



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, April 9, 2019 - 2:00 PM

Regular Meeting

NORMAN YEE, PRESIDENT

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

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Fewer, Stefani, Mandelman, Ronen, Yee

Budget and Finance Sub-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

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
1:00 PM

Wednesday
10:00 AM

1st and 3rd Thursday
10:00 AM

To Be Determined

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

Agenda Item Information

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

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

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

Meeting Procedures

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

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

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

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

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

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

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

所有常規及特別市參事委員會會議 (Board meetings) 除委員會會議 (Committee meetings) 將予以提供西班牙文, 菲律賓文, 及中文的語言服務, 但須在會議前最少48小時作出請求, 旨在確保服務屆時可予以提供。更多資訊或請求有關服務, 請致電 (415) 554-7719聯絡Linda Wong.

AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Intsik at Tagalog para sa lahat ng mga regular at espesyal na pulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Filipino na maaaring i-request sa pinakmababa na di bababa sa 48 oras bago ang pulong upang matiyak na matutugunan and inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

Disability Access

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

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

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of the March 5, 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 3

Recommendation of the Budget and Finance Sub-Committee

Present: Supervisors Fewer, Stefani, Mandelman

1. [181110](#) **[Business and Tax Regulations Code - Administration of Homelessness Gross Receipts Tax]**

Ordinance amending the Business and Tax Regulations Code to add provisions to administer the Homelessness Gross Receipts Tax; and to make conforming non-substantive changes. (Treasurer-Tax Collector)

04/02/2019; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Peskin, Safai, Haney

- 2. **190030** **[Planning Code - Union Square Park, Recreation, and Open Space Fee]**
Sponsor: Peskin
Ordinance amending the Planning Code to adjust the Union Square Park, Recreation, and Open Space Fee from \$4 to \$6; affirming Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

04/02/2019; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Ronen, Walton, Mar

- 3. **181188** **[Administrative Code - Implicit Bias Training - Department Heads and Commissioners]**
Sponsors: Stefani; Ronen, Walton, Mar, Brown, Haney, Safai and Mandelman
Ordinance amending the Administrative Code to require department heads and members of City boards and commissions to complete implicit bias training by December 31, 2019; to require newly appointed department heads and members of City boards and commissions to complete implicit bias training within 60 days of assuming office; and to require the Department of Human Resources to provide the training.

04/02/2019; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Peskin, Safai, Haney

4. [181154](#) **[Planning Code - Inclusionary Housing Fee]**
Sponsor: Peskin
Ordinance amending the Planning Code to require all projects using the State Density Bonus law, regardless of environmental evaluation application date, to pay the inclusionary fee on any additional units or square footage allowed by the state law; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.
- (Pursuant to Charter, Section 4.105, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve the Ordinance for passage.)
- 03/19/2019; CONTINUED ON FIRST READING.
- 04/02/2019; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 04/02/2019; PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Fewer, Stefani, Mandelman

5. [190092](#) **[Business and Tax Regulations Code - Credits For Waiver of Homelessness Gross Receipts Tax Refund and Certain Gifts]**

Sponsors: Mayor; Brown

Ordinance amending the Business and Tax Regulations Code to add a credit against a person or combined group's Homelessness Gross Receipts Tax ("Tax") equal to 10% of the portion of a person or combined group's Tax liability for a tax year with respect to which the person or combined group enters into an agreement waiving its right to a refund of its Tax payments associated with any claim that the Homelessness Gross Receipts Tax Ordinance is invalid because it required a two-thirds vote rather than a majority of the electorate to pass; to add a credit against a person's Tax equal to 110% of a person's gift to support the Our City, Our Home Fund; and to authorize the Office of the Treasurer and Tax Collector to accept gifts from persons to support the Our City, Our Home Fund.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. [190143](#) **[Administrative Code - Harvey Milk Terminal Signage at San Francisco International Airport]**

Sponsors: Ronen; Mandelman, Mar and Haney

Ordinance amending the Administrative Code to set the minimum size of lettering for exterior and interior signage for the Harvey Milk Terminal, Terminal 1 of the San Francisco International Airport.

