



# 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 17, 2019 - 2:00 PM

#### Regular Meeting

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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](http://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.

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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.

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### **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.

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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](mailto: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 5, 2019](#), and [November 12, 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 12

### Recommendations of the Budget and Finance Committee

Present: Supervisors Fewer, Stefani, Safai

1. [191013](#) **[Transportation Code - Mobility Device Permit Requirement]**  
**Sponsor: Mayor**  
 Ordinance amending the Transportation Code to establish a violation for operating a Shared Mobility Device Service without a permit or other authorization from the Municipal Transportation Agency, and to repeal certain parking restrictions related to stationless bicycle share programs and powered scooter share programs; and affirming the Planning Department’s determination under the California Environmental Quality Act.  
  
 12/10/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

*Present: Supervisors Fewer, Stefani, Mandelman*

2. [191148](#) **[Administrative Code - Mental Health SF]**  
**Sponsors: Mayor; Ronen, Haney, Mar, Walton, Yee, Brown, Safai, Fewer, Peskin, Mandelman and Stefani**  
Ordinance amending the Administrative Code to establish Mental Health SF, a mental health program designed to provide access to mental health services, substance use treatment, and psychiatric medications to all adult residents of San Francisco with mental illness and/or substance use disorders who are homeless, uninsured, or enrolled in Medi-Cal or Healthy San Francisco; to establish an Office of Private Health Insurance Accountability to advocate on behalf of privately insured individuals not receiving timely and appropriate mental health care under their private health insurance; to provide that Mental Health SF shall not become operative until either the City's budget has exceeded the prior year's budget by 13%, or the voters have approved a tax that will sufficiently finance the program, or the Board of Supervisors has approved the appropriation of general funds to finance the program; and to establish the Mental Health SF Implementation Working Group to advise the Mental Health Board, the Department of Public Health, the Health Commission, the San Francisco Health Authority, and the Board of Supervisors on the design and implementation of Mental Health SF.
- (Fiscal Impact)
- 12/10/2019; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

### **Recommendations of the Government Audit and Oversight Committee**

*Present: Supervisors Mar, Brown*

3. [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)
- 12/10/2019; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
4. [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)
- 12/10/2019; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Present: Supervisors Mar, Brown, Peskin

- 5. [191138](#) **[Settlement of Lawsuit - Manconia Green - \$82,500]**  
Ordinance authorizing settlement of the lawsuit filed by Manconia Green against the City and County of San Francisco for \$82,500; the lawsuit was filed on July 25, 2017, in the San Francisco County Superior Court, Case No. CGC-17-560392; entitled Manconia Green v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)  
  
12/10/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

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

Present: Supervisors Peskin, Safai, Haney

- 6. [191017](#) **[Housing Code - Heat Requirements in Residential Rental Units]**  
**Sponsor: Peskin**  
Ordinance amending the Housing Code to revise the requirements for heating in residential rental units; and affirming the Planning Department's determination under the California Environmental Quality Act.  
  
12/10/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
- 7. [191106](#) **[Administrative Code - Annual Report on Job Growth and Housing Production]**  
**Sponsors: Mar; Haney, Fewer and Safai**  
Ordinance amending the Administrative Code to require an annual report analyzing the fit between housing needs associated with job growth by wages in San Francisco and housing production by affordability in the City.  
  
12/10/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
- 8. [191107](#) **[Business and Tax Regulations Code - Extending Temporary Suspension of Business Registration and Fee for Transportation Network Company Drivers and Taxi Drivers]**  
**Sponsor: Peskin**  
Ordinance amending the Business and Tax Regulations Code to extend through FY2020-2021 the temporary suspension of the application of the business registration and fee requirements to transportation network company drivers and taxi drivers.  
  
