

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, November 1, 2016 - 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
JOHN AVALOS, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, AARON PESKIN, KATY TANG, SCOTT WIENER,
NORMAN YEE
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee
Supervisors Farrell, Tang, Yee

Wednesday
10:00 AM

Government Audit and Oversight Committee
Supervisors Peskin, Yee, Breed

1st and 3rd Thursday
9:30 AM

Land Use and Transportation Committee
Supervisors Cohen, Wiener, Peskin

Monday
1:30 PM

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

2nd Thursday
2:30 PM

Rules Committee
Supervisors Tang, Mar, Cohen

2nd and 4th Thursday
11:00 AM

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Aaron Peskin, Katy Tang, Scott Wiener, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, November 1, 2016, with President London Breed presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Breed called the meeting to order at 2:04 p.m. On the call of the roll, Supervisor Wiener was noted not present. There was a quorum.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board informed the Board that she was in receipt of correspondence from Mayor Lee communicating his Veto of legislation contained in File No. 160749, which would establish Neighborhood Property Crime Units at District Stations in the Police Department. Pursuant to Charter Section 2.106, the Board of Supervisors may override said veto within 30 days or no later than November 25, 2016, with not less than two-thirds of the Members in favor of such measure. Clerk Calvillo requested notification be received in writing by Friday, November 4, 2016, if a Member wished to schedule the veto override.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of September 27, 2016. There were no corrections.

Supervisor Mar, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of September 27, 2016. The motion carried by the following vote, following general public comment:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Yee
Absent: 1 - Wiener

AGENDA CHANGES

There were no agenda changes.

Supervisor Wiener was noted present at 2:06 p.m.

CONSENT AGENDA

Recommendations of the Land Use and Transportation Committee

160424 [Planning Code, Zoning Map - Sign Regulations]

Sponsors: Peskin; Cohen

Ordinance amending the Planning Code to correct and update provisions, delete obsolete or redundant sections, amend the definitions of Historic Sign and Wind Sign, reinstate the distinction between Historic and Vintage Signs, and further restrict the areas where General Advertising Signs are permitted; amending the Zoning Map to delete the Showplace Square Special Sign District, the South of Market General Advertising Special Sign District, the Hamm's Building Historic Special Sign District, and the Candlestick Park Special Sign District, and to delete the related Code sections; 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, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

FINALLY PASSED

160553 [Planning Code - Signs - Exemptions and General Advertising Sign Penalties]

Sponsors: Peskin; Mar

Ordinance amending the Planning Code to clarify that all noncommercial Signs are exempt from regulation pursuant to Planning Code, Article 6; increase penalties for repeat violations for the display of illegal General Advertising Signs; shorten the time before penalties for General Advertising Sign violations begin to accrue; allow property liens for such penalties that go unpaid; 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, and a finding of public necessity, convenience, and welfare under Planning Code, Section 302.

FINALLY PASSED

160962 [Police Code - Limited Live Performance Permits - Union Street Neighborhood Commercial District]

Sponsor: Farrell

Ordinance amending the Police Code to allow the Director of the Entertainment Commission to extend from 10:00 p.m. until 11:00 p.m. the hours during which Live Performances may be presented at Limited Live Performance Locales in the Union Street Neighborhood Commercial District; and affirming the Planning Department's determination under the California Environmental Quality Act.

FINALLY PASSED

160965 [Planning, Green Building Codes - Better Roof Requirements, Including Living Roofs]**Sponsors: Wiener; Cohen and Mar**

Ordinance amending the Planning Code and Green Building Code to establish requirements for certain new building construction facilitating development of renewable energy facilities and living roofs; setting an operative date of January 1, 2017; providing findings as to local conditions pursuant to the California Health and Safety Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED**Recommendation of the Rules Committee****160964 [Administrative Code - Pedestrian Safety Advisory Committee]****Sponsors: Wiener; Cohen**

Ordinance amending the Administrative Code to change the membership requirements for the Pedestrian Safety Advisory Committee, and to establish a sunset date for the Advisory Committee.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

REGULAR AGENDA**UNFINISHED BUSINESS****Recommendation of the Government Audit and Oversight Committee****160789 [Administrative Code - Updating Job Classifications and Bargaining Units]****Sponsor: Mayor**

