making findings regarding the Mitigated Negative Declaration prepared in compliance with 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. (Planning Commission)

12/06/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Cohen, Peskin

8. [161285](#) **[Real Property Acquisition - Sidewalks Along Portions of Van Ness Avenue and South Van Ness Avenue]**

Sponsors: Mayor, Peskin, Breed, Farrell and Kim

Ordinance authorizing the Director of Property to agree to acquire and accept the State of California's relinquishment of all its right, title, and interest in and to the sidewalks along portions of Van Ness Avenue (between Lombard Street and Market Street), portions of South Van Ness Avenue (between Market Street and Plum Street), and the underlying real property (if any and without warranty), except as otherwise excepted and reserved by the State of California; authorizing the placement of such sidewalks and real property, upon acquisition, under the jurisdiction of Public Works; authorizing additional official City actions required to consummate the relinquishment of the sidewalks, as defined herein; authorizing the Director of Public Works to amend an existing Delegated Maintenance Agreement with the State of California regarding shared maintenance of portions of Van Ness Avenue and maintenance cost allocation, upon relinquishment of the sidewalks; waiving fees and bonding requirements for the State of California that would be otherwise applicable to excavation permits; waiving the required 90-days' notice of intention to relinquish set forth in California Streets and Highways Code, Section 73; adopting the Planning Department's determination that such acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting the Planning Department's determination under the California Environmental Quality Act.

12/06/2016; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

NEW BUSINESS

Referred Without Recommendation from the Budget and Finance Committee

Present: Supervisors Farrell, Tang, Yee

9. [161015](#) **[Appropriation - Real Property Transfer Tax for Funding Community College Fund - FY2016-2017 - \$9,000,000]**
Sponsors: Kim; Campos, Avalos, Yee, Mar and Peskin
Ordinance appropriating a total of \$9,000,000 of Real Property Transfer Tax in FY2016-2017 for funding the Community College Fund to support students attending the City College of San Francisco and placing funds on Controller's Reserve pending the outcome of General Fund tax revenue measures in the November 8, 2016, Election.
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Tang, Yee

10. [161094](#) **[Contract Amendment - Dominion Voting Systems, Inc. - Voting System - Not to Exceed \$21,980,691.25]**
Ordinance authorizing the Department of Elections to enter into the Fourth Amendment to an agreement with Dominion Voting Systems, Inc., to extend the term of the agreement through December 31, 2018, and increase the total not-to-exceed amount by \$2,289,758 from \$19,690,933.25 to \$21,980,691.25. (Elections Department)
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
11. [161108](#) **[Administrative Code - Library Fines and Fees]**
Sponsor: Mayor
Ordinance amending the Administrative Code to modify the fines and fees of the Public Library.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Present: Supervisors Farrell, Yee

12. [160674](#) **[Urging the Department of Homelessness and Supportive Housing to Adopt a Five Year Plan to Reduce Homelessness]**

Sponsor: Farrell

Resolution urging the San Francisco Department of Homelessness and Supportive Housing to adopt a five-year plan to reduce homelessness.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Farrell, Tang, Yee

13. [161132](#) **[Urging City Departments to Sanction Wells Fargo]**

Sponsors: Avalos; Kim and Campos

Resolution setting policy to sanction Wells Fargo consistent with recommendations from the Controller, urging City Departments to require Wells Fargo to provide a redress plan for San Francisco customers before engaging in future business with Wells Fargo, urging the Retirement Board to terminate all financial dealings with Wells Fargo, urging the City Attorney and District Attorney to investigate the practices of Wells Fargo and the other big banks, urging the Treasurer-Tax Collector to provide advice on establishing a responsible banking ordinance, and urging the United States Office of the Comptroller of the Currency to explore if Wells Fargo's national banking charter should be revoked.

Question: Shall this Resolution be ADOPTED?

14. [161167](#) **[Accept and Expend Gift - Pastor Revocable Trust - Firefighting Equipment Purchase - \$72,400]**

Sponsor: Farrell

Resolution authorizing the Fire Department to accept and expend a donation of \$72,400 to purchase firefighting equipment, pursuant to the terms of the administration of the Pastor Revocable Trust and the estate of Russell Pastor.

Question: Shall this Resolution be ADOPTED?