12/10/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

## **Recommendations of the Rules Committee**

*Present: Supervisors Ronen, Walton, Mar*

9. [190869](#) **[Administrative Code - Farmers' Markets and Flea Markets]**  
Ordinance amending the Administrative Code to affirm the County Agricultural Commissioner's authority under state law to certify and inspect farmers' markets and producers, and to enforce state law governing the direct marketing of agricultural products to consumers; replace the County Agricultural Commissioner with the Director of Property as the operator of City-operated farmers' markets and flea markets; eliminate the allocation of space at farmers' markets for the distribution of surplus commodities to needy persons; increase the permit fees for certified producers and other vendors; and increase the permit fees for farmers' market operators. (City Administrator)  
12/10/2019; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**
10. [191000](#) **[Administrative Code - Right to Affordable Housing Unit in a Revitalized Housing Development]**  
**Sponsors: Mayor; Walton, Mar, Safai, Ronen, Haney, Stefani, Yee, Brown, Fewer, Peskin and Mandelman**  
Ordinance amending the Administrative Code to clarify the right of current households to occupy replacement housing units, provide a priority to former households of an existing public housing development to return to a revitalized housing development, and provide a priority to current and former households of an existing public housing development to occupy a new affordable housing unit.  
12/10/2019; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**
11. [191105](#) **[Administrative Code - Extending Eviction Control to Units Constructed After 1979]**  
**Sponsors: Haney; Fewer, Ronen, Walton and Mandelman**  
Ordinance amending the Administrative Code to apply eviction controls to units that are exempt from rent increase limitations because they first received a certificate of occupancy after June 13, 1979, or have undergone a substantial rehabilitation; clarifying the law's application to units with pending notices to vacate; extending the City's current residential rental unit fee to these units; making non-substantive, technical changes; and making findings as required by the Tenant Protection Act of 2019.  
12/10/2019; PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**



- 12. [191174](#) **[Police Code - Cannabis Regulation]**  
 Ordinance amending the Police Code to, among other things, 1) create a Cannabis Nursery Permit; 2) prohibit equity applicants from applying for a Cannabis Business Permit through a cooperative; 3) clarify where in the processing order the Office will review and process Cannabis Business Permit applications from holders of Temporary Cannabis Business Permits and Medical Cannabis Dispensaries; 4) prohibit Cannabis Retailers from using business names likely to attract minors as customers or mislead the public into believing that the business is authorized to sell products to minors; 5) remove the requirement that a Cannabis Business Permit application be denied following any violation of Article 16 of the Police Code, and instead require permit denial after a refusal to remediate an Article 16 violation of which they have been notified by the Office; 6) require Cannabis Distributors to notify the Office when they learn that Cannabis products in their possession have failed state testing standards; and affirming the Planning Department’s determination under the California Environmental Quality Act. (City Administrator)

12/10/2019; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the Budget and Finance Committee

*Present: Supervisors Fewer, Stefani, Safai*

- 13. [191033](#) **[Administrative, Public Works, Police Codes - Establishing Office of Emerging Technology - Requiring Permits for Using Emerging Technology Devices on Public Right-of-Ways]**

**Sponsors: Yee; Fewer, Peskin, Walton, Safai, Ronen, Brown, Stefani, Mar and Mandelman**

Ordinance amending the Administrative Code to create an Office of Emerging Technology within Public Works; amending the Public Works Code to require a permit to obstruct the public right-of-way within Public Works’ jurisdiction; amending the Administrative Code to codify the Public Works Director’s authority to take official actions, as defined herein, including adopting regulations for the pilot operation of emerging technology devices; amending the Public Works Code and Police Code to provide for administrative, civil, and criminal penalties for unlawful obstruction of the public right-of-way, including operation of emerging technology devices without a required permit; and affirming the Planning Department’s determination under the California Environmental Quality Act.