Ordinance amending the Administrative Code to reflect changes in job classifications in bargaining units.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

160222 [Administrative Code - Prohibition on Leasing for the Extraction of Fossil Fuels]
Sponsors: Avalos; Breed, Campos, Cohen, Kim, Mar, Peskin, Wiener, Yee, Tang and Farrell
Ordinance amending the Administrative Code to prohibit the City from entering into or extending leases for the extraction of fossil fuel from City-owned land, and requiring inspections of any such land and evaluation of constructive future uses for such land.
(Fiscal Impact)

Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding reference to approval of California Environmental Quality Act findings. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee
(Fiscal Impact)

Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be RE-REFERRED AS AMENDED to the Land Use and Transportation Committee meeting of November 14, 2016. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

161034 [Administrative Code - Infant and Toddler Early Learning Scholarship Fund]
Sponsors: Yee; Kim, Avalos, Mar, Tang and Campos
Ordinance amending the Administrative Code to establish the Infant and Toddler Early Learning Scholarship Fund.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160956 [Agreement Amendment - JobAps, Inc. - Software Support Services - Not to Exceed \$2,237,020]

Resolution authorizing the Controller to enter into the tenth amendment of a software license and support agreement with JobAps, Inc., increasing the contract term of November 27, 2006, through November 26, 2016, by two years through November 26, 2018, and increasing the maximum expenditure by \$612,350 to an amount not to exceed \$2,237,020. (Controller)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

161011 [Public Utilities Commission - 2016 Issuance Water Revenue Bonds - Aggregate Principal Amount Not to Exceed \$295,000,000]

Resolution approving the issuance of water revenue bonds in an aggregate principal amount not to exceed \$295,000,000 to be issued by the Public Utilities Commission of the City and County of San Francisco pursuant to prior ordinances and the Charter of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which water revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters, as defined herein. (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

161031 [Customer Generation Agreement - Pacific Gas and Electric Company - Solar Power Project - 2055 Silver Avenue]

Resolution authorizing the General Manager of the Public Utilities Commission to enter into a Customer Generation Agreement with Pacific Gas and Electric Company for a Solar Power Project at Willie Brown Middle School at 2055 Silver Avenue, to continue indefinitely, unless terminated. (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

President Breed requested File Nos. 161041 and 161050 be called together.

161041 [Air Rights Lease - 250 Fremont Street - T8 Housing Partners, L.P. - Transbay Block 8 Affordable Housing - \$15,000 per Year]

Sponsor: Kim

Resolution approving and authorizing the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to execute a lease of an air rights parcel at 250 Fremont Street, with T8 Housing Partners, L.P., a California limited partnership, for a less than fair market value rent of approximately \$15,000 per year for 75 years, for the purpose of developing housing for very low-income households.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

161050 [Multifamily Housing Revenue Notes and Variable Rate Multifamily Housing Revenue Bonds - Transbay Block 8 - Not to Exceed \$302,390,833]**Sponsor: Kim**

Resolution authorizing the issuance and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$19,290,833 for the purpose of providing financing for the acquisition and construction of an 80-unit multifamily rental housing project located in the City at 250 Fremont Street (also known as Transbay Block 8 Affordable Apartments); authorizing the issuance and delivery of variable rate multifamily housing revenue bonds in an aggregate principal amount not to exceed \$263,100,000 and a multifamily housing revenue note in an aggregate principal amount not to exceed \$20,000,000 for the purpose of providing financing for the acquisition and construction of a 350-unit multifamily rental housing project located in the City at 450 Folsom Street (also known as Transbay Block 8 Tower Apartments); approving, for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance of the tax-exempt portion of said bonds and said notes in an aggregate principal amount not to exceed \$282,359,227; approving the form of and authorizing the execution of funding loan agreements providing the terms and conditions of the multifamily housing revenue notes and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of one or more regulatory agreements and declarations of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; approving the forms of and authorizing the execution of an indenture of trust providing the terms and conditions of the variable rate multifamily housing revenue bonds and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a bond purchase agreement for such bonds; approving the form of and authorizing an official statement for such bonds and authorizing the distribution thereof; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds, the notes and the projects; granting general authority to City officials to take actions necessary to implement this Resolution, subject to the terms of this Resolution; and related matters, as defined herein.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

