



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, February 11, 2020 - 2:00 PM

Regular Meeting

NORMAN YEE, PRESIDENT
SANDRA LEE FEWER, MATT HANEY, RAFAEL MANDELMAN,
GORDON MAR, AARON PESKIN, DEAN PRESTON, 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

Meeting Days

Budget and Appropriations Committee Supervisors Fewer, Walton, Mandelman, Yee, Ronen	Wednesday 1:00 PM
Budget and Finance Committee Supervisors Fewer, Walton, Mandelman	Wednesday 10:00 AM
Government Audit and Oversight Committee Supervisors Mar, Peskin, Haney	1st and 3rd Thursday 10:00 AM
Joint City, School District, and City College Select Committee Supervisors Haney, Fewer, Mar (Alt), Commissioners Cook, Collins, Moliga (Alt), Trustees Randolph, Williams, Selby (Alt)	2nd Friday 10:00 AM
Land Use and Transportation Committee Supervisors Peskin, Safai, Preston	Monday 1:30 PM
Public Safety and Neighborhood Services Committee Supervisors Mandelman, Stefani, Walton	2nd and 4th Thursday 10:00 AM
Rules Committee Supervisors Ronen, Stefani, Mar	Monday 10:00 AM

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

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 Wilson Ng 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 sof@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>

Ethics 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>.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit sfethics.org.

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

AGENDA CHANGES

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

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

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

There were no questions submitted from Supervisors representing Districts 1, 2, 3, or 4. The Mayor may address the Board for up to five minutes.

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 5

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Peskin, Safai, Preston

1. [180969](#) **[Plumbing Code - Cross-Connection Control]**
 Ordinance amending the Plumbing Code to delete the local amendment to the California Plumbing Code referring to the San Francisco Public Utilities Commission’s Rules and Regulations in the section on cross-connection control, and to add local cross-connection controls for beverage dispensers and industrial water chillers and a testing requirement for backflow prevention assemblies or devices; affirming the Planning Department’s determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage. (Building Inspection Commission)

 02/04/2020; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [190458](#) **[Planning, Administrative Codes - North of Market Affordable Housing Fees and Citywide Affordable Housing Fund]**
Sponsor: Mayor
 Ordinance amending the Planning Code and the Administrative Code to abolish the North of Market Affordable Housing Fund, and have certain affordable housing fees collected in conjunction with the North of Market Residential Special Use District deposited in the Citywide Affordable Housing Fund; 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.

 07/23/2019; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

 07/23/2019; RE-REFERRED AS AMENDED to the Land Use and Transportation Committee.

 02/04/2020; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [191280](#) **[Amended and Restated Land Disposition and Acquisition Agreement - Exchange of 639 Bryant Street for 2000 Marin Street]**
Sponsor: Haney
Ordinance approving an Amended and Restated Land Disposition and Acquisition Agreement with 2000 Marin Property, L.P. for the City's transfer of real property at 639 Bryant Street (Assessor's Parcel Block No. 3777, Lot No. 052) under the jurisdiction of the San Francisco Public Utilities Commission in exchange for real property at 2000 Marin Street (Assessor's Parcel Block No. 4346, Lot No. 003), subject to several conditions, including the reimbursement of certain transaction costs; waiving the Administrative Code, Section 23.3, appraisal and fair market value requirements; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings under the California Environmental Quality Act, including the adoption of a Mitigation Monitoring and Reporting Program.
- 02/04/2020; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Recommendations of the Rules Committee

Present: Supervisors Ronen, Stefani, Mar

4. [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)
- 02/04/2020; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
5. [191256](#) **[Administrative Code - Naming Second Floor Rotunda in City Hall for Buck Delventhal]**
Sponsors: Peskin, Yee, Fewer, Haney, Mandelman, Mar, Ronen, Safai, Stefani, Walton and Preston
Ordinance amending the Administrative Code to name the rotunda on the second floor of City Hall in memory of former Deputy City Attorney Buck Delventhal.
- 02/04/2020; 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, Walton, Mandelman

6. [191269](#) **[Accept and Expend Grant - Retroactive - San Francisco Bay Area Rapid Transit District - Pit Stop Public Toilet Program - \$257,500]**
Sponsor: Mayor
Resolution retroactively authorizing Public Works to accept and expend a grant of up to \$257,500 from the San Francisco Bay Area Rapid Transit District (BART) for the Pit Stop Public Toilet Program for the period of July 1, 2019, through June 30, 2020. (Public Works)

(Fiscal Impact)

01/28/2020; CONTINUED.