(Fiscal Impact)

12/10/2019; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/10/2019; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**



**Recommendation of the Government Audit and Oversight Committee**

*Present: Supervisors Mar, Brown*

14. [191102](#) **[Health, Administrative Codes - City-Operated Adult Residential Facility]**  
**Sponsors: Ronen, Haney, Walton, Peskin, Mar, Mandelman, Brown, Safai, Yee and Fewer**

Ordinance amending the Health Code to require the Department of Public Health to maintain and operate at full capacity an adult residential facility (“ARF”) with no fewer than 41 beds; and amending the Administrative Code to establish the Adult Residential Facility Working Group to advise the Board of Supervisors and the Mayor regarding resident care, training, workplace conditions, and staffing at the ARF located at 887 Potrero Avenue.

10/29/2019; DUPLICATED.

10/29/2019; RE-REFERRED to the Government Audit and Oversight Committee.

12/10/2019; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/10/2019; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Peskin, Safai, Haney*

15. [191016](#) **[Planning Code - 100% Affordable Housing and Educator Housing Streamlining Program]**

**Sponsors: Fewer; Mar, Peskin, Haney, Safai, Walton and Ronen**

Ordinance amending the Planning Code to require at least half of residential units in Educator Housing projects to have two or more bedrooms, to eliminate the requirement that Educator Housing projects have a minimum amount of three-bedroom units, conditioned on the passage of Proposition E in the November 5, 2019, Municipal Consolidated Election; 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.

(Pursuant to Planning Code, Section 206.9(h), this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

12/10/2019; DUPLICATED.

12/10/2019; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

## **Recommendations of the Rules Committee**

*Present: Supervisors Ronen, Walton, Mar*

16. [190926](#) **[Administrative Code - Acquisition, Retention, and Use of Surveillance Technology]**  
**Sponsor: Peskin**  
Ordinance amending Chapter 19B of the Administrative Code, governing the City's acquisition, retention, and use of surveillance technology, to allow the acquisition and retention of face recognition technology under certain conditions; to preclude legal relief for alleged violations of Chapter 19B that the City timely cured following notice; and to authorize the City Administrator to adopt implementing standards to guide departments in compliance with Chapter 19B's restrictions on the acquisition, retention, and use of surveillance technology.

12/10/2019; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/10/2019; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

17. [191072](#) **[Administrative Code - Budget Approval Process]**  
**Sponsors: Fewer; Mar, Mandelman, Walton, Ronen, Yee and Haney**  
Ordinance amending the Administrative Code to modify the process for the City's adoption of the annual budget by requiring City agencies to hold public hearings prior to submission of their proposed budgets to the Controller and the Mayor; requiring the Mayor to submit to the Board of Supervisors a description of the Mayor's budget priorities after holding a public hearing regarding those priorities; and requiring the Controller to maintain a public website with information about the City's budget process.

12/10/2019; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/10/2019; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

## **NEW BUSINESS**

### **Recommendations of the Budget and Finance Committee**

*Present: Supervisors Fewer, Stefani, Mandelman*

18. [191099](#) **[Updated Emergency Declaration - Repair Southeast Treatment Plant Final Effluent Force Main - Total Estimated Cost Not to Exceed \$5,500,000]**  
Resolution approving an updated emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Sections 6.60 and 21.15, to repair the Southeast Treatment Plant Final Effluent Force Main for a total estimated cost not to exceed \$5,500,000. (Public Utilities Commission)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

19. [191186](#) **[Accept and Expend In-Kind Gift - Consulting Services - Google, Inc. - \$750,000]**  
**Sponsors: Mayor; Stefani**  
Resolution authorizing the Department of Technology to accept an in-kind gift of consulting services from Google, Inc., for a term of six months to commence upon Board approval, valued at \$750,000. (Department of Technology)
- Question: Shall this Resolution be ADOPTED?**