161071 [Agreement - Department of Public Health - Whole Person Care Pilots Program]**Sponsor: Mayor**

Resolution authorizing the Director of Health to sign an agreement, on behalf of the City and County of San Francisco, with the California Department of Health Care Services for participation in the Whole Person Care Pilots Program to fund coordination of health, behavioral health, and social services in a patient-centered manner with the goal of improved beneficiary health and wellbeing through more efficient and effective use of resources.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

161072 [Multifamily Housing Revenue Bonds - 2800 Arelious Walker Drive - Not to Exceed \$16,000,000]**Sponsor: Cohen**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$16,000,000 for 2800 Arelious Walker Drive; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$16,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

161115 [Accept and Expend Grant - Friends of San Francisco Public Library - Annual Grant Award, FY2016-2017 - Up to \$763,355 of In-Kind Gifts, Services, and Cash Monies]**Sponsor: Mayor**

Resolution retroactively authorizing the San Francisco Public Library to accept and expend a grant in the amount of up to \$763,355 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services in FY2016-2017.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

161128 [Issuance of Bonds - California Statewide Communities Development Authority - Hebrew Home for Aged Disabled, dba Jewish Home of San Francisco - Not to Exceed \$150,000,000]**Sponsor: Avalos**

Resolution approving in accordance with Internal Revenue Code, Section 147(f), the issuance of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$150,000,000 to finance the cost of the acquisition, construction, renovation, equipping, and furnishing of facilities owned and managed by the Hebrew Home for Aged Disabled, dba Jewish Home of San Francisco, a California nonprofit public benefit corporation, in connection with the provision of senior residential and care services.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

161129 [Authorizing Interim Financing - Peninsula Corridor Joint Powers Board - Peninsula Corridor Electrification Project - up to \$150,000,000]**Sponsor: Cohen**

Resolution authorizing interim financing by the Peninsula Corridor Joint Powers Board for the Peninsula Corridor Electrification Project, in an aggregate principal amount not to exceed \$150,000,000 outstanding at any one time.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

161131 [Issuance and Sale of Revenue Obligations - Association of Bay Area Governments - Presidio Knolls School Project - Not to Exceed \$30,000,000]**Sponsor: Kim**

Resolution approving for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance and sale of revenue obligations by the Association of Bay Area Governments Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$30,000,000 to finance or refinance the costs of the acquisition, demolition, construction, renovation, equipping and/or furnishing of preK-8 educational facilities to be owned and operated by Presidio Knolls School.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee**160301 [Liquor License Transfer - 447 Bush Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license to 451 Bush Street, Inc., dba FLUXUS from 1 Embarcadero Center to 447 Bush Street (District 3), 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. (Government Audit and Oversight Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160558 [Grant Agreement - Broadway Sansome Associates, L.P. - Municipal Transportation Agency Rent Subsidies - Not to Exceed \$1,192,320]**Sponsor: Peskin**

Resolution authorizing the Director of the Mayor's Office of Housing and Community Development to execute a Grant Agreement with Broadway Sansome Associates, L.P., to provide Municipal Transportation Agency rent subsidies for 12 permanently displaced low-income households at 255 Broadway Street, for a 30-year period to commence following Board approval, in an amount not to exceed \$1,192,320.

(Fiscal Impact)

Privilege of the floor was granted unanimously to Dillon Auyoung (Municipal Transportation Agency) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160756 [Acknowledging the Establishment of Yerba Buena Gardens Conservancy]**Sponsor: Kim**

Resolution acknowledging the establishment of a new public benefit civic nonprofit Yerba Buena Gardens Conservancy to assume long-term operating and management responsibility for Yerba Buena Gardens under a master lease with the City of San Francisco.

(Fiscal Impact)

Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160615 [Board Response - Civil Grand Jury - Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings]

Motion responding to the Civil Grand Jury's request to provide a status update on the Board of Supervisors response to Recommendation No. R.5.D contained in the 2015-2016 Civil Grand Jury Report, entitled "Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

Motion No. M16-152

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Land Use and Transportation Committee

President Breed requested File Nos. 160820 and 160821 be called together.