15. [161180](#) **[Lease Agreement - MRG San Francisco, LLC - Terminal 3 Retail Marketplace - \$1,350,000 Minimum Annual Guarantee]**

Resolution approving Terminal 3 Retail Marketplace Lease No. 16-0256 between MRG San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a seven year term to commence following Board approval, with two one-year options to extend, and a Minimum Annual Guarantee of \$1,350,000. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

16. [161181](#) **[Airport Professional Services Contract - Hallmark Aviation Services, L.P. - Airport Information and Guest Assistance Services - Not to Exceed \$11,550,000]**
Resolution approving Airport Professional Services Contract No. 50052 with Hallmark Aviation Services, L.P., to provide Airport information and guest assistance services, in an amount not to exceed \$11,550,000 during an initial 18 month term from January 1, 2017, to June 30, 2018, and with three two-year options to extend. (Airport Commission)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?
17. [161186](#) **[Master License Agreement for Use of Concrete Poles - ExteNet Systems, LLC, New Cingular Wireless PCS, LLC, dba AT&T, and GTE Mobilnet of California, LP, dba Verizon Wireless]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Master License Agreement for Use of Concrete Poles between the City and County of San Francisco and ExteNet Systems, LLC, New Cingular Wireless PCS, LLC, dba AT&T, and GTE Mobilnet of California, LP, dba Verizon Wireless for a term of 12 years to commence following Board approval. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?
18. [161242](#) **[Successor Agency Affordable Housing Funding - Use of Redevelopment Property Tax Trust Fund to Secure Bonds - Funding Affordable Housing Development Enforceable Obligations]**
Sponsors: Mayor; Cohen
Resolution consenting to the use of outside increment deposited in the Redevelopment Property Tax Trust Fund for the exclusive purpose of funding affordable housing development that the Office of Community Investment and Infrastructure is required to build under its Enforceable Obligations.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?
19. [161243](#) **[Accept and Expend Grant - State of California Department of Parks and Recreation, Division of Boating and Waterways, Surrendered and Abandoned Vessel Exchange Grant - \$100,600]**
Sponsor: Mayor
Resolution authorizing the Recreation and Park Department to accept and expend a grant of up to \$100,600 from the Surrendered and Abandoned Vessel Exchange (SAVE) grant program administered by the State of California Department of Parks and Recreation, Division of Boating and Waterways, to abate costs for hauling out and disposal of potential future abandoned vessels in the San Francisco Marina Small Craft Harbor and approving a grant agreement with the State of California Department of Parks and Recreation for acceptance and performance of the grant services for the project term of January 1, 2017, through September 30, 2018. (Recreation and Park Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Farrell, Yee

20. [161244](#) **[Accept and Expend Grant - Water Research Foundation; Water Environment and Reuse Foundation; U.S. Bureau of Reclamation - Implementation of a Decentralized Purified Water Pilot - \$400,000]**

Sponsor: Mayor

Resolution authorizing the San Francisco Public Utilities Commission General Manager to accept and expend grants in the amounts of \$100,000 from the Water Research Foundation, \$100,000 from the Water Environment and Reuse Foundation, and \$200,000 from the U.S. Bureau of Reclamation for a total of \$400,000 toward the implementation of a decentralized purified water pilot project in San Francisco. (Public Utilities Commission)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Farrell, Tang, Yee

21. [161245](#) **[Accept and Expend Grant - National Institutes of Health - Mid-Career Award in Patient-Oriented Substance Use Research Addressing Opioids, Chronic Pain, and HIV - \$157,235]**

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$157,235 from National Institutes of Health to participate in a program entitled Mid-Career Award in Patient-Oriented Substance Use Research Addressing Opioids, Chronic Pain, and HIV for the period of September 1, 2016, through August 31, 2017. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

22. [161246](#) **[Accept and Expend Grant - State Water Resources Control Board, Division of Water Quality Beach Safety Program - Public Beach Safety Grant Program - \$30,000]**

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$30,000 from the State Water Resources Control Board, Division of Water Quality Beach Safety Program, to participate in a program entitled "Public Beach Safety Grant Program" for the period of July 1, 2016, through June 30, 2017. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Farrell, Yee

23. [161247](#) **[Accept and Expend Grant - Association of Bay Area Governments - Bay Area Regional Energy Network Program Activities - \$201,000]**

Sponsor: Mayor

Resolution retroactively authorizing the Department of the Environment to accept and expend grant funds from the Association of Bay Area Governments in the amount of \$201,000 for a portion of 2015 and calendar year 2016, to perform various activities as part of a Bay Area Regional Energy Network program, an energy efficiency program for the term of July 31, 2015, through December 31, 2016. (Environment)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Farrell, Tang, Yee

24. [161292](#) **[Accept and Expend Grant - Centers for Disease Control and Prevention - Enhancing Health Resilience to Climate Change Through Adaptation - \$213,713]**

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$213,713 from Centers for Disease Control and Prevention to participate in a program entitled, Enhancing Health Resilience to Climate Change Through Adaptation for the period of September 1, 2016, through August 31, 2017. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Farrell, Yee

25. [161293](#) **[Accept and Expend Grant - United States Department of Energy - Advancing Fuel Cell Vehicles - \$249,970]**

Sponsors: Mayor; Tang

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of \$249,970 from the United States Department of Energy to harmonize local regulations and building codes to ease the siting and construction of hydrogen fueling stations for zero-emission Fuel Cell Electric Vehicles in San Francisco and the greater San Francisco Bay Area for the term of October 1, 2016, through September 30, 2018. (Environment)

Question: Shall this Resolution be ADOPTED?