### **Recommendations of the Government Audit and Oversight Committee**

*Present: Supervisors Mar, Brown, Peskin*

20. [190398](#) **[Opposing California State Senate Bill No. 50 (Wiener) - Housing Development: Incentives - Unless Amended]**  
**Sponsors: Mar; Mandelman, Yee, Fewer, Peskin, Walton, Ronen and Haney**  
Resolution opposing California State Senate Bill No. 50, authored by Senator Scott Wiener, which would undermine community participation in planning for the well-being of the environment and the public good, prevent the public from recapturing an equitable portion of the economic benefits conferred to private interests, and significantly restrict San Francisco's ability to protect vulnerable communities from displacement and gentrification, unless further amended.
- 04/09/2019; DUPLICATED.
- 04/09/2019; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 04/09/2019; RE-REFERRED AS AMENDED to the Government Audit and Oversight Committee.
- Question: Shall this Resolution be ADOPTED?**
21. [191025](#) **[Assessment Ballots for City Parcels - Noe Valley Community Benefit District]**  
**Sponsor: Mandelman**  
Resolution authorizing the Mayor or her designee to cast an assessment ballot in the affirmative for the proposed formation of a property and business improvement district to be named the Noe Valley Community Benefit District, with respect to certain parcels of real property owned by the City that would be subject to assessment in said district.
- Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Peskin, Safai, Haney*

22. [190974](#) **[Green Building Code - Energy Performance in Newly Constructed Buildings]**  
**Sponsor: Mandelman**  
Ordinance amending the Green Building Code to establish energy performance requirements for certain new building construction; adopting environmental findings, and findings of local conditions under the California Health and Safety Code and the California Public Resources Code; and directing the Clerk of the Board of Supervisors to forward the Ordinance to state agencies as required by state law.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

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

*Present: Supervisors Peskin, Safai, Haney*

**23. [190681](#) [Planning Code, Zoning Map - Flower Mart - 2000 Marin Street Special Use District]**

**Sponsor: Haney**

Ordinance amending the Planning Code and Zoning Map to establish the 2000 Marin Street Special Use District (Assessor's Parcel Block No. 4346, Lot No. 003), and to create additional Key Site exceptions for the Flower Mart site, located on the southern half of the block north of Brannan Street between 5th Street and 6th Street (Assessor's Parcel Block No. 3778, Lot Nos. 001B, 002B, 004, 005, 047, and 048); 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?**

**24. [190682](#) [Development Agreement - KR Flower Mart, LLC - Flower Mart - 5th and Brannan Streets]**

**Sponsor: Haney**

Ordinance approving a Development Agreement between the City and County of San Francisco and KR Flower Mart, LLC, a Delaware limited liability company, for the development of an approximately 6.5-acre site located at 5th Street and Brannan Street, with various public benefits including a new on-site or off-site wholesale flower market; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); approving the receipt and expenditure of funds for an off-site new wholesale flower market as set forth in the Development Agreement, as applicable; approving the development impact fees for the project and waiving certain Planning Code fees and requirements for a temporary flower market; confirming compliance with or waiving certain provisions of Administrative Code, Chapter 56; and ratifying certain actions taken in connection therewith, as defined herein.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Recommendations of the Rules Committee**

*Present: Supervisors Ronen, Walton, Mar*

**25. [191223](#) [Appointment, Commission on the Aging Advisory Council - Allen Cooper]**

Motion appointing Allen Cooper, term ending March 31, 2020, to the Commission on the Aging Advisory Council. (Rules Committee)

**Question: Shall this Motion be APPROVED?**

26. [191224](#) **[Appointments, Street-Level Drug Dealing Task Force - Lindsay LaSalle, Janet Ector, Teresa Lynn Friend, Pedro Vidal Flores, Curtis Bradford, Porsha Dixon, Louie Hammonds, Max Young, and Thomas Wolf]**  
Motion appointing Lindsay LaSalle, Janet Ector, Teresa Lynn Friend (residency requirement waived), Pedro Vidal Flores, Curtis Bradford, Porsha Dixon, Louie Hammonds, Max Young, and Thomas Wolf, for indefinite terms, to the Street-Level Drug Dealing Task Force. (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 item will be considered by the Public Safety and Neighborhood Services Committee at a Regular Meeting on Thursday, December 12, 2019, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, December 17, 2019.*