(Fiscal Impact)

03/19/2019; RE-REFERRED to the Budget and Finance Sub-Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. [190288](#) **[Accept and Expend Grant - Retroactive - Safety and Justice Challenge - Amendment to the Annual Salary Ordinance - FYs 2018-2019 and 2019-2020 - \$2,000,000]**
Sponsor: Ronen
Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$2,000,000 from the John D. and Catherine T. MacArthur Foundation to support San Francisco's participation as an implementation site in the Safety and Justice Challenge; and amending Ordinance No. 182-18 (Annual Salary Ordinance File No. 180575 for FYs 2018-2019 and 2019-2020) to provide for the addition of one grant funded Class 1823 Senior Administrative Analyst position (FTE 1.0) and one grant funded Class 8133 Victim/Witness Investigator (FTE 1.0) at the Office of the District Attorney, one grant funded Class 2930 Behavioral Health Clinician (FTE 1.0) at the Department of Public Health, and one grant funded Class 1823 Senior Administrative Analyst position (FTE 1.0) at the Sheriff's Department for the period of October 1, 2018, through September 30, 2020. (District Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
8. [190242](#) **[Agreement Amendment - San Francisco AIDS Foundation - HIV Prevention - City-Wide Syringe Access and Disposal Services - Not to Exceed \$35,608,159]**
Resolution approving Amendment No. 2 to the agreement between the San Francisco AIDS Foundation and the Department of Public Health to provide HIV prevention services through City-wide syringe access and disposal services; to increase the contract amount by \$25,768,672 for a total amount not to exceed \$35,608,159; and to extend the contract by seven years, to commence July 1, 2019, for a total contract term of July 1, 2016, through June 30, 2026. (Public Health Department)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
9. [190243](#) **[Apply for, Accept, and Expend Funds - Retroactive - California Secretary of State - Voting System Replacement Activities - \$3,011,500]**
Resolution retroactively authorizing the Department of Elections to apply for, accept, and expend funds allocated by the California Secretary of State in an amount not to exceed \$3,011,500 to fund voting system replacement activities, for the period of July 1, 2018, through June 30, 2021. (Elections Department)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
10. [190282](#) **[California Constitution Appropriations Limit - FY2018-2019 - \$4,443,944,710]**
Resolution establishing the appropriations limit of \$4,443,944,710 for FY2018-2019, pursuant to California Constitution, Article XIII B. (Controller)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

11. [190283](#) **[Grant Agreement and Subsequent Amendments - Retroactive - Meals on Wheels of San Francisco - Nutrition Programs Services - Not to Exceed \$26,227,568]**
Resolution retroactively approving a grant agreement, authorizing the Executive Director of the Human Services Agency to execute a grant agreement between the City and County of San Francisco, by and through its Human Services Agency, and the non-profit Meals on Wheels of San Francisco for the provision of Nutrition Programs services to older adults and adults with disabilities for the period of July 1, 2017, through June 30, 2020, in an amount not to exceed \$21,600,737; retroactively approving Amendment No. 1 to increase the grant agreement amount by \$709,688 for a total not to exceed amount of \$22,310,425; retroactively approving Amendment No. 2 to increase the grant agreement amount by \$826,393 for a total not to exceed amount of \$23,136,818; and retroactively approving Amendment No. 3 to increase the agreement amount by \$3,090,750 for a total not to exceed amount of \$26,227,568, each amendment with no change to the length of term through June 30, 2020. (Human Services Agency)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
12. [190289](#) **[Multifamily Housing Revenue Notes - 691 China Basin Street (“691 China Basin Apartments”) - Not to Exceed \$68,000,000]**
Sponsors: Mayor; Haney
Resolution authorizing the execution and delivery of a multifamily housing revenue note in a principal amount not to exceed \$68,000,000 for the purpose of providing financing for the construction of a 152-unit multifamily rental housing project known as “691 China Basin Apartments;” approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the loan from the funding lender identified therein to the City and the execution and delivery of the note; approving the form of and authorizing the execution of a borrower loan agreement providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the note and the project, as defined herein; and granting general authority to City officials to take actions necessary to implement this Resolution, and related matters, as defined herein.
- Question: Shall this Resolution be ADOPTED?**
13. [190293](#) **[Reimburse Expenditures - Development of the Mission Rock Project, with Tax-Exempt Debt]**
Sponsors: Mayor; Haney
Resolution declaring official intent to reimburse expenditures related to development of the Mission Rock Project from the proceeds of bonds and other debt; and making findings under the California Environmental Quality Act.
- Question: Shall this Resolution be ADOPTED?**

14. [190294](#) **[Reimburse Expenditures - Development of Pier 70, Including Affordable Housing Costs, with Tax-Exempt Debt]**
Sponsors: Mayor; Walton
Resolution declaring official intent to reimburse expenditures related to development of Pier 70, including affordable housing costs, from the proceeds of bonds and other debt; and making findings under the California Environmental Quality Act.
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Peskin, Safai, Haney