26. [161294](#) **[Accept and Expend Grant - California Public Utilities Commission - Energy Efficiency Program - \$20,790,000]**

Sponsor: Mayor

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$20,790,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to continue an Energy Use and Demand Reduction Through Energy Efficiency Program in the City and County of San Francisco for the term of January 1, 2017, through December 31, 2019. (Environment)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Farrell, Tang, Yee

27. [161296](#) **[Accept and Expend Grant - Centers for Disease Control and Prevention - National HIV Behavioral Surveillance - San Francisco - Total Amount of \$558,933]**

Sponsor: Farrell

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase of \$71,047 for a total amount of \$558,933 from Centers for Disease Control and Prevention to participate in a program entitled National HIV Behavioral Surveillance - San Francisco for the period of January 1, 2016, through December 31, 2016. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Yee, Breed

28. [161187](#) **[Settlement of Unlitigated Claim - Amy Scott - \$60,000]**
Resolution approving the settlement of the unlitigated claim filed by Amy Scott against the City and County of San Francisco for \$60,000; the claim was filed on February 24, 2016; the claim involves a personal injury on a City street. (City Attorney)

Question: Shall this Resolution be ADOPTED?

29. [161188](#) **[Settlement of Unlitigated Claim - Seosamh Obriain - \$73,359.94]**
Resolution approving the settlement of the unlitigated claim filed by Seosamh Obriain against the City and County of San Francisco for \$73,359.94; claim was filed on January 28, 2015; the claim involves alleged property damage. (City Attorney)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Cohen, Peskin

30. [161157](#) **[Planning Code - Inclusionary Housing Small Sites Program]**
Sponsors: Mayor; Campos
Ordinance amending the Planning Code to create an alternative for project sponsors of smaller market rate projects to direct the Affordable Housing Fee to Small Sites Projects; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare under Planning Code, Section 302.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety and Neighborhood Services Committee

Present: Supervisors Avalos, Campos

31. [161195](#) **[Alex Nieto Memorial]**
Sponsors: Avalos; Campos, Cohen and Mar
Ordinance directing the Recreation and Park Department to install in Bernal Heights Park a memorial in honor of Alex Nieto; directing official acts in furtherance of this Ordinance; waiving permit and inspection fees for the installation; and affirming the Planning Department's determination under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

(Public hearing continued open from September 6, 2016.)

32. [141018](#)

[Public Hearing - Appeal of Tentative Map - 639 Peralta Avenue]

Hearing of persons interested in or objecting to the decision of Public Works, dated September 18, 2014, approving a Tentative Map for a 2-Unit New Construction Condominium Project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (District 9) (Appellant: Alexander M. Weyand, on behalf of William H. Bradley) (Filed September 29, 2014). (Clerk of the Board)

10/28/2014; CONTINUED OPEN.

12/16/2014; CONTINUED OPEN.

01/27/2015; CONTINUED OPEN.

04/28/2015; CONTINUED OPEN.

07/28/2015; CONTINUED OPEN.

10/06/2015; CONTINUED OPEN.

12/01/2015; CONTINUED OPEN.

01/26/2016; CONTINUED OPEN.

05/24/2016; CONTINUED OPEN.

09/06/2016; CONTINUED OPEN.

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

33. 141019 [Approving Decision of Public Works and Approving the Tentative Parcel Map - 639 Peralta Avenue]

Motion approving decision of Public Works and approving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

10/28/2014; CONTINUED.

12/16/2014; CONTINUED.

01/27/2015; CONTINUED.

04/28/2015; CONTINUED.

07/28/2015; CONTINUED.

10/06/2015; CONTINUED.

12/01/2015; CONTINUED.

01/26/2016; CONTINUED.

05/24/2016; CONTINUED.

09/06/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

34. 141020 [Disapproving Decision of Public Works and Disapproving the Tentative Parcel Map - 639 Peralta Avenue]

Motion disapproving decision of Public Works and disapproving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

10/28/2014; CONTINUED.

12/16/2014; CONTINUED.

01/27/2015; CONTINUED.

04/28/2015; CONTINUED.

07/28/2015; CONTINUED.

10/06/2015; CONTINUED.

12/01/2015; CONTINUED.

01/26/2016; CONTINUED.

05/24/2016; CONTINUED.

09/06/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

35. [141021](#) **[Preparation of Findings Related to the Tentative Parcel Map - 639 Peralta Avenue]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (Clerk of the Board)

10/28/2014; CONTINUED.

12/16/2014; CONTINUED.

01/27/2015; CONTINUED.

04/28/2015; CONTINUED.

07/28/2015; CONTINUED.

10/06/2015; CONTINUED.

12/01/2015; CONTINUED.

01/26/2016; CONTINUED.

05/24/2016; CONTINUED.

09/06/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

(Public hearing continued open from November 29, 2016.)

