



# BOARD OF SUPERVISORS

## CITY AND COUNTY OF SAN FRANCISCO

### AGENDA

Legislative Chamber, Room 250  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Tuesday, October 8, 2019 - 2:00 PM

#### Regular Meeting

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NORMAN YEE, PRESIDENT

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

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at [www.sfbos.org](http://www.sfbos.org)

#### BOARD COMMITTEES

##### Committee Membership

**Budget and Finance Committee**  
Supervisors Fewer, Stefani, Mandelman

**Government Audit and Oversight Committee**  
Supervisors Mar, Brown, Peskin

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

**Land Use and Transportation Committee**  
Supervisors Peskin, Safai, Haney

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

**Rules Committee**  
Supervisors Ronen, Walton, Mar

##### Meeting Days

Wednesday  
10:00 AM

1st and 3rd Thursday  
10:00 AM

2nd Friday  
10:00 AM

Monday  
1:30 PM

2nd and 4th Thursday  
10:00 AM

Monday  
10:00 AM

## Agenda Item Information

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

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

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

## Meeting Procedures

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

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

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

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

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

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

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**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](mailto:sotf@sfgov.org)

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

### **Lobbyist Registration and Reporting Requirements**

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

## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

## **COMMUNICATIONS**

## **APPROVAL OF MEETING MINUTES**

Approval of the [September 3, 2019](#), Board Meeting Minutes.

## **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 9, 10, and 11. 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.

### Items 1 through 12

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

### Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Brown

1. [190778](#) **[Settlement of Unlitigated Claim - Farmers Insurance Exchange - \$300,472 - Appropriation - Water Enterprise Fund Balance]**  
Ordinance approving the settlement of the unlitigated claim filed by Farmers Insurance Exchange against the City and County of San Francisco for \$300,472; the claim was filed on September 7, 2018; the claim involves alleged property damage arising from a water main break; and appropriating \$300,472 from the San Francisco Public Utilities Commission Water Enterprise fund balance for payment of settlement. (City Attorney)  
  
10/01/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
2. [190806](#) **[Settlement of Lawsuit - Innsbruck, LP - \$1,557,420 Plus Interest]**  
Ordinance authorizing settlement of the lawsuit filed by Innsbruck, LP against the City and County of San Francisco for \$1,557,420 plus interest; the lawsuit was filed on May 14, 2018, in San Francisco Superior Court, Case No. CGC-18-566560; entitled Innsbruck, LP v. City and County of San Francisco, et al.; the lawsuit involves a transfer tax refund. (City Attorney)  
  
10/01/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
3. [190807](#) **[Settlement of Lawsuit - Plaza GB, LP - \$1,294,995 Plus Interest]**  
Ordinance authorizing settlement of the lawsuit filed by Plaza GB, LP against the City and County of San Francisco for \$1,294,995 plus interest; the lawsuit was filed on May 14, 2018, in San Francisco Superior Court, Case No. CGC-18-566558; entitled Plaza GB, LP v. City and County of San Francisco, et al.; the lawsuit involves a transfer tax refund. (City Attorney)  
  
10/01/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

4. [190870](#) **[Settlement of Lawsuit - Yvonne Marie Ellis - \$33,000]**  
Ordinance authorizing settlement of the lawsuit filed by Yvonne Marie Ellis against the City and County of San Francisco for \$33,000; the lawsuit was filed on June 6, 2018, in San Francisco Superior Court, Case No. CGC-18-567012; entitled Yvonne Marie Ellis v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City street. (City Attorney)  
  
10/01/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
5. [190871](#) **[Settlement of Lawsuit - Michael Pannone - \$30,000]**  
Ordinance authorizing settlement of the lawsuit filed by Michael Pannone against the City and County of San Francisco for \$30,000; the lawsuit was filed on October 5, 2017, in San Francisco Superior Court, Case No. CGC-17-561728; entitled Michael Pannone v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)  
  
10/01/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
6. [190872](#) **[Settlement of Lawsuit - Katharine Savin - \$40,000]**  
Ordinance authorizing settlement of the lawsuit filed by Katharine Savin against the City and County of San Francisco for \$40,000; the lawsuit was filed on October 4, 2016, in United States District Court, Northern District of California, Case No. 16-cv-05627-JST, entitled Katharine Savin v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)  
  