02/04/2020; CONTINUED.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Fewer, Walton, Mandelman

7. [200042](#) **[Acquisition of Real Property - 1939 Market Street - Sheet Metal Workers' International Association, Local Union No. 104 - \$12,000,000]**
Sponsors: Mayor; Mandelman
Resolution approving and authorizing the Director of Property, on behalf of the Mayor's Office of Housing and Community Development, to acquire real property, located at 1939 Market Street from Sheet Metal Workers' International Association, Local Union No. 104, for purchase at \$12,000,000 inclusive of a deposit in the amount of \$500,000; placing the property under the jurisdiction of the Mayor's Office of Housing and Community Development for use in constructing affordable housing for San Franciscans; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the purchase agreement and this Resolution, as defined herein, including assuming certain leases, entering into a leaseback with seller, and assuming certain service contracts; and affirming the Planning Department's determination under the California Environmental Quality Act. (Mayor's Office of Housing and Community Development)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Peskin, Safai, Preston

8. [190355](#) **[Planning Code - Authorizing Interim Activities at Development Sites]**
Sponsors: Mayor; Haney
Ordinance amending the Planning Code to enable the use of development project sites during the project approval and entitlement process by authorizing the Planning Department to authorize certain interim activities at development project sites as Temporary Uses for up to 36 months, subject to extension at the discretion of the Planning Director in increments for up to a maximum possible total of 24 additional months; adopting 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 convenience, necessity, and welfare under Planning Code, Section 302.
- 01/07/2020; RE-REFERRED to the Land Use and Transportation Committee.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

9. [191281](#) **[Administrative Code - Tenant Buyout Agreements]**
Sponsors: Ronen; Preston, Fewer, Haney, Peskin and Walton
Ordinance amending the Administrative Code to (1) classify certain types of unlawful detainer settlement agreements as “Buyout Agreements,” (2) require the Rent Board to provide more information on the disclosure form that landlords must give to tenants before buyout negotiations commence, (3) require landlords to give the disclosure form to tenants a certain number of days before the Buyout Agreement is executed and to verify to the Rent Board that the disclosures were provided, (4) require landlords to include in the final Buyout Agreement identifying information about the location of the unit, and (5) allow a tenant to invalidate any provision of the Buyout Agreement in which the tenant waived their rights if the landlord did not timely file the Buyout Agreement with the Rent Board.

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. [191286](#) **[Public Trust Exchange Agreement - California State Lands Commission - Exchange of Certain Streets in the Vicinity of the Millennium Tower and Transbay Terminal for Certain Fisherman’s Wharf Streets]**
Sponsor: Mayor
Resolution approving and authorizing a Trust Exchange Agreement with the California State Lands Commission that would remove the public trust from certain Transbay Streets in the vicinity of the Millennium Tower and Transbay Terminal and impress the public trust on certain Fisherman’s Wharf Streets; adopting environmental findings and findings of consistency with the General Plan, and the eight priority policies of City Planning Code, Section 101.1; and authorizing the Port’s Executive Director and the Director of Property to execute documents and take certain actions in furtherance of this Resolution, as defined herein.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ronen, Mar

11. [200053](#) **[Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor Catherine Stefani]**
Motion appointing Supervisor Catherine Stefani, term ending January 31, 2021, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Present: Supervisors Ronen, Stefani, Mar

12. [200072](#) **[Appointment, Children and Families First Commission - Aline Armstrong]**
Motion appointing Aline Armstrong, for an indefinite term, to the Children and Families First Commission. (Rules Committee)

Question: Shall this Motion be APPROVED?