36. [161146](#) **[Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed Project at 2675 Folsom Street]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Community Plan Exemption by the Planning Department on June 27, 2016, and approved by the Planning Commission on September 22, 2016, for the proposed project located at 2675 Folsom Street, to allow the demolition of three two-story warehouse and storage structures, and construction of a four-story, 40-foot tall residential building of approximately 109,917 square feet, within the UMU (Urban Mixed Use), RH-2 (Residential Housing, Two Family), and RH-3 (Residential Housing, Three Family) Zoning Districts and a 40-X Height and Bulk District. (District 9) (Appellant: J. Scott Weaver, on behalf of Calle 24 Latino Cultural District Community Council) (Filed October 21, 2016) (Clerk of the Board)

11/29/2016; CONTINUED OPEN.

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

37. [161147](#) [Affirming the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street]

Motion affirming the determination by the Planning Department that a proposed project at 2675 Folsom Street is exempt from further environmental review under a Community Plan Exemption. (Clerk of the Board)

11/29/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

38. [161148](#) [Conditionally Reversing the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street]

Motion conditionally reversing the determination by the Planning Department that a proposed project at 2675 Folsom Street does not require further environmental review under a Community Plan Exemption, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

11/29/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

39. [161149](#) [Preparation of Findings to Reverse the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street]

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Exemption determination by the Planning Department that a proposed project at 2675 Folsom Street does not require further environmental review. (Clerk of the Board)

11/29/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

(Public hearing continued open from November 29, 2016.)

40. [161150](#) [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 2675 Folsom Street]

Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Sections 209.1 and 303, and Planning Commission Resolution No. 19548, for a proposed project at 2675 Folsom Street, Assessor's Parcel Block No. 3639, Lot Nos. 006, 007, and 024, identified in Case No. 2014-000601CUA, issued by the Planning Commission by Motion No. 19745 dated September 22, 2016, to allow dwelling unit density at a ratio of one dwelling unit per 1,000 square feet of lot area in the RH-3 (Residential Housing, Three Family) Zoning District, and allow the new construction of more than 75 dwelling units per the Mission 2016 Interim Zoning Controls, within the UMU (Urban Mixed Use), RH-2 (Residential Housing, Two Family), and RH-3 (Residential Housing, Three Family) Zoning Districts, and a 40-X Height and Bulk District. (District 9) (Appellant: J. Scott Weaver, on behalf of Calle 24 Latino Cultural District Community Council) (Filed October 24, 2016) (Clerk of the Board)

11/29/2016; CONTINUED OPEN.

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)**41. [161151](#) [Approving Conditional Use Authorization - Proposed Project at 2675 Folsom Street]**

Motion approving the decision of the Planning Commission by its Motion No. 19745, approving a Conditional Use Authorization identified as Planning Case No. 2014-000601CUA for a proposed project at 2675 Folsom Street, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

11/29/2016; CONTINUED.

Question: Shall this Motion be APPROVED?**42. [161152](#) [Disapproving Conditional Use Authorization - Proposed Project at 2675 Folsom Street]**

Motion disapproving the decision of the Planning Commission by its Motion No. 19745, approving a Conditional Use Authorization identified as Planning Case No. 2014-000601CUA for a proposed project at 2675 Folsom Street. (Clerk of the Board)

11/29/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

43. [161153](#) **[Preparation of Findings Related to Conditional Use Authorization Appeal - Proposed Project at 2675 Folsom Street]**

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization identified as Planning Case No. 2014-000601CUA for a proposed project at 2675 Folsom Street. (Clerk of the Board)

11/29/2016; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

44. [161278](#) **[Hearing - Appeal of Categorical Exemption from Environmental Review - 3516-3526 Folsom Street]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on July 8, 2016, approved on October 13, 2016, for a proposed project located at 3516-3526 Folsom Street, to allow the construction of two 3,000-square-foot single-family residences on two vacant lots. (District 9) (Appellant: Ryan J. Patterson, on behalf of the Bernal Heights South Slope Organization, Bernal Safe & Livable, Neighbors Against the Upper Folsom Street Extension, Gail Newman, and Marilyn Waterman) (Filed November 14, 2016). (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

45. [161279](#) **[Affirming the Categorical Exemption Determination - Proposed Project at 3516-3526 Folsom Street]**

Motion affirming the determination by the Planning Department that a proposed project at 3516-3526 Folsom Street is categorically exempt from further environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

46. [161280](#) **[Conditionally Reversing the Categorical Exemption Determination - Proposed Project at 3516-3526 Folsom Street]**

Motion conditionally reversing the determination by the Planning Department that a proposed project at 3516-3526 Folsom Street is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

47. [161281](#) **[Preparation of Findings to Reverse the Categorical Exemption Determination - Proposed Project at 3516-3526 Folsom Street]**
Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 3516-3526 Folsom Street is categorically exempt from further environmental review. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Hearing scheduled pursuant to Board of Supervisors Rules of Order 2.18.3.)