10/01/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
7. [190873](#) **[Settlement of Lawsuit - The Roman Catholic Archbishop of San Francisco, et al. - City to Receive \$913,970 from U.S. Pipe & Foundry Company]**  
Ordinance authorizing settlement of the lawsuit filed by The Roman Catholic Archbishop of San Francisco, et al. against the City and County of San Francisco for payment of \$913,970 by U.S. Pipe & Foundry Company to the City; the lawsuit was filed on April 11, 2013, in United States District, Case No. 13-cv-2220 MEJ; entitled The Roman Catholic Archbishop of San Francisco, et al. v. City and County of San Francisco, et al.; the lawsuit involves dangerous condition of public property and inverse condemnation. (City Attorney)  
  
10/01/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

8. [190874](#) **[Settlement of Unlitigated Claim - Property & Casualty Company of Hartford - \$73,273 - Appropriation - Water Enterprise Fund Balance]**

Ordinance approving the settlement of the unlitigated claim filed by Property & Casualty Insurance Company of Hartford against the City and County of San Francisco for \$73,273; the claim was filed on August 30, 2018; the claim involves alleged property damage arising from a water main break; and appropriating \$73,273 from the San Francisco Public Utilities Commission Water Enterprise fund balance for payment of settlement. (City Attorney)

10/01/2019; PASSED ON FIRST READING.

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

9. [190875](#) **[Settlement of Lawsuit - Kai Kopp - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Kai Kopp against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 28, 2016, in San Francisco Superior Court Case No. CGC-16-551183; entitled Kai Kopp v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury in a City park. (City Attorney)

10/01/2019; PASSED ON FIRST READING.

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

10. [190876](#) **[Settlement of Lawsuit - Abuon Mayen - \$225,000 - Appropriation - Water Enterprise Fund Balance]**

Ordinance authorizing settlement of the lawsuit filed by Abuon Mayen against the City and County of San Francisco for \$225,000; the lawsuit was filed on March 6, 2018, in San Francisco Superior Court, Case No. CGC-18-566751; entitled Abuon Mayen v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision; and appropriating \$225,000 from the San Francisco Public Utilities Commission Water Enterprise fund balance for payment of settlement. (City Attorney)

10/01/2019; PASSED ON FIRST READING.

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

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

*Present: Supervisors Peskin, Safai, Haney*

11. [180637](#) **[Acacia Street - Dedication as Public Right-of-Way and Acceptance of Sidewalk and Roadway Improvements for Maintenance and Liability]**  
Ordinance accepting Acacia Street and the irrevocable offer of improvements on Acacia Street for City maintenance and liability, subject to specified limitations; dedicating Acacia Street and improvements thereon to public use, declaring this area as shown on official Public Works drawings as open public right-of-way, and designating it for street and roadway purposes; establishing official sidewalk widths, public right-of-way widths, and street grades for Acacia Street; accepting two Public Works Orders making recommendations and certifications related to the Acacia Street improvements; authorizing official acts in connection with this Ordinance, as defined herein; adopting the Planning Department’s determinations under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

10/01/2019; PASSED ON FIRST READING.

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

**Recommendation of the Rules Committee**

*Present: Supervisors Ronen, Walton, Mar*

12. [190497](#) **[Administrative Code - Mental Health Board/Behavioral Health Commission]**  
**Sponsors: Stefani; Mandelman**  
Ordinance amending the Administrative Code to change the name of the Mental Health Board to the Behavioral Health Commission; to include in the definition of a “consumer” one who receives substance use services; and to permit a consumer who is an employee in a behavioral health public or private agency and who does not have any interest, influence, or authority over any financial or contractual matter concerning the employer, to be appointed to the Commission.

10/01/2019; PASSED ON FIRST READING.

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



## REGULAR AGENDA

### NEW BUSINESS

#### Recommendations of the Budget and Finance Committee

*Present: Supervisors Fewer, Stefani, Mandelman*

13. [190879](#) **[Grant of Easement and Acceptance of Quitclaim - Pacific Gas & Electric Company - Airport West-of-Bayshore Property - Replacement of Natural Gas Pipeline - \$0]**

Resolution approving an Easement Agreement and Quitclaim of Easement between the City and County of San Francisco, acting by and through its Airport Commission, and Pacific Gas & Electric Company, for the exchange of easement areas at San Francisco International Airport's West-of-Bayshore property, for \$0, to accommodate the replacement of a natural gas pipeline; authorizing the Airport Director and the Director of Property to execute documents, make certain modifications, and take actions in furtherance of this Resolution, as defined herein; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting California Environmental Quality Act findings. (Airport Commission)