13. [200073](#) **[Presidential Appointment, Planning Commission - Maria Theresa Imperial]**
Motion approving the President of the Board of Supervisors Norman Yee's nomination of Maria Theresa Imperial to the Planning Commission, for a term ending July 1, 2020.
(Clerk of the Board)

(Charter, Section 4.105, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: January 29, 2020.)

Question: Shall this Motion be APPROVED?

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

Black History Month

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

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

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

(The President may entertain a motion to continue this Hearing and associated Motions to the Board of Supervisors meeting of March 10, 2020.)

14. [200067](#) **[Hearing - Appeal of Conditional Use Authorization - 95 Nordhoff Street]**
Hearing of persons interested in or objecting to the certification of Conditional Use Authorization pursuant to Planning Code, Sections 121 and 303, for a proposed project at 95 Nordhoff Street, Assessor's Parcel Block No. 6763, Lot No. 001, identified in Planning Case No. 2018-015554CUA, issued by the Planning Commission by Motion No. 20602, dated December 12, 2019, for the subdivision of an existing lot currently containing a single-family dwelling unit into four new lots, two of which will be substandard lots, within the RH-1 (Residential-House, One Family) Zoning District and the 40-X Height and Bulk District. (District 8) (Appellant: Steven Ganz) (Filed January 13, 2020) (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

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

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

15. [200068](#) **[Approving Conditional Use Authorization - 95 Nordhoff Street]**
Motion approving the decision of the Planning Commission by its Motion No. 20602, approving a Conditional Use Authorization, identified as Planning Case No. 2018-015554CUA, for a proposed project located at 95 Nordhoff Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

16. [200069](#) **[Conditionally Disapproving Conditional Use Authorization - 95 Nordhoff Street]**
Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20602, approving a Conditional Use Authorization, identified as Planning Case No. 2018-015554CUA, for a proposed project at 95 Nordhoff Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds of the members of the Board.)

Question: Shall this Motion be APPROVED?

17. [200070](#) **[Preparation of Findings Related to Conditional Use Authorization Appeal - 95 Nordhoff Street]**
Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization, identified as Planning Case No. 2018-015554CUA, for a proposed project at 95 Nordhoff Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

18. [191180](#) **[Hearing - Committee of the Whole - Street Vacation - Vallejo Street and Davis Street Right-of-Ways - Teatro ZinZanni Project - February 11, 2020, at 3:00 p.m.]**
Hearing of the Board of Supervisors sitting as a Committee of the Whole on February 11, 2020, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance (File No. 191181) ordering the vacation of streets on a portion of the Vallejo Street right-of-way, generally bounded by Assessor's Parcel Block No. 0138, Lot No. 001, and Assessor's Parcel Block No. 0139, Lot No. 002, between Davis Street and The Embarcadero and a portion of the Davis Street right-of-way as part of improvements for the Teatro ZinZanni hotel, entertainment venue, and public open space project; making findings about the Mitigated Negative Declaration under the California Environmental Quality Act; adopting findings that the actions contemplated in the Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with the Ordinance, as defined therein; scheduled pursuant to Resolution No. 1-20, adopted on January 14, 2020. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

Referred Without Recommendation from the Land Use and Transportation Committee

Present: Supervisors Peskin, Safai, Preston

19. [191181](#) [Street Vacation - Vallejo Street and Davis Street Right-of-Ways - Teatro ZinZanni Development Project]

Sponsor: Mayor

Ordinance ordering the vacation of streets on a portion of the Vallejo Street right-of-way, generally bounded by Assessor's Parcel Block No. 0138, Lot No. 001, and Assessor's Parcel Block No. 0139, Lot No. 002, between Davis Street and The Embarcadero and a portion of the Davis Street right-of-way as part of improvements for the Teatro ZinZanni hotel, entertainment venue, and public open space project; making findings about the Mitigated Negative Declaration under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 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.

21. 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 22 through 25

22. [200128](#) [Supporting California Senate Bill No. 281 (Wiener) - Agricultural District 1a: Firearm and Ammunition Sales at the Cow Palace]

Sponsor: Stefani

Resolution supporting California State Senate Bill No. 281, Agricultural District 1a: Firearm and Ammunition Sales at the Cow Palace, authored by Senator Scott Wiener and principally coauthored by Assembly Members David Chiu and Phil Ting, which promotes the general welfare and public safety by prohibiting the sale of firearms or ammunition in the buildings that comprise the Cow Palace property.