160820 [Planning Code - Landmark Designation - 1345 Ocean Avenue (aka Ingleside Presbyterian Church and the Great Cloud of Witnesses)]

Sponsors: Yee; Breed and Avalos

Ordinance designating 1345 Ocean Avenue (aka Ingleside Presbyterian Church and the Great Cloud of Witnesses), Assessor's Parcel Block No. 6942, Lot No. 050, as a Landmark under Planning Code, Article 10; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

Supervisors Breed and Avalos requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160821 [Planning Code - Amending Landmark Designation - 140 Maiden Lane (aka V. C. Morris Gift Shop)]**Sponsor: Peskin**

Ordinance amending the Landmark Designation of 140 Maiden Lane (aka V. C. Morris Gift Shop), Assessor's Parcel Block No. 0309, Lot No. 019, under Planning Code, Article 10; affirming the Planning Department's determination under the California Environmental Quality Act; and making environmental findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160893 [Administrative, Public Works, Police Codes - Places for People Program; Permit Fee]**Sponsors: Wiener; Tang and Mar**

Ordinance amending the Administrative Code to establish a Places for People Program that coordinates the City's authorization of public gatherings and activities and their associated temporary physical improvements on City-owned property, the public right-of-way, and associated privately-owned space in connection with certain public space improvements; provides a process for identifying private Stewards to create and activate the public space and be responsible for managing the events and other activities occurring there; streamlines the process for reviewing proposals and issuing any required permits; and establishes a People Place Permit Fee; amending the Public Works Code to establish a regulatory process for authorizing a People Place on the public right-of-way; amending the Police Code definition of a Limited Live Performance Locale to include People Places; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisors Tang and Mar requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160954 [Amending Ordinance No. 1061 - Sidewalk Width Change - Portions of De Haro Street Between 15th and 16th Street]

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to change the official sidewalk width along the easterly side of De Haro Street between 15th Street and 16th Street, fronting Assessor's Parcel Block No. 3938, Lot No. 001; adopting 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)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

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

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

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Ruth Mahaney in recognition of her many accomplishments as a civil rights activist, educator, and Modern Times Collective member. Supervisor Mar shared in this commendation.

Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to Sarah Burton and staff, on behalf of San Francisco SAFE (Safety Awareness for Everyone), Inc., in recognition of SF SAFE's 40th Anniversary and many accomplishments engaging, educating, and empowering San Franciscans to build safer and more vibrant neighborhoods through crime prevention and public safety services. Supervisors Farrell, Campos, Kim, Cohen and Mar shared in this commendation.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Brewster Kahle, founder of the Internet Archive, in recognition of the Internet Archive's 20th Anniversary and his many accomplishments as an advocate of "universal access to all knowledge."

Supervisor Tang introduced, welcomed, and presented a Certificate of Honor to Bernice Lassiter, a founder of Polly Ann Ice Cream, in recognition of her 90th Birthday and her many achievements and continued community support.

Supervisor Wiener introduced, welcomed, and presented Certificates of Honor to Frank Shreve and Paulo de Souza, Jr. (Municipal Transportation Agency) in recognition of their heroic and selfless actions intervening to save a stabbing victim on Market Street and detaining the suspect until the police arrived. John Haley (Municipal Transportation Agency) shared in this commendation.

COMMITTEE REPORTS

Recommendations of the Land Use and Transportation Committee

President Breed requested File Nos. 160944, 160945, 160946, 160947, 160948, 160949, and 160950 be called together.