27. [191173](#) **[Liquor License Transfer - 3060 Fillmore Street - Indie Superette]**  
Resolution determining that the transfer of a Type-20 off-sale beer and wine liquor license to 3060 Fillmore Market LLC, doing business as Indie Superette, located at 3060 Fillmore Street (District 2), will serve the public convenience or necessity of the City and County of San Francisco; and requesting 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?**

### **28. 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.*

## 29. 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.*

### Items 30 through 37

30. [191226](#) **[Board of Supervisors Regular Meeting Schedule - 2020]**  
Motion establishing the 2020 Board of Supervisors Regular Meeting Schedule pursuant to Board of Supervisors Rules of Order, Sections 4.2, and 4.2.1, by cancelling the Regular Board meetings of January 21, February 18, May 26, and October 13, and November 24; and all Regular Board and Committee meetings during the spring, summer and winter breaks from March 30 through April 3, August 3 through September 7, and December 16, 2020, through January 4, 2021; and further suspending portions of Board Rule 4.2 to effectuate certain dates within the regular meeting schedule to augment the flow of business. (Clerk of the Board)

12/04/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

12/10/2019; CONTINUED.

**Question: Shall this Motion be APPROVED?**

31. [191270](#) **[Urging the United States Congress to Pass Legislation Providing and Expanding Family Support Visas]**  
**Sponsors: Fewer; Ronen, Walton, Peskin, Mar, Brown, Mandelman, Haney, Stefani and Yee**  
Resolution calling upon the United States Congress to pass legislation providing and expanding family support visas to undocumented or Temporary Protected Status recipient parents of United States citizen children or Deferred Action for Childhood Arrivals eligible children, to allow them and their children to stay and work in the United States with a path to citizenship.  
  
12/10/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
32. [191271](#) **[Urging Zuckerberg San Francisco General Hospital and Trauma Center to Improve Hospital Staff and Standards of Patient Care]**  
**Sponsors: Haney; Walton, Mar, Yee, Ronen and Fewer**  
Resolution urging the Zuckerberg San Francisco General Hospital administration to demonstrate a commitment to patient care by increasing Attending Physicians and Non-Resident Providers to focus on Resident Physician and Nurse wellness.  
  
12/10/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
33. [191272](#) **[Urging the United States House of Representatives to Adopt the Articles of Impeachment Against Donald J. Trump]**  
**Sponsor: Mandelman**  
Resolution urging the United States House of Representatives to adopt the Articles of Impeachment against Donald J. Trump for the charges of abuse of power and obstruction of Congress.  
  
12/10/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
34. [191274](#) **[Approval of a 90-Day Extension for Planning Commission Review of the Geary-Masonic Special Use District (File No. 191002)]**  
**Sponsor: Stefani**  
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 191002) amending the Planning Code to modify the Geary-Masonic Special Use District regarding minimum parking requirements, ground floor ceiling heights, and to allow payment of an inclusionary housing fee; 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.  
  
12/10/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**



35. [191242](#) **[Final Map 9797 - 863 Haight Street]**  
Motion approving Final Map 9797, a five residential unit condominium project, located at 863 Haight Street, being a subdivision of Assessor's Parcel Block No. 1239, Lot No. 029; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

12/06/2019; RECEIVED FROM DEPARTMENT.

12/11/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

36. [191243](#) **[Final Map 9922 - 225-227 Shipley Street]**  
Motion approving Final Map 9922, a nine residential unit condominium project, located at 225-227 Shipley Street, being a subdivision of Assessor's Parcel Block No. 3753, Lot No. 492; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

12/04/2019; RECEIVED FROM DEPARTMENT.

