



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, October 29, 2019 - 2:00 PM

Regular Meeting

NORMAN YEE, PRESIDENT

VALLIE BROWN, SANDRA LEE FEWER, MATT HANEY, RAFAEL MANDELMAN,
GORDON MAR, AARON PESKIN, HILLARY RONEN, AHSHA SAFAI, CATHERINE STEFANI,
SHAMANN WALTON

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 Fewer, Stefani, Mandelman

Government Audit and Oversight Committee
Supervisors Mar, Brown, Peskin

Joint City, School District, and City College Select Committee
Supervisors Haney, Walton, Mar (Alt), Commissioners Cook, Collins, Moliga (Alt),
Trustees Randolph, Williams, Selby (Alt)

Land Use and Transportation Committee
Supervisors Peskin, Safai, Haney

Public Safety and Neighborhood Services Committee
Supervisors Mandelman, Stefani, Walton

Rules Committee
Supervisors Ronen, Walton, Mar

Meeting Days

Wednesday
10:00 AM

1st and 3rd Thursday
10:00 AM

2nd Friday
10:00 AM

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 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.

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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, Chinese and Filipino at all regular and special Board and Committee meetings if made 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) 將予以提供西班牙文, 菲律賓文, 及中文的語言服務, 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。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, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Intsik at Tagalog para sa lahat ng mga regular at espesyal na pulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Filipino na maaaring i-request sa pinakmababa na di bababa sa 48 oras bago ang pulong upang matiyak na matutugunan and inyong kahilingan. Para sa karagdagang impormasyon o para humiling 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 [September 24, 2019](#), Board Meeting Minutes.

AGENDA CHANGES

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 11

Recommendation of the Budget and Finance Committee

Present: Supervisors Fewer, Stefani, Mandelman

1. [190703](#) **[Memorandum of Agreement - Issuance of Revocable Licenses and Easements Agreements - City of Mountain View - Waiver of Administrative Code Appraisal Requirements]**

Ordinance approving the terms and conditions of, and authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to seek approval from the Board of Supervisors and Mayor to execute, a Memorandum of Agreement (MOA) with the City of Mountain View, California with a term of up to 20 years, providing for the SFPUC's issuance to Mountain View of eight revocable licenses (New Licenses) for the use of SFPUC lands for public recreational purposes in exchange for Mountain View's grant to the SFPUC of nine easements (Proposed Easements) and Mountain View's agreement to perform other services, subject to Board of Supervisors approval pursuant to Charter, Section 9.118; exempting the MOA, the New Licenses, and the Proposed Easements from the appraisal requirements of San Francisco Administrative Code, Sections 23.3 and 23.30; affirming the SFPUC's determination under the California Environmental Quality Act; and making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b). (Public Utilities Commission)

10/22/2019; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Brown, Peskin

- 2. **190832** **[Memorandum of Understanding - Fire Fighters Union Local 798, Unit 1]**
 Sponsor: Mayor
 Ordinance adopting and implementing the First Amendment to the 2018-2021 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, Unit 1, to update the Union Security and Surf Rescue Premium provisions.

 10/22/2019; PASSED ON FIRST READING.

 Question: Shall this Ordinance be FINALLY PASSED?

- 3. **190833** **[Memorandum of Understanding - Fire Fighters Union Local 798, Unit 2]**
 Sponsor: Mayor
 Ordinance adopting and implementing the Second Amendment to the 2018-2021 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, Unit 2, to update the Union Security and Surf Rescue Premium provisions.

 10/22/2019; PASSED ON FIRST READING.

 Question: Shall this Ordinance be FINALLY PASSED?

- 4. **190834** **[Memorandum of Understanding - Laborers International Union, Local 261]**
 Sponsor: Mayor
 Ordinance adopting and implementing the First Amendment to the 2019-2022 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, to update the Overtime Compensation and Health Insurance provisions.

 10/22/2019; PASSED ON FIRST READING.