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

14. [190880](#) **[2011 Airport Lease and Use Agreement - El Al Israel Airlines Limited - Estimated Rent \$1,300,879.46]**

Resolution approving a 2011 Lease and Use Agreement between the City and County of San Francisco, acting by and through its Airport Commission, and El Al Israel Airlines Limited, a corporation in Israel, to conduct flight operations at San Francisco International Airport, effective the first day of the month following full approval by the City and expiring on June 30, 2021, with an estimated rent of \$1,300,879.46 for Exclusive Use Space rent, plus Joint Use Space rent and landing fees. (Airport Commission)

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

15. [190906](#) **[Amended and Restatement of Lease - Java House Restaurant - \$4,000 Monthly Base Rent]**

**Sponsor: Haney**

Resolution approving the Amended and Restatement of Lease No. L-14100 between the Port Commission and Java House, LLC, a California limited liability company, for the Java House Restaurant located at Pier 40½ at the Embarcadero and Townsend Street, increasing the monthly base rent from \$3,314 to \$4,000 including a conditional tenant option to extend for ten years, with no change to the initial length of term through August 31, 2023. (Port)

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

16. [190921](#) **[Contract - Retroactive - Sentinel Offenders Services, LLC - Home Detention and Electronic Monitoring Services - \$3,400,000]**

Resolution retroactively approving the Sheriff Department's contract with Sentinel Offenders Services, LLC to administer a Home Detention and Electronic Monitoring Program, for a term of three years from August 1, 2019, through July 31, 2022, with two one-year options to renew, for a total contract amount of \$3,400,000. (Sheriff)

(Fiscal Impact)

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

17. [190950](#) **[Issuance of Bonds - California Municipal Finance Authority - HealthRIGHT 360 - Not to Exceed \$65,000,000]**

**Sponsor: Brown**

Resolution approving in accordance with Internal Revenue Code of 1986, Section 147(f), as amended, the issuance of revenue bonds or a loan by the California Municipal Finance Authority in one or more series pursuant to a plan of financing and in an aggregate issue price not to exceed \$65,000,000 ("Bonds") to refinance all or a portion of certain outstanding debt obligations that originally financed and refinanced the acquisition, construction, improvement, equipping and furnishing of facilities located at 890 Hayes Street, 815 Buena Vista West, 214 Haight Street, 1563 Mission Street, 1735 Mission Street, and 154 Coleridge Street within the City and County of San Francisco ("City"), owned and managed by HealthRIGHT 360, a California nonprofit public benefit corporation, in connection with the provision of residential treatment services in the City; finance additional improvements to and equipping and maintenance of such facilities; pay capitalized interest on the Bonds; fund a reserve fund for the Bonds; and pay certain expenses incurred in connection with the issuance of the Bonds. (Controller)

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

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

*Present: Supervisors Peskin, Safai, Haney*

18. [190644](#) **[Planning Code - Landmark Designation - 2031 Bush Street (aka the Kinmon Gakuen Building)]**

**Sponsors: Brown; Peskin**

Ordinance amending the Planning Code to designate 2031 Bush Street (aka the Kinmon Gakuen Building), Assessor's Parcel Block No. 0676, Lot No. 027, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, 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?**

19. [190793](#) **[Environment, Police Codes - Electric Vehicle Charging in Commercial Parking]**  
**Sponsors: Mayor; Peskin, Mandelman, Safai and Brown**  
Ordinance amending the Environment Code to require commercial parking lots and garages with more than 100 parking spaces to install electric vehicle charging equipment; amending the Police Code to add compliance with the new requirement as a condition of existing as well as future permits for commercial parking lots and garages; and affirming the Planning Department's determination under the California Environmental Quality Act.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

### **Recommendations of the Public Safety and Neighborhood Services Committee**

*Present: Supervisors Mandelman, Stefani, Safai*

20. [190830](#) **[Liquor License Transfer - 399 Geary Street - CVS]**  
Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Garfield Beach CVS, LLC, doing business as CVS Pharmacy, located at 399 Geary Street (District 3), will not serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control deny the issuance of the license, in accordance with California Business and Professions Code, Section 23958.4. (Public Safety and Neighborhood Services Committee)
- Question: Shall this Resolution be ADOPTED?**
21. [190831](#) **[Liquor Licenses - 1169 Market Street - Whole Foods Market]**  
Resolution determining that the premise-to-premise transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license, and the issuance of a Type-86 instructional tasting license to Whole Foods Market California, Inc., doing business as Whole Foods Market located at 1169 Market Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)
- Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Ronen, Walton, Mar*