12/11/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

37. [191244](#) **[Final Map No. 10101 - 5M Project Phase Two]**  
Motion approving phased Final Map No. 10101, 5M Project, PID 8731-Phase No. 2 relating to portions of the 5M Project, a three lot merger and public improvement project, located at 434 Minna Street and 44 Mary Street, being a merger of Assessor's Parcel Block No. 3725, Lot Nos. 089 through 091; and entitling Assessor's Parcel Block No. 3725, Lot No. 127, for development purposes; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

12/04/2019; RECEIVED FROM DEPARTMENT.

12/11/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

**38. 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](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****191236****[Settlement of Lawsuit - Katherine Cantwell - \$150,000]**

Ordinance authorizing settlement of the lawsuit filed by Katherine Cantwell against the City and County of San Francisco for \$150,000; the lawsuit was filed on February 27, 2018, in San Francisco Superior Court, Case No. CGC-18-564646; entitled Katherine Cantwell v. Mohammad Waraich et al.; the lawsuit involves alleged personal injury from a vehicle versus pedestrian collision. (City Attorney)

12/04/2019; RECEIVED FROM DEPARTMENT.

12/17/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**191237****[Administrative Code - Public Health Group Purchasing Organizations]**

Ordinance amending the Administrative Code to authorize the Department of Public Health to become a member of any Healthcare Group Purchasing Organization (GPO) and to enter into contracts with Healthcare GPO suppliers and distributors to purchase commodities and services without requiring competitive bidding and without approval of the City Purchaser. (Public Health Department)

12/09/2019; RECEIVED FROM DEPARTMENT.

12/17/2019; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

**191238****[California Code of Civil Procedure, Section 998 - Offer to Compromise Litigation - Kellan Dunn - \$45,000]**

Ordinance authorizing the service of an Offer to Compromise under Code of Civil Procedure, Section 998, in the lawsuit filed by Kellan Dunn against the City and County of San Francisco, to include a payment from the City and County of San Francisco of up to \$45,000 plus reasonable attorneys' fees and costs to be determined by the Court; the lawsuit was filed on May 9, 2018, in San Francisco Superior Court, Case No. CGC-18-566427; entitled Kellan Dunn v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

12/09/2019; RECEIVED FROM DEPARTMENT.

12/17/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**191239**

**[Settlement of Unlitigated Claim - Ho Tan and Lionel Tan - \$47,000]**

Resolution approving the settlement of the unlitigated claim filed by Ho Tan and Lionel Tan against the City and County of San Francisco for \$47,000; the claim was filed on June 20, 2017; the claim involves flooding damage during major rainstorms. (City Attorney)

12/06/2019; RECEIVED FROM DEPARTMENT.

12/17/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**191240**

**[Grant Agreement Amendment - Children’s Council of San Francisco - Early Care and Education Integrated Services - \$376,052,445]**

Resolution approving a first amendment to the grant agreement between the City and County of San Francisco and Children’s Council of San Francisco, for the provision of Early Care and Education Integrated Services to support the City’s implementation of the San Francisco Citywide Plan For Early Care and Education to increase the amount by \$178,410,733 for a total grant amount of \$376,052,445 and to extend the grant period by two years for a total period of July 1, 2017, through June 30, 2022. (Human Services Agency)

12/09/2019; RECEIVED FROM DEPARTMENT.

12/17/2019; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**191241**

**[Grant Agreement Amendment - Wu Yee Children’s Services - Early Care and Education Integrated Services - \$75,810,088 Total Grant Amount]**

Resolution approving a second modification of the grant between the City and County of San Francisco and Wu Yee Children’s Services for the provision of Early Care and Education Integrated Services to support the City’s implementation of the San Francisco Citywide Plan For Early Care and Education, to extend the term up to two years for a total term of July 1, 2017, to June 30, 2022, and to increase the grant amount by \$36,251,054 resulting in a revised total grant amount of \$75,810,088 to commence following Board approval. (Human Services Agency)

12/09/2019; RECEIVED FROM DEPARTMENT.