 Question: Shall this Ordinance be FINALLY PASSED?

- 5. **190867** **[Settlement of Lawsuit - California Department of Public Health - City to Pay \$100,000]**
 Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against California Department of Public Health for \$100,000 and a reduction of the citation from AA to A; the lawsuit was filed on April 13, 2017, in San Francisco Superior Court Case No. CGC-17-558162; entitled City and County of San Francisco v. California Department of Public Health; the lawsuit involves affirmative litigation for relief from citation and fine. (City Attorney)

 Question: Shall this Ordinance be PASSED ON FIRST READING?

6. [190868](#) **[Settlement of Lawsuit - Lorena Pedraza - \$175,000]**
Ordinance authorizing settlement of the lawsuit filed by Lorenza Pedraza against the City and County of San Francisco for \$175,000; the lawsuit was filed on September 19, 2018, in San Francisco Superior Court, Case No. CGC-18-569880; entitled Lorena Pedraza v. City and County of San Francisco; the lawsuit involves alleged medical negligence. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
7. [190916](#) **[Settlement of Attorney's Fee Claim - Contest Promotions, LLC - City to Receive \$500,000]**
Ordinance authorizing settlement by payment of \$500,000 to the City and County of San Francisco, of the City's claim for attorney's fees and costs arising from the lawsuit that Contest Promotions, LLC, filed against the City; the lawsuit was filed on August 26, 2015, in San Francisco Superior Court, Case No. CGC-15-547630; entitled Contest Promotions, LLC vs. City and County of San Francisco; San Francisco Superior Court Case No. CPF-16-514771 was filed on February 9, 2016, and the actions were consolidated; the lawsuit involves a dispute about the City's compliance with a prior settlement agreement between the parties, and the constitutionality of sections of the Planning Code regulating on-site and off-site commercial signs. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
8. [190917](#) **[Settlement of Lawsuit - Fidelis Cybersecurity, Inc. - City to Receive \$850,978]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Fidelis Cybersecurity, Inc. and others for \$850,978; the lawsuit was filed on November 27, 2018, in San Francisco Superior Court, Case No. CGC-18-571572; entitled City and County of San Francisco and the People of the State of California v. Fidelis Cybersecurity, Inc.; Maarek Zalatimo (aka Mark Zalatimo); Heather Zalatimo; Jeff Jorgenson, and Does One through Ten; the lawsuit involves the sale of products to the City in violation of conflict of interest laws; other material terms of the settlement are that Fidelis will pay the settlement amount over 18 months and that the City will return hardware purchased from Fidelis within 30 days. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
9. [190918](#) **[Settlement of Lawsuit - Cheryl Jarne - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Cheryl Jarne against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 2, 2018, in San Francisco Superior Court, Case No. CGC-18-564726; entitled Cheryl Jarne v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
10. [190993](#) **[Settlement of Lawsuit - Lu Xia Tan Chen - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Lu Xia Tan Chen against the City and County of San Francisco for \$50,000; the lawsuit was filed on April 19, 2018, in San Francisco Superior Court, Case No. CGC-18-565891; entitled Lu Xia Tan Chen v. City and County of San Francisco; the lawsuit involves alleged injuries when plaintiff was struck in a crosswalk. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Recommendation of the Rules Committee

Present: Supervisors Ronen, Mar

- 11. **190843** **[Administrative Code - General Obligation Bond Pass-Throughs to Tenants]**
Sponsors: Peskin; Ronen, Mandelman and Fewer
Ordinance amending the Administrative Code to allow tenants who have received a pass-through of general obligation bond repayment costs from their landlords to seek relief from the Rent Board based on financial hardship; to limit the number of years that a landlord can cover in a single pass-through; and to extend the time period for tenants to pay such pass-throughs.