22. [181215](#) **[Administrative, Planning Codes - South of Market Community Advisory Committee]**  
**Sponsor: Haney**  
Ordinance amending the Administrative and Planning Codes to establish the South of Market Community Planning Advisory Committee to advise City officials and agencies on implementation of the Central SoMa Plan, Western SoMa Area Plan, and East SoMa Area Plan; to revise the membership and duties of the SOMA Community Stabilization Fund Community Advisory Committee and the Eastern Neighborhoods Citizens Advisory Committee; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
23. [190068](#) **[Appointments, Cannabis Oversight Committee - Ali Jamalian, Aaron Flynn, Doug Bloch, Leah "Nina Parks" Weitz, Jesse Stout, Theresa Foglio, and Sara Payan]**  
Motion appointing Ali Jamalian, Aaron Flynn, Doug Bloch (residency requirement waived), Leah "Nina Parks" Weitz (residency requirement waived), Jesse Stout, Theresa Foglio (residency requirement waived), Sara Payan (residency requirement waived), terms ending December 3, 2020, to the Cannabis Oversight Committee. (Rules Committee)  
**Question: Shall this Motion be APPROVED?**
24. [190990](#) **[Appointments, Children and Families First Commission - Joan Miller, Linda Asato, Suzanne Giraud, and Lynn Merz]**  
Motion appointing Joan Miller, indefinite term, and Linda Asato, Suzanne Giraud, and Lynn Merz (residency requirement waived), terms ending April 29, 2023, to the Children and Families First Commission. (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.

**25. [190890](#) [Hearing - Appeal of Determination of Community Plan Evaluation - 344-14th 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 May 30, 2019, for the proposed project at 344-14th Street, approved on July 25, 2019, proposing new construction of a seven-story, 78-foot tall, mixed use residential building (measuring approximately 84,630 square feet) with 5,890 square feet of ground floor retail use and 60 dwelling units, consisting of four studio units, 17 one-bedroom units, 14 two-bedroom/one-bathroom units, and 25 two-bedroom/two-bathroom units which would utilize the state density bonus law and invoke waivers from the development standards for: rear yard (Planning Code, Section 134), usable open space (Planning Code, Section 135), and height (Planning Code, Section 260), located at Lot No. 013 in Assessor's Parcel Block No. 3532, within the Urban Mixed Use (UMU) Zoning District and a 58-X Height and Bulk District. (District 9) (Appellant: Larisa Pedroncelli and Kelly Hill, on behalf of Our Mission No Eviction) (Filed August 26, 2019) (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.)**

**26. [190891](#) [Affirming the Community Plan Evaluation - 344-14th Street]**

Motion affirming the determination by the Planning Department that a proposed project at 344-14th Street is exempt from further environmental review under a Community Plan Evaluation. (Clerk of the Board)

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

27. [190892](#) **[Conditionally Reversing the Community Plan Evaluation - 344-14th Street]**  
Motion conditionally reversing the determination by the Planning Department that the proposed project at 344-14th 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)
- Question: Shall this Motion be APPROVED?**
28. [190893](#) **[Preparation of Findings to Reverse the Community Plan Evaluation - 344-14th 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 344-14th Street is exempt from further environmental review under a Community Plan Evaluation. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

## COMMITTEE REPORTS

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

*The following item will be considered by the Rules Committee at a Regular Meeting on Monday, October 7, 2019, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, October 8, 2019.*

29. [190899](#) **[Administrative Code - Compliance with Right to Return for Temporarily Displaced Tenants]**  
**Sponsors: Peskin; Brown and Walton**  
Ordinance amending the Administrative Code to clarify that temporary evictions for capital improvements are intended to cover work that would make the unit hazardous, unhealthy, and/or uninhabitable, and are intended to last for the minimum amount of time required to complete the work; modify the standards that the Rent Board must consider when reviewing a request to authorize a temporary eviction for capital improvements to last more than three months; establish procedures for the landlord to inform the displaced tenant of the tenant's right to reoccupy the unit upon completion of the work; and establish that a landlord's failure to timely allow the tenant to reoccupy the unit may create a rebuttable presumption that the tenancy has been terminated by the landlord rather than by the tenant.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