48. [161332](#) **[Hearing - Appointment, Recreation and Park Commission - Jason Chan]**
Hearing to consider the Mayor's appointment of Jason Chan to the Recreation and Park Commission, for the term ending July 24, 2018. (Clerk of the Board)
- (Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date: December 7, 2016)
- Question: Shall this Hearing be HEARD AND FILED?**

Committee of the Whole Adjourn and Report

49. [161333](#) **[Appointment, Recreation and Park Commission - Jason Chan]**
Motion approving/rejecting the Mayor's appointment of Jason Chan to the Recreation and Park Commission, for the term ending July 24, 2018. (Clerk of the Board)
- (Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date: December 7, 2016)
- Question: Shall this Motion be APPROVED?**

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Government Audit and Oversight Committee at a Special Meeting on Thursday, December 8, 2016, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, December 13, 2016.

50. [160478](#) **[Campaign and Governmental Conduct Code - Requiring Commissioners to File Behested Payment Reports]**

Sponsor: Peskin

Ordinance amending the Campaign and Governmental Conduct Code to require members of City boards and commissions to file behested payment reports regarding the solicitation of charitable contributions.

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. [161299](#) **[Issuance of Subpoena Duces Tecum - Jack P. Moehle]**

Sponsor: Peskin

Motion directing the Clerk of the Board of Supervisors to issue a subpoena duces tecum to Jack P. Moehle, requiring him to appear at the Government Audit and Oversight Committee hearing on January 12, 2017, at 9:30 a.m., to provide oral information and respond to questions regarding the design, engineering, review, and approval process for the projects at 301 Mission Street and 80 Natoma Street; and requiring him to produce documents, records, and other materials in his possession related to those two projects.

Question: Shall this Motion be APPROVED?

The following items will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, December 12, 2016, at 1:30 p.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, December 13, 2016.

52. [140877](#) **[Planning Code - Downtown Support Special Use District; Fees in Lieu of On-Site Open Space]**

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; 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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

53. [161067](#) **[Planning Code, Zoning Map - Mission and 9th Street Special Use District]**
Sponsors: Kim; Peskin
Ordinance amending the Planning Code to add Section 249.15 to create the Mission and 9th Street Special Use District in the area generally bounded by Mission Street on the south, Laskie Street on the east, Assessor's Parcel Block No. 3701, Lot Nos. 22, 23, and 24 on the west, and Assessor's Parcel Block No. 3701, Lot No. 66 to the north; amending the Zoning Map Sheet SU07 to create the Mission and 9th Street Special Use District; amending Zoning Map Sheet HT07 to change the height limit on Assessor's Parcel Block No. 3701, Lot Nos. 20 and 21, from 120-X to 200-X; 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.

12/06/2016; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/06/2016; RE-REFERRED AS AMENDED to the Land Use and Transportation Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

54. [161239](#) **[Resolution of Intent - San Francisco Public Utilities Commission Public Service Easement Vacation Order - Parkmerced Development Project]**
Sponsor: Yee
Resolution declaring the intent of the Board of Supervisors to 1) order the conditional vacation of certain San Francisco Public Utilities Commission public service easements that exist within the Subphases 1A and 1B of the Parkmerced Development Project area, an approximately 152 acre site located in the Lake Merced District in the southwest corner of San Francisco and generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue, and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; 2) reserve certain easement rights in favor of the SFPUC; 3) delegate authority to the Director of Real Estate to execute certain quit claim deeds; 4) adopt findings under the California Environmental Quality Act; 5) adopt findings that the vacations are consistent with the Parkmerced Development Agreement, the General Plan, and the eight priority policies of Planning Code, Section 101.1; 6) direct the Clerk of the Board of Supervisors to make certain transmittals; and 7) authorize actions by City officials in furtherance of this Ordinance; and setting a hearing date for all persons interested in the proposed vacation of said public service easements.

Question: Shall this Resolution be ADOPTED?

55. [161283](#) **[Extending Interim Zoning Controls - Medical Cannabis Dispensaries in Irving, Judah, Noriega and Taraval Neighborhood Commercial Districts]**
Sponsor: Tang
Resolution extending interim zoning controls that require conditional use authorization for Medical Cannabis Dispensaries in the Irving, Judah, Noriega and Taraval Street Neighborhood Commercial Districts and impose additional conditional use authorization criteria; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Public Safety and Neighborhood Services Committee at a Regular Meeting on Thursday, December 8, 2016, at 2:30 p.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, December 13, 2016.