10/22/2019; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Fewer, Stefani, Mandelman

- 12. **190808** **[Emergency Declaration - Heating, Ventilation, and Air Conditioning System Failure - 1235 Mission Street - Estimated Cost of Repairs \$775,000]**
Resolution approving the Director of Public Work’s declaration of an emergency for the heating, ventilation, and air conditioning system failure of all existing chillers on the rooftop of 1235 Mission Street, a property that is operated by the Human Services Agency, estimated to cost \$775,000 to repair, pursuant to Administrative Code, Section 21.15(c). (Public Works)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

- 13. **190855** **[Waiver of Base Rent - Volunteers in Medicine, DBA Clinic By the Bay and ArtSpan - 35 and 45 Onondaga Avenue - Up to Six Months for \$49,224]**
Sponsor: Safai
Resolution authorizing the Director of Property to waive up to six months base rent for a total of \$49,224 for existing leases between the City and County of San Francisco, as landlord, and Volunteers in Medicine, DBA Clinic By the Bay and ArtSpan, as tenants, for the City-owned properties located at 35 and 45 Onondaga Avenue.

Question: Shall this Resolution be ADOPTED?

14. [190981](#) **[Contract Amendment - Tiburon, Inc. - Computer Aided Dispatch System Software Maintenance - Not to Exceed \$7,153,056]**
Sponsor: Mayor
Resolution approving an amendment to the Agreement between the City and County of San Francisco and Tiburon Inc., for computer aided dispatch system software maintenance to increase the amount by \$1,905,904 for a total amount not to exceed \$7,153,056 and extending the term by five years for a total contract term of June 29, 2012, through November 30, 2024.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?
15. [191003](#) **[Apply for Grants - Retroactive - 2019 Emergency Preparedness Grants]**
Sponsor: Mayor
Resolution retroactively authorizing designated City and County officials to execute and file, on behalf of the City and County of San Francisco, any actions necessary for the purpose of obtaining State and Federal financial assistance under various grant programs, including: the Federal Fiscal Year 2019 Urban Areas Security Initiative Grant, the Federal Fiscal Year 2019 State Homeland Security Grant Program, the 2019 Emergency Management Performance Grant, the 2019 Local Government Oil Spill Contingency Plan Grant, and the 2019 Hazard Mitigation Grant Program.

Question: Shall this Resolution be ADOPTED?
16. [191020](#) **[Accept and Expend Grant - Retroactive - Department of Homeland Security - 2018 Port Security Grant Program - Alternate Disaster Operations Center - \$105,000]**
Sponsor: Mayor
Resolution retroactively authorizing the Port of San Francisco to accept and expend a grant award in the amount of \$105,000 from the Department of Homeland Security's 2018 Port Security Grant Program to fund the buildout of an alternative Disaster Operations Center (DOC) at Pier 50 as a backup to the Port's primary DOC at Pier 1 for the period of September 1, 2018, through August 31, 2021. (Port)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisor Mar, Brown, Peskin

17. [190928](#) **[Health Code - City-Operated Adult Residential Facility]**
Sponsors: Ronen, Haney, Walton, Peskin, Mar, Mandelman and Brown
Ordinance amending the Health Code to require the Department of Public Health to maintain and operate at full capacity an adult residential facility with no fewer than 41 beds.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. [190577](#) **[Tourism Improvement District and Moscone Expansion District - Annual Report - FY2017-2018]**
Sponsor: Mayor
Resolution receiving and approving the annual report for the Tourism Improvement District and Moscone Expansion District for FY2017-2018, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4. (Department of Economic and Workforce Development)
- Question: Shall this Resolution be ADOPTED?**
19. [190762](#) **[Civic Center Community Benefit District - Annual Report for FY2017-2018]**
Sponsors: Mayor; Haney and Brown
Resolution receiving and approving an annual report for the Civic Center Community Benefit District for FY2017-2018, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4.
- Question: Shall this Resolution be ADOPTED?**
20. [190813](#) **[Central Market Community Benefit District - Annual Report - 2017 Calendar Year]**
Sponsor: Haney
Resolution receiving and approving an annual report for the Central Market Community Benefit District for calendar year 2017, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.
- Question: Shall this Resolution be ADOPTED?**
21. [190814](#) **[Yerba Buena Community Benefit District - Annual Report - FY2017-2018]**
Sponsor: Haney
Resolution receiving and approving an annual report for the Yerba Buena Community Benefit District for FY2017-2018, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Peskin, Safai, Haney