02/04/2020; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

23. [200129](#) [Board of Supervisors Budget Process - FYs 2020-2021 and 2021-2022]

Sponsors: Fewer; Walton, Ronen, Yee and Mandelman

Motion establishing goals for the Board of Supervisors' Budget and Appropriations Committee, and the process to guide the Board's deliberations on the City budget, for FYs 2020-2021 and 2021-2022.

02/04/2020; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

24. [200131](#) [Calling Joint Special Meeting with the Public Utilities Commission - Closed Session - Existing Litigation - Pacific Gas and Electric Company - March 10, 2020, at 4:00 p.m.]

Sponsor: Peskin

Motion calling a joint special meeting with the Board of Supervisors and the Public Utilities Commission on March 10, 2020, at 4:00 p.m., and that the Board of Supervisors convene in a joint closed session at the joint special meeting with the Public Utilities Commission, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. R.19-09-016, filed January 10, 2019.

02/05/2020; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

25. [200084](#) [Final Map No. 9693 - 3132-3140 Scott Street]

Motion approving Final Map No. 9693, a five residential unit condominium project, located at 3132-3140 Scott Street, being a subdivision of Assessor's Parcel Block No. 0512, Lot No. 018; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

01/17/2020; RECEIVED FROM DEPARTMENT.

02/05/2020; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

26. 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

200107

[Settlement of Lawsuit - Vera Cort - City to Receive \$200,000]

Ordinance authorizing settlement of the lawsuit filed by Vera Cort, Trustee of Cort Survivor Trust, against the City and County of San Francisco for \$200,000; the lawsuit was filed on March 7, 2019, in San Francisco Superior Court, Case No. CPF-19-516582, entitled Vera Cort, Trustee of Cort Survivor Trust v. City and County of San Francisco, et al.; the lawsuit involves petitioner's challenge to the City's cancellation of her construction permits after petitioner demolished property in violation of the issued permits. (City Attorney)

01/30/2020; RECEIVED FROM DEPARTMENT.

02/11/2020; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

200108

[Settlement of Lawsuit - Garry Peace - \$43,500]

Ordinance authorizing settlement of the lawsuit filed by Garry Peace against the City and County of San Francisco for \$43,500; the lawsuit was filed on November 8, 2017, in San Francisco Superior Court, Case No. CGC-17-562373; entitled Garry Peace v. City and County of San Francisco; the lawsuit involves an alleged personal injury while walking on a City sidewalk. (City Attorney)

02/03/2020; RECEIVED FROM DEPARTMENT.

02/11/2020; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

200109

[Settlement of Unlitigated Claim - Estate Research Associates - \$82,465.14]

Resolution approving an updated settlement authority for the unlitigated claim filed by Estate Research Associates against the City and County of San Francisco for \$82,465.14; the claim was filed on January 26, 2018; the claim involves damages allegedly arising from the failure to properly administer two estates; Resolution No. 389-18 previously approved settlement up to \$80,000. (City Attorney)

02/03/2020; RECEIVED FROM DEPARTMENT.

02/11/2020; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

200110

[Public Auction - Tax-Defaulted Real Property]

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property, as defined herein. (Treasurer-Tax Collector)

01/31/2020; RECEIVED FROM DEPARTMENT.

02/11/2020; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

200111

[Agreement Amendment - Retroactive - APX, Inc. - Power Scheduling Coordination and Related Support Services - Not to Exceed \$149,900,000]

Resolution retroactively authorizing the General Manager of the Public Utilities Commission to execute the first amendment to Agreement No. CS-344 Power Scheduling Coordination and Related Support Services, with APX, Inc. to amend the not to exceed amount from \$105,000,000 to \$107,900,000 and authorizing the General Manager of the Public Utilities Commission to execute a second amendment providing a two year extension to the contract term, for a total term of seven years, for the total term of June 16, 2015, through June 15, 2022, and increasing the not to exceed amount by \$42,000,000 for a total not to exceed amount of \$149,900,000 pursuant to Charter, Section 9.118. (Public Utilities Commission)

01/31/2020; RECEIVED FROM DEPARTMENT.