15. [190142](#) **[Environment Code - Existing Buildings Energy Performance and Benchmarking]**
Sponsors: Brown; Peskin, Mar and Safai
Ordinance amending the Environment Code to require owners of certain nonresidential and residential buildings to annually measure and disclose energy performance; to require the Department of the Environment to collect and make public summary statistics about the energy performance of such buildings; and affirming the Planning Department's determination under the California Environmental Quality Act.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
16. [190188](#) **[Planning Code - Amending Landmark Designation - 906 Broadway (Iglesia de Nuestra Señora de Guadalupe/Our Lady of Guadalupe Church)]**
Sponsor: Peskin
Ordinance amending the Landmark Designation for Landmark No. 204, 906 Broadway (Iglesia de Nuestra Señora de Guadalupe/Our Lady of Guadalupe Church), Assessor's Parcel Block No. 0149, Lot No. 009, under Article 10 of the Planning Code, to confirm the exterior features that should be preserved or replaced in kind, and to add interior features to the designation; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare findings under Planning Code, Section 302. (Historic Preservation Commission)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Recommendations of the Rules Committee

Present: Supervisors Ronen, Walton, Mar

17. [190212](#) **[Appointments, Veterans Affairs Commission - Hanley Chan, Victor Olivieri, David Chasteen, Stephen Martin-Pinto, George Chewning, and Christopher Todd McDonald]**
Motion appointing Hanley Chan, term ending January 31, 2020, and Victor Olivieri, David Chasteen, Stephen Martin-Pinto, George Chewning, and Christopher Todd McDonald, terms ending January 31, 2023, to the Veterans Affairs Commission. (Rules Committee)
- Question: Shall this Motion be APPROVED?**

Present: Supervisors Walton, Mar

18. [190299](#) **[Appointment, Association of Bay Area Governments and Metropolitan Transportation Commission Legislative Task Force - Supervisor Hillary Ronen]**
Motion appointing Supervisor Hillary Ronen, indefinite term, to the Association of Bay Area Governments and Metropolitan Transportation Commission Legislative Task Force. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Present: Supervisors Ronen, Walton, Mar

19. [190324](#) **[Appointment - Commission on Aging Advisory Council]**
Motion reappointing Allegra Fortunati, term ending March 31, 2021, to the Commission on the Aging Advisory Council. (Rules Committee)

Question: Shall this Motion be APPROVED?

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

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

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

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

(Hearing continued from February 12, 2019.)

20. [190093](#) [Hearing - Appeal of Determination of Community Plan Evaluation - 1052-1060 Folsom Street and 190-194 Russ Street]

Hearing of persons interested in or objecting to a Community Plan Evaluation by the Planning Department under the California Environmental Quality Act issued on December 11, 2018, for the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street, approved on December 20, 2018, to demolish the existing buildings on the project site, merge three lots into a single lot, and construct a new seven-story, approximately 64 feet and six inches tall, 59,000-gross-square-foot mixed use building with 63 dwelling units (four units designated as replacement for four existing rent-controlled units, 15 units would be designated as below market rate units, the remaining 44 dwelling units would be market rate), and approximately 2,800 square feet of ground floor retail use. (District 6) (Appellant: Sue Hestor, on behalf of the South of Market Community Action Network) (Filed January 22, 2019) (Clerk of the Board)

02/12/2019; CONTINUED.

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.

21. [190094](#) **[Affirming the Community Plan Evaluation - 1052-1060 Folsom Street and 190-194 Russ Street]**
Motion affirming the determination by the Planning Department, that a proposed project at 1052-1060 Folsom Street and 190-194 Russ Street is exempt from further environmental review under a Community Plan Evaluation. (Clerk of the Board)

02/12/2019; CONTINUED.

Question: Shall this Motion be APPROVED?
22. [190095](#) **[Conditionally Reversing the Community Plan Evaluation - 1052-1060 Folsom Street and 190-194 Russ Street]**
Motion conditionally reversing the determination by the Planning Department, that the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street is exempt from further environmental review under a Community Plan Evaluation, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

02/12/2019; CONTINUED.

Question: Shall this Motion be APPROVED?
23. [190096](#) **[Preparation of Findings to Reverse the Community Plan Evaluation - 1052-1060 Folsom Street and 190-194 Russ Street]**
Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Evaluation determination by the Planning Department that a proposed project at 1052-1060 Folsom Street and 190-194 Russ Street is exempt from further environmental review. (Clerk of the Board)

02/12/2019; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

(Hearing continued from February 12, 2019, pursuant to the request of the appellant and project sponsor to waive the deadlines of Planning Code, Section 308.1(c).)