56. [161290](#) **[Environment Code - Bottled Water and Package Free Ordinance]**
Sponsor: Mar
Ordinance amending the Environment Code to modify restrictions on the sale or distribution on City property of drinking water in single service containers, to educate City departments regarding the restrictions, and making environmental findings.
Question: Shall this Ordinance be PASSED ON FIRST READING?
57. [160818](#) **[Liquor License Transfer - 1909 Union Street, Suite A]**
Resolution determining that the transfer of a Type 21 off-sale general license to The Epicurean Trader, LLC, dba The Epicurean Trader, located at 1909 Union Street, Suite A (District 2), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)
Question: Shall this Resolution be ADOPTED?
58. [160914](#) **[Liquor License Transfer - 1150 Ocean Avenue]**
Resolution determining that the transfer of a Type 21 off-sale general license to Whole Foods Market California, Inc., dba Whole Foods Market, located at 1150 Ocean Avenue (District 7), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)
Question: Shall this Resolution be ADOPTED?
59. [160959](#) **[Liquor License - 110 The Embarcadero]**
Resolution determining that the issuance of a Type 51 Club license to The Commonwealth Club of California, dba Commonwealth Club, located at 110 The Embarcadero (District 6), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control issue the license. (Public Safety and Neighborhood Services Committee)
Question: Shall this Resolution be ADOPTED?
60. [161205](#) **[Urging that the San Francisco Police Chief Reside in the City and County of San Francisco]**
Sponsor: Yee
Resolution urging the Police Commission and the Mayor to require the Police Chief reside within the City and County of San Francisco.
Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, December 8, 2016, at 11:00 a.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, December 13, 2016.

61. [161081](#) **[Various Codes - Nonsubstantive Clean-Up Ordinance]**
Ordinance amending the Administrative, Campaign and Governmental Conduct, Environment, Health, Municipal Elections, Police, and Public Works Codes to make nonsubstantive changes. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

62. [161306](#) **[Appointments, Citizens General Obligation Bond Oversight Committee - Brenda Kwee McNulty, Alexander Tonisson, and Kristin Chu]**
Motion appointing Brenda Kwee McNulty, Alexander Tonisson, Kristin Chu, terms ending November 21, 2018, to the Citizens General Obligation Bond Oversight Committee. (Rules Committee)

Question: Shall this Motion be APPROVED?

The following items will be considered by the Rules Committee at a Special Meeting on Monday, December 12, 2016, at 11:30 a.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, December 13, 2016.

63. [161305](#) **[Appointments, Balboa Park Station Citizens Advisory Committee]**
Motion appointing nine members, for two-year terms ending February 28, 2019, to the Balboa Park Station Community Advisory Committee. (Rules Committee)

Question: Shall this Motion be APPROVED?

64. [161307](#) **[Appointment, Police Commission]**
Motion appointing one member, term ending April 30, 2018, to the Police Commission. (Rules Committee)

Question: Shall this Motion be APPROVED?

65. [161313](#) **[Appointments, Immigrant Rights Commission]**
Motion appointing six members, terms ending June 6, 2018, to the Immigrant Rights Commission. (Rules Committee)

Question: Shall this Motion be APPROVED?

66. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

67. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

68. [161334](#) **[Closed Session - Anticipated Litigation - Police Code - Choice of Communications Services Providers in Multiple Occupancy Buildings (File No. 161110)]**

Closed Session for the Board of Supervisors to convene on December 13, 2016, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the anticipated litigation relating to the Ordinance amending the Police Code to prohibit owners of multiple occupancy buildings from interfering with the choice of communications services providers by occupants, establish requirements for communications services providers to obtain access to multiple occupancy buildings, and establish remedies for violation of the access requirement (File No. 161110). (Clerk of the Board)

Closed Session: The Board of Supervisors shall confer with City Attorney.

[Elect To Disclose]

Motion that the Board finds it is in the best interest of the public that the Board elect at this time to disclose its closed session deliberations.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

After a closed session, if one occurs, pending approval of above action to disclose, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

Recommendation of the Budget and Finance Committee

Present: Supervisors Farrell, Tang, Yee

69. [161110](#) **[Police Code - Choice of Communications Services Providers in Multiple Occupancy Buildings]**

Sponsors: Farrell; Mar

Ordinance amending the Police Code to prohibit owners of multiple occupancy buildings from interfering with the choice of communications services providers by occupants, establish requirements for communications services providers to obtain access to multiple occupancy buildings, and establish remedies for violation of the access requirement.

12/06/2016; NOT CONTINUED.

12/06/2016; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

Items 70 through 80

70. [161323](#) **[Urging the Evaluation and Allocation of Properties for Urban Agriculture]**
Sponsor: Avalos
Resolution reaffirming the Board of Supervisors' support for urban agriculture and urging the evaluation and allocation of appropriate properties for urban agriculture.

12/06/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
71. [161324](#) **[Declaration of Election Results of the November 8, 2016, Consolidated General Election]**
Sponsor: Breed
Resolution declaring the results of the November 8, 2016, Consolidated General Election.

12/06/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
72. [161325](#) **[Recognizing the Youth Commission's 20th Anniversary]**
Sponsors: Tang; Campos, Kim, Mar, Farrell, Avalos, Peskin, Cohen, Yee and Breed
Resolution recognizing the Youth Commission's 20th Anniversary and honoring its 20 years of service to the City and County of San Francisco.