02/11/2020; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

200112**[Petitions and Communications]**

Petitions and Communications received from January 27, 2020, through February 3, 2020, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on February 11, 2020.

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 3.100(18), making the following appointments to the Disability and Aging Services Commission: Copy: Each Supervisor. (1)

Gustavo Serriñá - Seat 1 - term ending January 15, 2024

Martha Knutzen - Seat 5 - term ending July 1, 2020

Barbara Sklar - Seat 6 - term ending July 1, 2020*

*Due to a discrepancy of the submitted term, this appointment was conditionally accepted. After collaborating with the Mayor's Office and the City Attorney for clarification, the appropriate term is July 1, 2020.

From the Office of the Mayor, pursuant to Charter, Section 3.100, designating Supervisor Catherine Stefani as Acting-Mayor, effective Saturday, February 2, 2020, at 7:00 a.m., until Monday, February 3, 2020, at 6:16 a.m. In the event the Mayor is delayed, Supervisor Stefani will continue to serve as Acting-Mayor until the Mayor returns. Copy: Each Supervisor. (2)

From the Office of the Controller, pursuant to the Authorization Ordinance in Administrative Code, Section 21A3, submitting their Review of 2019 Managed Care Contracts. Copy: Each Supervisor. (3)

From the President of the Board of Supervisors, pursuant to Charter, Section 4.105, making the following nomination to the Planning Commission: Copy: Each Supervisor. (4)

Maria Theresa Imperial - term ending July 1, 2020

From the Police Commission, regarding their Resolution 20-5, Adoption of Resolution for Effective Response to Homelessness and Complaints Regarding Presence of Homeless People. Copy: Each Supervisor. (5)

From the Department of Public Health, pursuant to Administrative Code, Section 10.170-1(H), submitting notice for DPH Demonstration Projects-HIV Infection HCAS12/18, of a State grant line item budget revision in excess of 15% requiring funding agency approval. Copy: Each Supervisor. (6)

From the Department on the Status of Women, submitting their new strategic plan "Towards a Gender Equitable City Government." Copy: Each Supervisor. (7)

From the Rent Board, pursuant to Administrative Code, Chapter 37, Section 37.9E9(j), submitting their third annual report regarding implementation of Buyout Ordinance. Copy: Each Supervisor. (8)

From Christine Harris, regarding a stolen dog in San Francisco. Copy: Each Supervisor. (9)

From Allen Jones, regarding comments relating to the closure of Juvenile Hall. Copy: Each Supervisor. (10)

From concerned citizens, regarding the appropriation from the General Reserve for City

College of San Francisco operating support in the amount of \$2,700,000 for FY2019-2020. File No. 191261. 5 letters. Copy: Each Supervisor. (11)

From the San Francisco Apartment Association, regarding the proposed amendments to the Tenant Buyout Agreements. File No. 191281. Copy: Each Supervisor. (12)

From Anastasia Glikenstern, regarding using toxic herbicide in our parks Copy: Each Supervisor. (13)

From Patricia Rinaldo, regarding the homeless crisis in San Francisco. Copy: Each Supervisor. (14)

From Judith Tegland, regarding small businesses operating in San Francisco. Copy: Each Supervisor. (15)

From Kristin Tieche, regarding Page Street bike improvements. Copy: Each Supervisor. (16)

From Bryan Tullis, regarding more San Francisco Police Department support for taxpayers and businesses. Copy: Each Supervisor. (17)

From the Office of the Controller, submitting their San Francisco MUNI Reliability Working Group recommendations. Copy: Each Supervisor. (18)

From Lilian Stielstra, regarding alleged corruption at Public Works and the FBI arrest of Mohammed Nuru. Copy: Each Supervisor. (19)

From Hope Young, regarding the hiring process for the City and County of San Francisco. Copy: Each Supervisor. (20)

From Patrick Monette-Shaw, regarding the Environment Code - Electrification of Municipal Facilities and San Francisco Employees Retirement System. File No. 190972. Copy: Each Supervisor. (21)

ADJOURNMENT