24. [190097](#) **[Hearing - Appeal of Conditional Use Authorization - Proposed Project at 1052-1060 Folsom Street and 190-194 Russ Street]**
Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Sections 121.1, 121.7, 303, and 317, for a proposed project at 1052-1060 Folsom Street and 190-194 Russ Street, Assessor's Parcel Block No. 3731, Lot Nos. 021, 023, and 087, identified in Planning Case No. 2016.004905CUA, issued by the Planning Commission by Motion No. 20361, dated December 20, 2018, for the development of a lot greater than 10,000 square feet, merger of lots that result in a street frontage greater than 50 feet, and the demolition of four existing dwelling units for the project involving the demolition of five existing buildings, merger of three lots, and the construction of a seven-story mixed-use building containing 2,832 square feet of ground floor commercial retail use and 55,887 square feet of residential use for 63 dwelling units, and a ground floor garage with access from a new driveway on Russ Street, within the SoMa NCT (Neighborhood Commercial Transit) and RED (Residential, Enclave) Zoning Districts, and the SoMa Youth and Family Special Use District, a 65-X height and bulk district. (District 6) (Appellant: Sue Hestor, on behalf of the South of Market Community Action Network) (Filed January 22, 2019) (Clerk of the Board)

02/12/2019; CONTINUED.

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.

25. [190098](#) **[Approving Conditional Use Authorization - 1052-1060 Folsom Street and 190-194 Russ Street]**
Motion approving the decision of the Planning Commission by its Motion No. 20361, approving a Conditional Use Authorization identified as Planning Case No. 2016.004905CUA for a proposed project located at 1052-1060 Folsom Street and 190-194 Russ Street; and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

02/12/2019; CONTINUED.

Question: Shall this Motion be APPROVED?

26. [190099](#) [Conditionally Disapproving Conditional Use Authorization - 1052-1060 Folsom Street and 190-194 Russ Street]

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20361, approving a Conditional Use Authorization identified as Planning Case No. 2016.004905CUA for a proposed project at 1052-1060 Folsom Street and 190-194 Russ 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.)

02/12/2019; CONTINUED.

Question: Shall this Motion be APPROVED?

27. [190100](#) [Preparation of Findings Related to Conditional Use Authorization Appeal - 1052-1060 Folsom Street and 190-194 Russ 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. 2016.004905CUA for a proposed project located at 1052-1060 Folsom Street and 190-194 Russ Street. (Clerk of the Board)

02/12/2019; CONTINUED.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

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

The following items will be considered by the Government Audit & Oversight Committee at a Regular Meeting on Thursday, April 4, 2019, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, April 9, 2019.

28. [190286](#) [De-Appropriation and Re-Appropriation - Public Utilities Commission Water Enterprise Fund Balance - Payment of Unlitigated Claim of Sambou Makalou - \$124,523.97]

Sponsor: Mandelman

Ordinance de-appropriating \$124,523.97 from the Wastewater Enterprise Fund Balance and re-appropriating the same amount to the Water Enterprise Fund Balance for the Public Utilities Commission to fund the settlement of the unlitigated claim of Sambou Makalou.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. [190319](#) [Opposing California State Senate Bill No. 50 (Wiener) - Housing Development: Incentives - Unless Amended]

Sponsors: Mar; Mandelman, Yee, Fewer, Peskin, Walton and Ronen

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.

Question: Shall this Resolution be ADOPTED?

30. 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.

31. 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.

SPECIAL ORDER 4:00 P.M.

CLOSED SESSION

(Scheduled pursuant to Motion No. M19-062 (File No. 190341) approved on April 2, 2019.)

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

32. [190374](#) **[Closed Session - Existing Litigation - Pacific Gas and Electric Company - April 9, 2019]**

Closed session for the Board of Supervisors to convene on April 9, 2019, at 4:00 p.m., 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. EL19-38-000, 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. EL15-3-000, 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. I.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; and California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019, scheduled pursuant to Motion No. M19-062, approved on April 2, 2019. (Clerk of the Board)

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

[Elect Not to Disclose]

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

[Elect To Disclose]

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

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

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 33 through 35

33. [190362](#) **[Supporting California State Assembly Bill No. 539 (Limón) - Fair Access to Credit Act]**

Sponsor: Brown

Resolution supporting California State Assembly Bill No. 539, authored by Assembly Member Monique Limón and coauthored by Assembly Members Timothy Grayson, Cecelia Aguiar-Curry, Ash Kalra, James Ramos, Eloise Gómez Reyes, Mark Stone, and State Senators Maria Elena Durazo, Holly Mitchell, and Bob Wieckowski, to cap interest rates on consumer loans at 36% per annum plus the Federal Funds Rate for loans with a principal amount greater than \$2,500 and lesser than \$10,000.