22. [190548](#) **[Planning Code - Jobs Housing Linkage Fee and Inclusionary Housing]**
Sponsors: Haney; Fewer, Ronen, Mar, Peskin, Walton and Yee
Ordinance amending the Planning Code to modify the Jobs Housing Linkage Fee by clarifying the indexing of the fee, adding options for complying with the fee, phasing increases to the fee, dedicating funds for permanent supportive housing and the preservation and acquisition of affordable housing, and to remove the monetary limit for the Small Sites Funds under the Inclusionary Housing Program; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

(Economic Impact)

(Supervisor Safai dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. [190810](#) **[Administrative, Public Works Codes - Recording of Jurisdictional Transfers and Street Vacations]**
Sponsor: Peskin
Ordinance amending the Administrative Code and Public Works Code to require that any resolution approving a jurisdictional transfer of real property (a transfer of the authority over City-owned real property between City departments) be recorded in the Office of the Recorder together with a legal description and map of the real property; to require that any petition to the Board of Supervisors for a street vacation include a legal description and County Surveyor-approved map, and that the Clerk of the Board record in the Office of the Recorder a copy of the adopted ordinance together with the legal description and map; and affirming the Planning Department's determination under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Safai

24. [190839](#) **[Planning Code - Fulton Street Grocery Store Special Use District]**
Sponsor: Brown
Ordinance amending the Planning Code to allow a grocery store use that is a formula retail use in the Fulton Street Grocery Store Special Use District (“District”), on Fulton Street between Laguna and Octavia Streets, subject to conditional use authorization, and adding criteria for such authorization; clarify the definition of a grocery store use within the District; eliminate square footage requirements for commercial uses in the District other than a grocery store and for subsequent uses in a location previously approved for a grocery store; extend the time period for effectiveness of controls for the District to five years from the effective date of the Ordinance; and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Recommendation of the Public Safety and Neighborhood Services Committee

Present: Supervisors Mandelman, Stefani, Walton

25. [190710](#) **[Health, Business and Tax Regulations Codes - Food Preparation and Service Establishment Categories, Disclosures, and Permit Fees]**
Sponsor: Peskin
Ordinance amending the Health Code and Business and Tax Regulations Code to replace the requirement that food preparation and service establishments (“food facilities”) post a symbol issued by the Department of Public Health with a requirement to post a color-coded placard indicating whether the establishment has passed (green), conditionally passed (yellow), or failed (red) a health inspection; clarifying some of the terminology pertaining to violations and remedies and penalties for same; defining new categories of food facilities; establishing annual permit fees for new categories of food facilities; and increasing permit fees for temporary permits and food vending machines.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Recommendations of the Rules Committee

Present: Supervisors Ronen, Walton, Mar

26. [191051](#) **[Appointment, Free City College Oversight Committee - Supervisor Gordon Mar]**
Motion appointing Supervisor Gordon Mar, for an indefinite term, to the Free City College Oversight Committee. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

27. [191052](#) **[Appointments, Cannabis Oversight Committee - Jessica Cry and Shawn Richard]**
Motion appointing Jessica Cry and Shawn Richard, terms ending December 3, 2020, to the Cannabis Oversight Committee. (Rules Committee)

Question: Shall this Motion be APPROVED?

28. [191053](#) **[Appointments, Close Juvenile Hall Working Group - Christina Gomez, Valentina Sedeno, Joanna Hernandez, Lonnie Holmes, Denise Coleman, Daniel Macallair, Constance Walker, Deborah Bill, and Samuel Carr]**
Motion appointing Christina Gomez, Valentina Sedeno (residency requirement waived), Joanna Hernandez (residency requirement waived), Lonnie Holmes, Denise Coleman, Daniel Macallair (residency requirement waived), Constance Walker, Deborah Bill (residency requirement waived), and Samuel Carr (residency requirement waived), for indefinite terms, to the Close Juvenile Hall Working Group. (Rules Committee)

Question: Shall this Motion be APPROVED?