160944 [Building Code - Repeal of Existing 2013 Code and Enactment of 2016 Edition]

Ordinance repealing the 2013 Building Code in its entirety and enacting a 2016 Building Code consisting of the 2016 California Building Code and the 2016 California Residential Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2017; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160945 [Building Code - Residential Building Requirements]

Ordinance adding the provisions of the 2016 California Residential Code with local amendments into various chapters of the 2016 San Francisco Building Code, and adding Chapter 36 to the Building Code to serve as a directory of where such provisions may be found; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2017; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160946 [Electrical Code - Repeal of Existing 2013 Code and Enactment of 2016 Edition]

Ordinance repealing the 2013 Electrical Code in its entirety and enacting a 2016 Electrical Code consisting of the 2016 California Electrical Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2017; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160947 [Existing Building Code - Enactment of New Code]

Ordinance enacting a 2016 San Francisco Existing Building Code consisting of the 2016 California Existing Building Code with San Francisco amendments; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2017; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160948 [Green Building Code - Repeal of Existing 2013 Code and Enactment of 2016 Edition]

Ordinance repealing the 2013 Green Building Code in its entirety and enacting a 2016 Green Building Code consisting of the 2016 California Green Building Standards Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2017; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160949 [Mechanical Code - Repeal of Existing 2013 Code and Enactment of 2016 Edition]

Ordinance repealing the 2013 Mechanical Code in its entirety and enacting a 2016 Mechanical Code consisting of the 2016 California Mechanical Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2017; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

160950 [Plumbing Code - Repeal of Existing 2013 Code and Enactment of 2016 Edition]

Ordinance repealing the 2013 Plumbing Code in its entirety and enacting a 2016 Plumbing Code consisting of the 2016 California Plumbing Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2017; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

161082 [Fire Code - Repeal of Existing 2013 Code and Enactment of 2016 Edition]

Ordinance repealing the current San Francisco Fire Code in its entirety and enacting a new 2016 San Francisco Fire Code, consisting of the 2016 California Fire Code, as amended by San Francisco, and portions of the 2015 International Fire Code, with an operative date of January 1, 2017; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Recommendations of the Rules Committee**161033 [Administrative Code - Extending Balboa Park Station Area Plan Community Advisory Committee]**

Sponsor: Avalos

Ordinance amending the Administrative Code to codify the Balboa Park Station Area Plan Community Advisory Committee, establish its size and membership, set terms and term limits for its members, and extend its sunset date to February 28, 2020.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

161062 [Appointments, Public Utilities Revenue Bond Oversight Committee - Robert Leshner and Tim Cronin]

Motion appointing Robert Leshner, term ending November 12, 2019, and Tim Cronin, term ending November 12, 2020, to the Public Utilities Revenue Bond Oversight Committee. (Rules Committee)

Motion No. M16-153

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; shared various religious concerns.

Francisco Da Costa; shared concerns regarding Millennium Towers and development projects on contaminated land.

Andrew Yip; shared his various thoughts and experiences.

Peter Warfield; shared various concerns regarding the San Francisco Public Library.

Emil Lawrence; shared concerns regarding various fees and taxi driver issues.

Female Speaker; shared concerns regarding the Chinese consulate and issues with a travel agency.

Ingrid Que; shared concerns regarding the Chinese consulate and issues with a travel agency.

Tuy Hue; shared concerns regarding the Chinese consulate and issues with a travel agency.

Female Speaker; shared concerns regarding the Chinese consulate and the proposed naming of the Central Subway Station as "Rose Pak Station."

Natasha; shared concerns regarding the Chinese consulate and the oppression of the Falun Gong.

Lorie Ten; shared concerns regarding the oppression of the Falun Gong.

Cassie; shared concerns regarding the oppression of the Falun Gong.

Tina Yen; shared concerns regarding the oppression of the Falun Gong.

Lisa; shared concerns regarding the oppression of the Falun Gong.

Christopher Dahl; shared concerns regarding the FBI and the use of bus stops by private shuttles.

Tom Gilberty; shared concerns regarding the accessibility of the public microphone and public banks.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**161168 [Urging the Full Repayment of California Soldiers and Veterans for Time Served]
Sponsors: Farrell; Avalos, Mar, Yee, Cohen, Tang and Campos**

Resolution urging Congressional leadership to pass legislation that will fully absolve California soldiers and veterans debt for time served.

Supervisors Tang and Campos requested to be added as co-sponsors.