04/02/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. [190367](#) **[Requesting the San Francisco Public Utilities Commission to Report on Options for Improving Electric Service through Acquisition, Construction or Completion of Public Utility]**

Sponsors: Ronen; Peskin and Fewer

Resolution determining that the public interest and necessity require changing the electric service provided in San Francisco; and requesting a report from the San Francisco Public Utilities Commission, under Charter, Section 16.101, on options for improving electric service in San Francisco through acquisition, construction or completion of public utility or utilities.

04/02/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. [190380](#) [Urging a Full Pardon of Kang Hen and to Vacate His Plea to Remain in the United States]

Sponsors: Walton; Peskin, Mandelman, Mar, Haney, Fewer, Brown, Ronen and Yee

Resolution urging the Honorable Gavin Newsom, Governor of California, to grant Kang Hen a full pardon, and the Santa Clara District Attorney's Office to vacate his plea to allow him to remain in the United States with his family.

04/03/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 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

190342

[Settlement of Lawsuit - Alyx Cronin - \$67,000]

Ordinance authorizing settlement of the lawsuit filed by Alyx Cronin against the City and County of San Francisco for \$67,000; the lawsuit was filed on June 8, 2018, in San Francisco Superior Court, Case No. CGC-18-567064; entitled Alyx Cronin v. The City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

03/29/2019; RECEIVED FROM DEPARTMENT.

04/09/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

190343

[Settlement of Lawsuit - Timothy Doyle - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Timothy Doyle against the City and County of San Francisco for \$75,000; the lawsuit was filed on December 13, 2016, in San Francisco Superior Court, Case No. CGC-16-555897; entitled Timothy Doyle v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

03/29/2019; RECEIVED FROM DEPARTMENT.

04/09/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

190344

[Settlement of Lawsuit - Tyler Francis O'Connor - \$125,000]

Ordinance authorizing settlement of the lawsuit filed by Tyler Francis O'Connor against the City and County of San Francisco for \$125,000; the lawsuit was filed on May 17, 2017, in San Francisco Superior Court, Case No. CGC-17-558989; entitled Tyler Francis O'Connor v. City and County of San Francisco; the lawsuit involves alleged personal injury from vehicle collision. (City Attorney)

03/29/2019; RECEIVED FROM DEPARTMENT.

04/09/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

190345

[Settlement of Lawsuit - Fidelia del Carmen May Can, Rosana Guadalupe Gongora May, Luis Rodolfo Gongora May, and Angel de Jesus May - \$140,000]

Ordinance authorizing settlement of the lawsuit filed by Fidelia del Carmen May Can, Rosana Guadalupe Gongora May, Luis Rodolfo Gongora May, and Angel de Jesus May against the City and County of San Francisco for \$140,000; the lawsuit was filed on October 11, 2016, in United States District Court, Case No. 16-cv-05771; entitled Fidelia del Carmen May Can, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violation. (City Attorney)

03/29/2019; RECEIVED FROM DEPARTMENT.

04/09/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

190346

[Contract Agreement - Retroactive - California Independent System Operator - Reliability Coordinator Services - Not to Exceed \$3,000,000]

Resolution retroactively authorizing the San Francisco Public Utilities Commission to enter into an agreement with the California Independent System Operator for Reliability Coordinator Services for a term of 18 months, from January 7, 2019, through July 6, 2020, with automatic renewal thereafter, in excess of 10 years and at an estimated cost not to exceed \$3,000,000. (Public Utilities Commission)

03/29/2019; RECEIVED FROM DEPARTMENT.

04/09/2019; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

190347

[Memorandum of Agreement - United States Department of the Interior, National Park Service - Not to Exceed \$33,257,629]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Memorandum of Agreement with the United States Department of the Interior, National Park Service, Yosemite National Park, for comprehensive management of watersheds supplying the San Francisco Regional Water System for an amount not to exceed \$33,257,629 and a total term of four years from July 1, 2020, through June 30, 2024, pursuant to Charter, Section 9.118. (Public Utilities Commission)

03/29/2019; RECEIVED FROM DEPARTMENT.