Present: Supervisors Ronen, Mar

29. [191058](#) **[Appointments, Housing Conservatorship Working Group - Jessica Lehman, Jennifer Esteen, and Sara Short]**
Motion appointing Jessica Lehman (residency requirement waived), Jennifer Esteen (residency requirement waived), and Sara Short, for indefinite terms, to the Housing Conservatorship Working Group. (Rules Committee)

Question: Shall this Motion be APPROVED?

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

COMMITTEE REPORTS

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

The following items will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, October 28, 2019, at 1:30 p.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, October 29, 2019.

30. [190866](#) **[Fire Code - Repealing 2016 Code, Adopting 2019 Code]**
Sponsor: Mayor
Ordinance repealing the existing San Francisco Fire Code in its entirety and enacting a new San Francisco Fire Code consisting of the 2019 California Fire Code and portions of the 2018 International Fire Code, together with amendments specific to San Francisco with an operative date of January 1, 2020; 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)
Question: Shall this Ordinance be PASSED ON FIRST READING?
31. [190964](#) **[Green Building Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]**
Ordinance repealing the 2016 Green Building Code in its entirety and enacting a 2019 Green Building Code consisting of the 2019 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, 2020; 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)
Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 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.

33. 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.

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.

Item 34

34. [191093](#) **[Recognizing Veterans Month - November]**
Sponsor: Stefani
Resolution recognizing every November as Veterans Month in the City and County of San Francisco, and urging all San Franciscans to recognize the veterans in their community with acts of kindness.
- 10/22/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

35. 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**191060 [Settlement of Lawsuit - Joan Frost - \$105,000 - Appropriation - Wastewater Enterprise Fund Balance]**

Ordinance authorizing settlement of the lawsuit filed by Joan Frost against the City and County of San Francisco for \$105,000; the lawsuit was filed on August 3, 2018, in San Francisco Superior Court, Case No. CGC-18-568679; entitled Joan Frost v. The City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a motor vehicle collision; and appropriating \$105,000 from the San Francisco Public Utilities Commission Wastewater Enterprise fund balance for payment of settlement. (City Attorney)

10/18/2019; RECEIVED FROM DEPARTMENT.

10/29/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

191061 [Settlement of Lawsuit - Pacific Bell Telephone Company - \$124,500]

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$124,500; the lawsuit was filed on April 4, 2019, in San Francisco Superior Court, Case No. CGC-19-575041; entitled Pacific Bell Telephone Company v. City and County of San Francisco; the lawsuit involves a pipe leak that damaged plaintiff's equipment. (City Attorney)

10/18/2019; RECEIVED FROM DEPARTMENT.

10/29/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

191062 [Amending Ordinance No. 1061 - Sidewalk Width Change - Along Pierce Street Between O'Farrell and Ellis Streets]

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to change the official sidewalk width of certain locations along the westerly side of Pierce Street between O'Farrell and Ellis Streets, in front of the Maxine Hall Health Center at 1301 Pierce Street; adopting 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. (Public Works)

10/21/2019; RECEIVED FROM DEPARTMENT.

10/29/2019; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

PROPOSED RESOLUTIONS

191063 **[Settlement of Unlitigated Claim - 220 Golden Gate Associates, L.P. - \$262,184.16 Plus Interest]**

Resolution approving the settlement of the unlitigated claim filed by 220 Golden Gate Associates, L.P. against the City and County of San Francisco for \$262,184.16 plus statutory interest; the claim was filed on July 15, 2019; the claim involves an alleged overpayment of property taxes. (City Attorney)

10/16/2019; RECEIVED FROM DEPARTMENT.