## 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.*

### 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 32 through 34

#### 32. [191004](#) [Urging the Municipal Transportation Agency to Ensure Further Compliance With Private Scooter Permit Conditions]

**Sponsors: Peskin; Yee, Safai, Brown and Fewer**

Resolution urging the Municipal Transportation Agency to phase expansion of its Powered Scooter Permit Program, pending the actual and equitable installation of bike racks; further the demonstration of permittees' ability to comply with labor, sustainability, community outreach, equitable access, and other requirements, as defined herein; and consider a publicly provided alternative.

10/01/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### 33. [191007](#) [Sandy Gartzman Day - October 8, 2019]

**Sponsor: Yee**

Resolution commending Sandy Gartzman on the occasion of her retirement from the Rent Board, and declaring October 8, 2019, as Sandy Gartzman Day in the City and County of San Francisco.

10/01/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**34. [191008](#) [Commending San Francisco Hep B Free - Bay Area for 12 Years of Community Advocacy and Awareness]**

**Sponsor: Yee**

Resolution commending San Francisco Hep B Free - Bay Area on their 12th Annual "Be a Hero" Power of Jade Awards Gala on October 18, 2019, and recommitting San Francisco's efforts to preventing and treating Hepatitis B.

10/01/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**35. IMPERATIVE AGENDA**

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**LEGISLATION INTRODUCED AT ROLL CALL**

**Introduced by a Supervisor or the Mayor**

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](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****190993 [Settlement of Lawsuit - Lu Xia Tan Chen - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Lu Xia Tan Chen against the City and County of San Francisco for \$50,000; the lawsuit was filed on April 19, 2018, in San Francisco Superior Court, Case No. CGC-18-565891; entitled Lu Xia Tan Chen v. City and County of San Francisco; the lawsuit involves alleged injuries when plaintiff was struck in a crosswalk. (City Attorney)

09/24/2019; RECEIVED FROM DEPARTMENT.

10/08/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**190994 [Settlement of Lawsuit - Riana Buffin and Crystal Patterson - City to Comply with New Pretrial Detention Policies and Provide Funding for Pretrial Diversion Project]**

Ordinance authorizing settlement of the lawsuit filed by Riana Buffin and Crystal Patterson against Sheriff Vicki Hennessy in her official capacity as Sheriff; the settlement prohibits the Sheriff from using the existing bail schedule for arrested individuals and from using any similar policy that determines the existence or length of pre-arraignment detention based on an arrestee's ability to pay, requires the Sheriff to release certain arrestees within 18 hours from the time of booking under some circumstances, and is conditioned on the City providing additional funding to the Own Recognizance Project of the San Francisco Pretrial Diversion Project; the lawsuit was filed on October 28, 2015, in U.S. District Court for the Northern District of California, Case No. 15-CV-04959-YGR; entitled Riana Buffin and Crystal Patterson, on behalf of themselves and others similarly situated v. Vicki Hennessy in her official capacity as the San Francisco Sheriff, et al.; the lawsuit involves claims that the Sheriff's use of the San Francisco Superior Court's bail schedule as a basis for pre-arraignment detention or release of arrestees violates the United States Constitution. (City Attorney)

09/30/2019; RECEIVED FROM DEPARTMENT.

10/08/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**190995**

**[Agreement Amendment - Alliant Insurance Services, Inc. - Insurance Brokerage Services - Not to Exceed \$74,000,000]**

Resolution authorizing the Director of the Risk Management Division of the Office of the City Administrator to enter into a First Amendment for insurance brokerage services with Alliant Insurance Services, to increase the agreement amount by \$39,500,000 from for a total amount not to exceed \$74,000,000 pursuant to Charter, Section 9.118, with no change to the term length to expire on June 30, 2020, to commence upon approval by the Board of Supervisors. (City Administrator)

09/27/2019; RECEIVED FROM DEPARTMENT.

