

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, February 5, 2019 - 2:00 PM**

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

### **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*

### BOARD COMMITTEES

#### **Committee Membership**

##### **Budget and Finance Committee**

Supervisors Fewer, Stefani, Mandelman

##### **Budget and Finance Federal Select Committee**

Supervisors Fewer

##### **Government Audit and Oversight Committee**

Supervisors Mar, Brown, Peskin

##### **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

2nd and 4th Thursday

1:15 PM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

**Members Present:** Vallie Brown, Sandra Lee Fewer, Matt Haney, Rafael Mandelman, Gordon Mar, Aaron Peskin, Hillary Ronen, Ahsha Safai, Catherine Stefani, Shamann Walton, and Norman Yee

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, February 5, 2019, with President Norman Yee presiding.*

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

*President Yee called the meeting to order at 2:02 p.m. On the call of the roll, all Supervisors were noted present. There was a quorum.*

## **COMMUNICATIONS**

*There were no communications.*

## **APPROVAL OF MEETING MINUTES**

*President Yee inquired whether any Board Member had any corrections to the December 18, 2018, Board Special Meeting Minutes. There were no corrections.*

**Supervisor Safai, seconded by Supervisor Fewer, moved to approve the December 18, 2018, Board Special Meeting Minutes. The motion carried by the following vote, following general public comment:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

## **AGENDA CHANGES**

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

**181209 [Appropriation - Proceeds from Seismic Safety Retrofit and Affordable Housing Loan Program, Series 2019A - Mayor's Office of Housing and Community Development - \$75,000,000 - FY2018-2019]**

**Sponsors: Mayor; Peskin**

Ordinance appropriating \$75,000,000 of proceeds from the Seismic Safety Retrofit and Affordable Housing Loan Program General Obligation Bond, Series 2019A, to the Mayor's Office of Housing and Community Development to implement loan programs to acquire, improve and rehabilitate at-risk multi-unit residential buildings in need of seismic, fire, health or safety upgrades or other major rehabilitation, and convert those buildings to permanent affordable housing to prevent the loss of rental housing stock and the displacement of long-time residents of the City in FY2018-2019 and placing these funds on Controller's Reserve pending sale of the bonds. (Fiscal Impact)

**Ordinance No. 029-19**

**FINALLY PASSED**

### Recommendations of the Government Audit and Oversight Committee

**181145 [Settlement of Lawsuit - Sentinel Insurance Company, Ltd. - \$600,000]**

Ordinance authorizing settlement of the lawsuit filed by Sentinel Insurance Company, Ltd. against the City and County of San Francisco for \$600,000; the lawsuit was filed on September 12, 2017, in San Francisco Superior Court, Case No. CGC-17-561235; entitled Sentinel Insurance Company v. City and County of San Francisco; the lawsuit involves alleged damage from a leaking San Francisco Public Utilities Commission pipe; and appropriating funds for this payment from the Public Utilities Commission Water Enterprise fund balance. (City Attorney)

**Ordinance No. 027-19**

**FINALLY PASSED**

**181146 [Settlement of Unlitigated Claims - Sherry Jackson - \$105,000; Related Appropriation Wastewater Enterprise Fund Balance]**

Ordinance approving the settlement of the unlitigated claims filed by Sherry Jackson against the City and County of San Francisco for \$105,000; the claims were filed on May 1, 2018; the claims involve alleged property damages due to sewer flooding; appropriating \$105,000 from Public Utilities Commission Wastewater Enterprise fund balance for payment of settlement. (City Attorney)

**Ordinance No. 028-19**

**FINALLY PASSED**

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

### **180916 [Planning, Administrative Codes - Zoning Controls and Fees in the C-3-R (Downtown Retail) District]**

**Sponsor: Peskin**

Ordinance amending the Planning Code to change zoning controls for Non-Retail Sales and Service Uses in the C-3-R (Downtown Retail) Zoning District; amending the Planning and Administrative Codes to create the Union Square Park, Recreation, and Open Space Fund and Fee; 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.

**Ordinance No. 023-19**

**FINALLY PASSED**

## **Recommendations of the Rules Committee**

### **180926 [Administrative Code - Extension of Termination Date - Department of Public Health Managed Care Contracts]**

Ordinance amending the Administrative Code to extend the termination date of managed care contracts approved under Section 21A.3 from December 31, 2020, to December 31, 2025. (Public Health Department)

**Ordinance No. 024-19**

**FINALLY PASSED**

### **181003 [Administrative Code - Graffiti Advisory Board - Extend Sunset Date and Annual Report]**

**Sponsor: Safai**

Ordinance amending the Administrative Code to extend the sunset date of the Graffiti Advisory Board for three years to March 1, 2022, and to require the Advisory Board to submit annual rather than biannual reports to the Mayor and Board of Supervisors.

**Ordinance No. 025-19**

**FINALLY PASSED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Board

#### **180860 [Street Vacation for Various Streets - Sunnydale HOPE SF Project]**

**Sponsor: Walton**

Ordinance ordering the vacation of streets and certain easements in the Sunnydale HOPE SF Project site, generally bounded by Assessor's Parcel Block No. 6220 on the north, Velasco Avenue and Assessor's Parcel Block Nos. 6332 and 6331 on the south, Assessor's Parcel Block Nos. 6220 and 6316 on the west, and Hahn Street on the east, and including Sunnydale Avenue, Blythdale Avenue, Brookdale Avenue, and Santos Street, as part of the Sunnydale HOPE SF Project; reserving various public utility and access easement rights in favor of the City; authorizing the City to quitclaim its interest in the vacation areas to the Housing Authority; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein, including transmittal of the Ordinance by the Clerk of the Board of Supervisors to the Public Works Director for purposes of recordation of property rights.