04/09/2019; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

190350

[Report of Assessment Costs - Sidewalk Inspection and Repair Program]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to the provisions of Public Works Code, Sections 706.9, and Administrative Code, Section 80, the costs thereof having been paid for out of a revolving fund. (Public Works)

04/01/2019; RECEIVED FROM DEPARTMENT.

04/09/2019; RECEIVED AND ASSIGNED to the Board of Supervisors.

190353

[Report of Assessment Costs - Accelerated Sidewalk Abatement Program]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, ordered to be performed by said Director pursuant to the provisions of Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works)

04/01/2019; RECEIVED FROM DEPARTMENT.

04/09/2019; RECEIVED AND ASSIGNED to the Board of Supervisors.

190381

[Petition and Communications]

Petitions and Communications received from March 22, 2019, through April 1, 2019, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 9, 2019.

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

From the Office of the Mayor, pursuant to Charter, Section 3.100(18), making the following reappointments: 10 letters. Copy: Each Supervisor. (1)

- Steve Arcelona - Aging and Adult Services Commission - term ending January 15, 2020
- David Gruber - Residential Rent Stabilization and Arbitration Board - term ending August 1, 2022 (reappointment)
- Art Tom - Residential Rent Stabilization and Arbitration Board - term ending September 1, 2022
- Reese Isbell - Residential Rent Stabilization and Arbitration Board - term ending September 1, 2022
- Cathy Mosbrucker - Residential Rent Stabilization and Arbitration Board - term ending August 1, 2022 (reappointment)
- Tiffany Chu - Commission on the Environment - term ending March 25, 2023
- Eddie Ahn - Commission on the Environment - term ending March 25, 2023 (reappointment)
- Johanna Wald - Commission on the Environment - term ending March 10, 2023 (reappointment)
- Tessie Guillermo - Health Commission - term ending January 15, 2021
- Daniela Maldonado - Juvenile Probation Commission - term ending March 18, 2023

From the Office of the Mayor, pursuant to Charter, Section 4.105, making the following appointment: Copy: Each Supervisor. (2)

- Frank Fung - Planning Commission - term ending June 30, 2022

From the Office of the Controller, submitting the amended report on Improving Examination Process for Transit Operator Candidates at the SFMTA. Copy: Each Supervisor. (3)

From Micki Callahan, Director, Department of Human Resources, requesting a waiver of Administrative Code, Section 12B, requirements. Copy: Each Supervisor. (4)

From Jeff Kositsky, Director, Department of Homelessness and Supportive Housing, pursuant to Ordinance No. 29-18, submitting the 2018 Shelter Crisis Ordinance Report. Copy: Each Supervisor. (5)

From Keith Dennis, regarding medical marijuana for people with disabilities. Copy: Each Supervisor. (6)

From concerned citizens, regarding California State Senate Bill No. 50 (Wiener). 36 Letters. File No. 190319. Copy: Each Supervisor. (7)

From concerned citizens, regarding the proposed Navigation Center in District 6. 49 Letters. File Nos. 190045 and 190047. Copy: Each Supervisor. (8)

From Michael Lacina, chair of the Fillmore Heritage Residents' Voices Committee, regarding 1330 Fillmore Street. Copy: Each Supervisor. (9)

From Richard Drury, Lozeau Drury LLP, regarding Appeal of CEQA Categorical Exemption for the Outside Lands Festival Use Permit. File No. 190198. Copy: Each Supervisor. (10)

From Joshua Klipp, regarding San Francisco's revised climate action plan. File No. 190222. Copy: Each Supervisor. (11)

From Mary Savannah, regarding deaths and injuries continuing in permanent supportive housing. Copy: Each Supervisor. (12)

From Rachel Fish, Chief People Officer, Clover Health, submitting notice of terminations of employment at Clover Health Labs, LLC. Copy: Each Supervisor. (13)

From Caroline Barr, Director Community Relations, Ironman, submitting Rock 'n' Roll SF, April 7, 2019, road closure information. Copy: Each Supervisor. (14)

From Richard Brandi, regarding noise from Outside Lands. Copy: Each Supervisor. (15)

From Jacob Medaris, regarding Planning Commissioner Dennis Richards. Copy: Each Supervisor. (16)

From concerned citizens, regarding Treasure Island Marina project. File No. 181225. Copy: Each Supervisor. (17)

From concerned citizens, regarding Tess Rothstein and protected bike lanes. 3 Letters. Copy: Each Supervisor. (18)

ADJOURNMENT