12/06/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
73. [161326](#) **[Commending Supervisor John Avalos]**
Sponsor: Board of Supervisors
Resolution commending and honoring Supervisor John Avalos for his distinguished service as a Member of the San Francisco Board of Supervisors.

12/06/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 74. [161327](#) [Commending Supervisor David Campos]**
Sponsor: Board of Supervisors
Resolution Commending and Honoring Supervisor David Campos for his distinguished service as a Supervisor of the City and County of San Francisco.

12/06/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 75. [161328](#) [Commending Supervisor Eric Mar]**
Sponsor: Board of Supervisors
Resolution commending and honoring Supervisor Eric Mar for his distinguished service as a Member of the San Francisco Board of Supervisors.

12/06/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- ** 76. [161336](#) [Final Map 8182 - 950 Steiner Street]**
Motion approving Final Map 8182, a six residential unit condominium project, located at 950 Steiner Street, being a subdivision of Assessor's Parcel Block No. 0779, Lot No. 020, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

12/06/2016; RECEIVED FROM DEPARTMENT.

12/07/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

- ** 77. [161337](#) [Final Map 8346 - 1045A-1047B Oak Street]**
Motion approving Final Map 8346, a six residential unit condominium project, located at 1045A-1047B Oak Street, being a subdivision of Assessor's Parcel Block No. 1217, Lot No. 034, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

12/06/2016; RECEIVED FROM DEPARTMENT.

12/07/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

- ** 78. [161338](#) [Final Map 8380 - 178-188 Albion Street]**
Motion approving Final Map 8380, a six residential unit condominium project, located at 178-188 Albion Street, being a subdivision of Assessor's Parcel Block No. 3568, Lot No. 035, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

12/06/2016; RECEIVED FROM DEPARTMENT.

12/07/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

- ** 79. [161339](#) [Final Map 8616 - 1170-1180 Green Street]**
Motion approving Final Map 8616, a six residential unit condominium project, located at 1170-1180 Green Street, being a subdivision of Assessor's Parcel Block No. 0122, Lot No. 012, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

12/06/2016; RECEIVED FROM DEPARTMENT.

12/07/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

- ** 80. [161340](#) [Final Map 8631 - 1868 Van Ness Avenue]**
Motion approving Final Map 8631, a 35 residential unit and two commercial unit, mixed-use condominium project, located at 1868 Van Ness Avenue, being a subdivision of Assessor's Parcel Block No. 0619, Lot No. 012, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

12/07/2016; RECEIVED FROM DEPARTMENT.

12/07/2016; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

81. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

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 ORDINANCES

161308

[General Plan Amendments - Potrero HOPE SF Project]

Ordinance amending the General Plan in connection with the Potrero HOPE SF project; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan as proposed for amendment, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

12/02/2016; RECEIVED FROM DEPARTMENT.

12/13/2016; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

161309

[General Plan Amendments - Sunnydale HOPE SF Project]

Ordinance amending the General Plan in connection with the Sunnydale HOPE SF project; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan as proposed for amendment, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

12/02/2016; RECEIVED FROM DEPARTMENT.

12/13/2016; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

161310 [Amending Ordinance No. 1061 - Sidewalk Width Change - Intersection of Mission Street and 22nd Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to narrow, from 21 feet to 15 feet, the official sidewalk width along a portion of the westerly side of Mission Street, between 23rd Street and 22nd Street, and a portion of the easterly side of Mission Street, between 22nd Street and 21st Street, both beginning at the intersection of Mission Street and 22nd Street; adopting the Planning Department's determination and making additional findings 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. (Public Works)

12/05/2016; RECEIVED FROM DEPARTMENT.

12/13/2016; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

161311 [Waiving Fiscal Feasibility Study and Determination Requirements - Airport Development Plan, Except for Individual Projects as Required by Administrative Code, Chapter 29]

Ordinance exempting the proposed Airport Development Plan from Administrative Code, Chapter 29, including from the requirements for a fiscal feasibility study and a Board of Supervisors fiscal feasibility determination prior to initiating environmental review, but retaining requirements for possible future individual projects under the Recommended Airport Development Plan which would otherwise be subject to Administrative Code, Chapter 29. (Airport Commission)

12/02/2016; RECEIVED FROM DEPARTMENT.

12/13/2016; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

PROPOSED RESOLUTION

161312 [Emergency Declaration - Repair Hetch Hetchy Power Kirkwood Generator Bypass System - Total Estimated Cost of Work and Contract \$906,000]

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to San Francisco Administrative Code, Section 21.15(c) to repair dissipater valve of the Hetch Hetchy Power Kirkwood Generator Bypass System; with an estimated cost of emergency work of \$700,000, and estimated emergency contract of \$206,000, for a total estimated cost of \$906,000. (Public Utilities Commission)

12/05/2016; RECEIVED FROM DEPARTMENT.