ADOPTED

161170 [Waiver Permitting City Employees to Assist the Department of Elections with the November 8, 2016 Election]**Sponsors: Breed; Campos**

Motion granting a waiver from the prohibition imposed by Charter, Section 13.104.5, to permit City employees to assist the Department of Elections with the November 8, 2016, election. (Elections Department)

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

Motion No. M16-154**APPROVED****161171 [Committee of the Whole - Resolution of Necessity to Acquire a Lease by Eminent Domain - Central Shops Relocation - 1975 Galvez Avenue - November 29, 2016]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on November 29, 2016, at 3:00 p.m., to hold a public hearing on a Resolution of Necessity authorizing the acquisition of a lease at the real property commonly known as 1975 Galvez Avenue, Assessor's Parcel Block No. 5250, Lot No. 016, by eminent domain for the public purpose of completing and constructing the Central Shops Relocation. (Clerk of the Board)

Motion No. M16-155**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Farrell requested that File No. 161169 be severed so that it may be considered separately.

Supervisor Farrell Excused from Voting

Supervisor Farrell requested to be excused from voting on File No. 161169, due to a possible conflict of interest.

Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Tang, seconded by Supervisor Mar, moved that Supervisor Farrell be excused from voting on File No. 161169. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Wiener, Yee

Excused: 1 - Farrell

**161169 [Commending New York Governor Andrew Cuomo, State Senator Liz Krueger and State Assembly Member Linda Rosenthal for New York Assembly Bill A8704C]
Sponsor: Peskin**

Resolution commending New York State Senator Liz Krueger and Assembly Member Linda Rosenthal for co-sponsoring and passing New York State Assembly Bill A8704C, relating to prohibiting advertising for the use of dwelling units in class A multiple-dwelling buildings in New York City, and New York Governor Andrew Cuomo for signing it into law on October 21, 2016.

NOT ADOPTED by the following vote:

Ayes: 7 - Avalos, Breed, Campos, Kim, Mar, Peskin, Yee

Noes: 3 - Cohen, Tang, Wiener

Excused: 1 - Farrell

Supervisor Kim, seconded by Supervisor Mar, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Wiener, Yee

Excused: 1 - Farrell

Supervisor Kim requested this Resolution be REFERRED to the Government Audit and Oversight Committee.

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

161141 [Settlement of Lawsuit and Supplemental Appropriation - First National Insurance Company of America - \$405,000]

Ordinance authorizing settlement of the lawsuit filed by First National Insurance Company of America against the City and County of San Francisco for \$405,000; the lawsuit was filed on February 13, 2015, in San Francisco Superior Court, Case No. CGC-15-544117; entitled First National Insurance Company of America v. City and County of San Francisco, et al.; the lawsuit involves alleged water main break and flooded property; and appropriating \$405,000 from the Water Enterprise fund balance for such purpose. (City Attorney)

10/24/16; RECEIVED FROM DEPARTMENT.

11/01/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

161142 [Settlement of Lawsuit - Beresford Corporation, a California Corporation - \$52,500]

Ordinance authorizing settlement of the lawsuit filed by Beresford Corporation, a California Corporation, against the City and County of San Francisco for \$52,500; the lawsuit was filed on October 30, 2014, in San Francisco Superior Court, Case No. CGC-14-542440; entitled Beresford Corporation, A California Corporation v. City and County of San Francisco, DOE 1 - 10, Inclusive; the lawsuit involves a demand for tax refund. (City Attorney)

10/24/16; RECEIVED FROM DEPARTMENT.

11/01/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

161143 [Donation of Retired Pick-Up Truck to San Francisco Firefighters Local 798]

Resolution authorizing the Fire Department to donate a retired pick-up truck to the San Francisco Firefighters Local 798. (Fire Department)

10/18/16; RECEIVED FROM DEPARTMENT.

11/01/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

161144 [Settlement of Unliltigated Claim - BHR Operations, LLC - \$169,263.18]

Resolution approving the settlement of the unliltigated claim filed by BHR Operations, LLC against the City and County of San Francisco for \$169,263.18; claim was filed on March 14, 2016; the claim involves a refund of Transient Occupancy Tax, Tourist Improvement District Fees and Moscone Expansion District fees. (City Attorney)

10/24/16; RECEIVED FROM DEPARTMENT.

11/01/16; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 4:38 p.m.