10/08/2019; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**190996**

**[Agreement Amendment - Sunset Scavenger Company, Golden Gate Disposal & Recycling Company, Recology San Francisco - Refuse Collection - Not To Exceed \$48,000,000]**

Resolution approving the First Amendment to the Refuse Collection Agreement between the City and County of San Francisco and Sunset Scavenger Company dba Recology Sunset Scavenger, Golden Gate Disposal & Recycling Company dba Recology Golden Gate, and Recology San Francisco, increasing the total not to exceed amount of the Agreement from \$40,000,000 to \$48,000,000 under Charter, Section 9.118(b), with no change to the term length to expire on November 30, 2020, to commence upon approval by the Board of Supervisors. (Office of Contract Administration)

09/27/2019; RECEIVED FROM DEPARTMENT.

10/08/2019; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**190997**

**[Purchase and Sale Agreements - Pacific Gas & Electric Company, Southern California Edison Company - Electricity-Related Products - Not to Exceed \$26,070,118 and \$3,500,000, Respectively]**

Resolution retroactively authorizing two agreements for CleanPowerSF to purchase electricity-related products from Pacific Gas & Electric Company for a term of January 1, 2020, through December 31, 2022, for a total cost of \$26,070,118; and retroactively authorizing the sale of electricity-related products to Pacific Gas & Electric Company and Southern California Edison Company for a term of January 1, 2020, through December 31, 2022, in an amount not to exceed \$3,500,000. (Public Utilities Commission)

09/26/2019; RECEIVED FROM DEPARTMENT.

10/08/2019; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**190998**

**[Master Lease Amendment - United States Navy - Treasure Island Land and Structures]**

Resolution approving Amendment No. 44 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year to commence December 1, 2019, for a total term of November 19, 1998, through November 30, 2020. (Treasure Island Development Authority)

09/24/2019; RECEIVED FROM DEPARTMENT.

10/08/2019; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**191009 [Petitions and Communications]**

Petitions and Communications received from September 23, 2019, through September 30, 2019, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 8, 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: Copy: Each Supervisor. (1)

Kimberlee Stryker - Arts Commission - term ending January 15, 2022  
Carrie Schwab-Pomerantz - Commission on the Status of Women - term ending August 2, 2023

From the Office of the Mayor, pursuant to Charter, Section 3.100(18), making the following appointment: Copy: Each Supervisor. (2)

Sophia Andary - Commission on the Status of Women - term ending January 15, 2023

From the San Francisco Public Utilities Commission, submitting an update to the declaration of emergency to repair the Southeast Treatment Plant final effluent force main. Copy: Each Supervisor. (3)

From the Department of Aging and Adult Services, submitting the Community Living Fund, Program for Case Management and Purchase of Resources and Services, Six-Month Report (January - June 2019). Copy: Each Supervisor. (4)

From Bradley Angel, Executive Director of Greenaction for Health and Environmental Justice, submitting a letter in response to Bay Area Air Quality Management District's letter regarding India Basin Mixed Use Project. Copy: Each Supervisor. (5)

From Pacific Gas & Electric Company, submitting a notice to request to increase rates for the Catastrophic Even Memorandum Account (CEMA) (A.19-09-012). Copy: Each Supervisor. (6)

From concerned citizens, regarding the removal of all Tier I and II synthetic herbicides from the Reduced Risk Pesticide list. Copy: Each Supervisor. (7)

From Eddie Bartley, President of Yerba Buena, regarding Ildiko Polony's application for a seat on the Urban Forestry Council. Copy: Each Supervisor. (8)

From Esprit Ma, regarding Veritas tenants affected by rent increases. Copy: Each Supervisor. (9)

From Frank Noto, Stop Crime SF, regarding Supervisor Mar's legislation to require disclosure of aggregated victim demographic data. Copy: Each Supervisor. (10)

From Mary Rogus, regarding the housing situation at 988 Howard Street. 2 letters. Copy: Each Supervisor. (11)

From Tushar Karkhanis, regarding San Francisco's energy system bid. Copy: Each Supervisor. (12)

From California Insurance Commissioner Ricardo Lara, regarding his renewed request

for insurers to voluntarily agree to extend their additional living expenses coverage period to no less than 36 months. Copy: Each Supervisor. (13)

From Brad Koski, regarding the state of San Francisco. Copy: Each Supervisor. (14)

From Aaron Goodman, regarding heat inversions in urban areas during hot weather. Copy: Each Supervisor. (15)

From concerned citizens, regarding Board Resolution No. 382-19, declaring the National Rifle Association is a domestic terrorist organization. 11 letters. Copy: Each Supervisor. (16)

## **ADJOURNMENT**