12/13/2016; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

161330 [Petitions and Communications]

Petitions and Communications received from November 23, 2016, through December 6, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 13, 2016.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From Office of the Controller, submitting Comprehensive Annual Financial Report, FY2015-2016. Copy: Each Supervisor. (1)

From Department of Homelessness and Supportive Housing, submitting 120 Day Report on City Navigation Centers for the Homeless. Copy: Each Supervisor. (2)

From Commission of Animal Control and Welfare, regarding Partnership Statistics. Copy: Each Supervisor. (3)

From Mayor Lee, regarding Charter, Section 3.100 (18), appointment to the Civil Service Commission. (4)

Francis Xavier "FX" Crowley - term ending June 30, 2019

From Clerk of the Board, reporting that the following individuals submitted a Form 700 Statement: (5)

Jeff Cretan - Legislative Aide - Leaving Office
Carolina Morales - Legislative Aide - Leaving Office
Andres Power - Legislative Aide - Leaving Office
Adam Taylor - Legislative Aide - Leaving Office

From Department of Elections, submitting Statement of the Results, Consolidated General Election - November 8, 2016. Copy: Each Supervisor. (6)

From Department of Transportation, pursuant to Health and Safety Code, Section 25180.7, submitting a report on illegal discharge of hazardous waste. Copy: Each Supervisor. (7)

From West Area California Public Utilities Commission, submitting CPUC Notification regarding Verizon Wireless. Copy: Each Supervisor. (8)

From concerned citizens, regarding choice of communications services providers in multiple occupancy buildings. File No. 161110. 15 letters. Copy: Each Supervisor. (9)

From concerned citizens, regarding limits to short term rental of residential units. File No. 161093. 3 letters. Copy: Each Supervisor. (10)

From Charles Olson, submitting response to Appeal of CEQA Categorical Exemption for a proposed project located at 3516-3526 Folsom Street. File No. 161278. Copy: Each Supervisor. (11)

From Ray Fort, regarding certification of a Conditional Use Authorization for a proposed project located at 203 Cotter Street. File No. 161220. Copy: Each Supervisor. (12)

From New York Immigrant Family Unity Project regarding legal services for people in removal proceedings. File Nos. 161288, 161289. 2 letters. Copy: Each Supervisor. (13)

From concerned citizens, regarding proposed project located 2675 Folsom Street. File Nos. 161146, 161150. 2 letters. Copy: Each Supervisor. (14)

From Swords to Plowshares, regarding proposed Resolution approving the Infrastructure Financing Plan for City and County of San Francisco Infrastructure and Revitalization Financing District No. 1. File No. 161116. Copy: Each Supervisor. (15)

From concerned citizens, regarding proposed Resolutions establishing Infrastructure and Revitalization Financing District No. 1. File Nos. 161035, 161036, 161037, 161038, 161039. 6 letters. Copy: Each Supervisor. (16)

From concerned citizens, regarding proposed Ordinance funding the Community College Fund to support students attending the City College of San Francisco. File No. 161015. 11 letters. Copy: Each Supervisor. (17)

From concerned citizens, regarding Resolution responding to the election of Donald Trump and reaffirming San Francisco's commitment to the values of inclusivity, respect, and dignity. File No. 161235. 6 letters. Copy: Each Supervisor. (18)

From concerned citizens, regarding proposed appointment of John Hamasaki to the Police Commission. 9 letters. Copy: Each Supervisor. (19)

From Kelley Trahan, regarding Resolution urging the SF Municipal Transportation Agency Board of Directors to name Central Subway's Chinatown Station the Central Subway's "Rose Pak Station." File No. 161045. Copy: Each Supervisor. (20)

From Gabrielle Dahms, regarding Beach Chalet soccer fields. Copy: Each Supervisor. (21)

From concerned citizens, regarding "Remove The Sharp Park Golf Course redevelopment from the SNRAMP." 300 letters. Copy: Each Supervisor. (22)

From Alvin Ja, regarding proposed Balboa Park project. Copy: Each Supervisor. (23)

From concerned citizen, regarding funding for San Francisco Proposition E. Copy: Each Supervisor. (24)

From concerned citizen, regarding RFP concession leases at San Francisco International Airport, Terminal 3. Copy: Each Supervisor. (25)

From ACLU, regarding Police Use of Force Policy. Copy: Each Supervisor. (26)

From Glin Lamerson, regarding interaction with police officers. Copy: Each Supervisor. (27)

From Jim Corrigan, regarding parking issues. Copy: Each Supervisor. (28)

From Civil Service Commission, submitting meeting schedule for CY 2017. (29)

From Hoffmann Family, regarding Ordinance prohibiting the City from entering into or extending leases for the extraction of fossil fuel from City-owned land. File No. 160222. Copy: Each Supervisor. (30)

ADJOURNMENT