10/29/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

191064 **[Mills Act Historical Property Contract - 2251 Webster Street]**

Resolution approving an historical property contract between Sally A. Sadosky Revocable Trust, the owner of 2251 Webster Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

10/15/2019; RECEIVED FROM DEPARTMENT.

10/29/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

191065 **[Mills Act Historical Property Contract - 1401 Howard Street]**

Resolution approving an historical property contract between 1401 Howard LLC, the owner of 1401 Howard Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

10/15/2019; RECEIVED FROM DEPARTMENT.

10/29/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

191066 **[Mills Act Historical Property Contract - 64 Potomac Street]**

Resolution approving an historical property contract between Gustav Lindqvist & Caroline Ingeborn, the owners of 64 Potomac Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

10/15/2019; RECEIVED FROM DEPARTMENT.

10/29/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

191067

[Mills Act Historical Property Contract - 2168 Market Street]

Resolution approving an historical property contract between the Swedish Society of San Francisco, the owners of 2168 Market Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

10/15/2019; RECEIVED FROM DEPARTMENT.

10/29/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

191068

[Mills Act Historical Property Contract - 2731-2735 Folsom Street]

Resolution approving an historical property contract between Adele Feng, Timothy Wen Haw Yen, Brent Goldman, and 2735 Folsom Street, LLC, the owners of 2731-2735 Folsom Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

10/15/2019; RECEIVED FROM DEPARTMENT.

10/29/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

191097 [Petitions and Communications]

Petitions and Communications received from October 14, 2019, through October 21, 2019, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 29, 2019.

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 the Office of the Mayor, pursuant to Charter, Section 13.101.5(a), making the following appointment: Copy: Each Supervisor. (1)

Suzy Loftus - Office of the District Attorney

From the Office of the Controller, City Services Auditor, with the Recreation and Park Department, submitting a compliance audit of Coit Tower LLC. Copy: Each Supervisor. (2)

From Senior & Disability Action, submitting a letter recommending Jessica Lehman for Seat 2 on the Housing Conservatorship Working Group. Copy: Each Supervisor. (3)

From the Department of Public Health, pursuant to California Health and Safety Code, Section 459, submitting the 2019 Title XV annual report for each of the San Francisco jails and detention facilities. Copy: Each Supervisor. (4)

From the Controller's Office of Economic Analysis, submitting an economic impact report on the proposed 3333 California Street Development Agreement and rezoning. File Nos. 190947, 190844, 190845. Copy: Each Supervisor. (5)

From a concerned citizen, regarding the Sunshine Ordinance and requesting a proposal informing the public of their rights and provide contact information for record requests. Copy: Each Supervisor. (6)

From a concerned citizen, regarding Taxi Medallions. Copy: Each Supervisor. (7)

From concerned citizens regarding a proposed project at 258 Noe Street. 2 letters. Copy: Each Supervisor. (8)

From a concerned citizen, regarding Resolution No. 382-19 declaring the National Rifle Association a domestic terrorist organization. 2 letters. Copy: Each Supervisor. (9)

From Jen Christenson, regarding recently passed California Assembly Bill 5. Copy: Each Supervisor. (10)

From concerned citizens, regarding proposed tree removal at Lake Merced. 2 letters. Copy: Each Supervisor. (11)

From Penny Nye, regarding the State of Idaho giving free advertising to the National Rifle Association by offering a customized "Friends of NRA" license plate. Copy: Each Supervisor. (12)

From David H. Blackwell of Allen Matkins Leck Gamble Mallory & Natsis LLP, regarding the appeal for the Community Plan Evaluation for the property located at 344-14th Street. Copy: Each Supervisor. (13)

From Mike Forster, regarding a proposal for a fully elevated Caltrain. Copy: Each Supervisor. (14)

From concerned citizens, regarding the property located at 3333 California Street. File Nos. 190947, 190844, 190845. 9 letters. Copy: Each Supervisor. (15)

ADJOURNMENT