12/17/2019; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**191278 [Petitions and Communications]**

Petitions and Communications received from December 2, 2019, through December 9, 2019, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 17, 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 Controller's Office, submitting updated Demographics Benchmarking dashboards. Copy: Each Supervisor. (1)

From the Free City College Oversight Committee, pursuant to Ordinance No. 125-17, submitting the Free City Annual Report for 2017-2019. Copy: Each Supervisor. (2)

From the Controller's Office, partnered with the San Francisco Police Department and the Department of Emergency Management, submitting new response time performance and targets for the San Francisco Police Department. Copy: Each Supervisor. (3)

From the Controller's Office, submitting updated Public Health Benchmarking dashboards. Copy: Each Supervisor. (4)

From the Controller's Office, submitting the report "Cannabis in San Francisco: A Review Following Adult-Use Legislation." Copy: Each Supervisor. (5)

From the San Francisco Board of Appeals, pursuant to Charter, Section 4.103, submitting their Annual Report for FY2019. Copy: Each Supervisor. (6)

From California Fish and Game Commission, pursuant to California Fish and Game Code, Section 2073.3, submitting notice of two petitions received to list Shasta snow-wreath and western Joshua tree as threatened species under the California Endangered Species Act. 2 letters. Copy: Each Supervisor. (7)

From concerned citizens, regarding a new location for a permittee's medical cannabis dispensary permit. File No. 190973. 10 letters. Copy: Each Supervisor. (8)

From concerned citizens, regarding Senate Bill No. 50, the More HOMES Act (Wiener). File No. 190398. 4 letters. Copy: Each Supervisor. (9)

From Mari Eliza, regarding a proposed Resolution for new, existing and revised designations of Priority Development Areas (PDA's). File No. 191120. Copy: Each Supervisor. (10)

From Reverend Dr. Amos C. Brown with the NAACP, regarding a proposal to create a reparations fund with hotel and marijuana taxes. Copy: Each Supervisor. (11)

From Citizens Climate Lobby-San Francisco Chapter, regarding the resolution that endorses the Energy Innovation and Carbon Dividend Act. File No. 191188. Copy: Each Supervisor. (12)

From concerned citizens, regarding support for City College of San Francisco. 2 letters. Copy: Each Supervisor. (13)

From Mari Eliza, regarding a request for legislation to protect installed solar rooftop systems. Copy: Each Supervisor. (14)

From concerned citizens, regarding the Teatro ZinZanni hotel, entertainment venue, and

public open space project. File No. 191181. 4 letters. Copy: Each Supervisor. (15)

From Anonymous, regarding a request to ensure strict compliance with the Sunshine Ordinance for SB 1421 public records disclosures and the Police Commission's December 4, 2019 meeting. Copy: Each Supervisor. (16)

From concerned citizen, regarding the recent rainstorm flooding. Copy: Each Supervisor. (17)

From Ruzicka, Wallace & Coughlin LLP, submitting a request for a list of all active local emergencies declared by the Board of Supervisors. Copy: Each Supervisor. (18)

From Allen Jones, regarding the quality of movies being shown at Juvenile Hall. Copy: Each Supervisor. (19)

From Aaron Goodman, regarding Senate Bill No. 50, the More HOMES Act (Wiener) and a proposed Resolution for new, existing and revised designations of Priority Development Areas (PDA's). File Nos. 190398 and 191120. Copy: Each Supervisor. (20)

From Bob Planthold, regarding the Academy of Art lawsuit settlement. Copy: Each Supervisor. (21)

From Susan Hill, regarding safety in San Francisco. Copy: Each Supervisor. (22)

From Ed Cota, regarding Supervisor Fewer's remarks while at Mr. Boudin's election headquarters. Copy: Each Supervisor. (23)

## **ADJOURNMENT**