**Ordinance No. 022-19**

**FINALLY PASSED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

*President Yee requested File Nos. 181234, 181235, 181236, 181238, 181239, and 181240 be called together.*

#### **181234 [Affirming the Categorical Exemption Determination - 3637-3657 Sacramento Street]**

Motion affirming the determination by the Planning Department that the proposed project at 3637-3657 Sacramento Street is categorically exempt from further environmental review. (Clerk of the Board)

**Motion No. M19-016**

**Supervisor Stefani, seconded by Supervisor Safai, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**181235 [Conditionally Reversing the Categorical Exemption Determination - 3637-3657 Sacramento Street]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 3637-3657 Sacramento Street is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Stefani, seconded by Supervisor Safai, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**181236 [Preparation of Findings to Reverse the Categorical Exemption Determination - 3637-3657 Sacramento Street]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 3637-3657 Sacramento Street is categorically exempt from further environmental review. (Clerk of the Board)

**Supervisor Stefani, seconded by Supervisor Safai, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

*Supervisor Stefani, seconded by Supervisor Ronen, moved to refer consideration of File No. 181238, 181239, and 181240 to later in the meeting. Without objection, these matters were considered later in the meeting.*

*Supervisor Haney was noted absent at 2:43 p.m.*

**181238 [Approving Conditional Use Authorization - 3637-3657 Sacramento Street]**

Motion approving the decision of the Planning Commission by its Motion No. 20336, approving a Conditional Use Authorization identified as Planning Case No. 2007.1347CUA for a proposed project located at 3637-3657 Sacramento Street; and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

**Supervisor Stefani, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 12, 2019. The motion carried by the following vote:**

Ayes: 10 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

Absent: 1 - Haney

**181239 [Conditionally Disapproving Conditional Use Authorization and Approving with Additional Conditions - 3637-3657 Sacramento Street]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20336, approving a Conditional Use Authorization identified as Planning Case No. 2007.1347CUA for a proposed project at 3637-3657 Sacramento 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.)

**Supervisor Stefani, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 12, 2019. The motion carried by the following vote:**

Ayes: 10 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

Absent: 1 - Haney

**181240 [Preparation of Findings Related to Conditional Use Authorization Appeal - 3637-3657 Sacramento 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. 2007.1347CUA for a proposed project located at 3637-3657 Sacramento Street. (Clerk of the Board)

**Supervisor Stefani, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 12, 2019. The motion carried by the following vote:**

Ayes: 10 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee  
Absent: 1 - Haney

**Recommendation of the Budget and Finance Committee**

*Supervisor Haney was noted present at 2:45 p.m.*

**181113 [Authorizing Grant Agreements - Public Utilities Commission Green Infrastructure Grant Program - Terms of 20 Years]**

Ordinance delegating authority under Charter, Section 9.118, to the General Manager of the San Francisco Public Utilities Commission (SFPUC) to enter into grant agreements with terms of 20 years under the SFPUC's Green Infrastructure Grant Program, subject to certain specified conditions, as defined herein, including a July 1, 2020, sunset date. (Public Utilities Commission) (Fiscal Impact)

**Ordinance No.** 026-19

**FINALLY PASSED** by the following vote:

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**NEW BUSINESS****Recommendations of the Budget and Finance Committee****181151 [Appropriation from 2006 and 2007 Lease Revenue Bond Reserves - Rossi Pool Project - \$4,000,000 - De-Appropriation and Re-Appropriation - Rossi Pool Project - GGP Golf Course Clubhouse Project - \$4,000,000 - Recreation and Park Department - FY2018-2019]**

**Sponsor:** Mayor

Ordinance appropriating \$4,000,000 consisting of other non-operating revenue from 2006 and 2007 Lease Revenue Bond Reserves to the Recreation and Park Department to support the Rossi Pool Project, and de-appropriating \$4,000,000 of Open Space funding from the Rossi Pool Project and re-appropriating \$4,000,000 to the Golden Gate Park Golf Course Clubhouse Project in FY2018-2019. (Fiscal Impact)

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**181133 [Agreement Amendment - State Department of Health Care Services - Substance Use Disorder Services - FYs 2017-2019 - \$144,811,227]**

Resolution retroactively authorizing the Department of Public Health, Behavioral Health Services, to enter into Amendment No. A02 to a multi-year organized delivery system intergovernmental agreement for substance use disorder services with the State Department of Health Care Services, in the amount of \$144,811,227 for the term of June 15, 2017, through June 30, 2019; and authorizing and designating the Department of Public Health County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. (Public Health Department)

*Privilege of the floor was granted unanimously to Laurel Snead and Kavoos Bassiri (Department of Public Health) and Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

**Supervisor Peskin, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of February 12, 2019. The motion carried by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

*President Yee requested File Nos. 190011 and 190012 be called together. During discussions on these matters, privilege of the floor was granted unanimously to John Scarpulla (Public Utilities Commission) who responded to questions raised.*

**190011 [Emergency Declaration - Repair Southeast Treatment Plant Final Effluent Force Main - Total Estimated Cost Not to Exceed \$4,912,000]**

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Sections 6.60 and 21.15, to repair the Southeast Treatment Plant Final Effluent Force Main for a total estimated cost not to exceed \$4,912,000. (Public Utilities Commission)  
(Fiscal Impact)

**Resolution No. 059-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**190012 [Emergency Declaration - Monterey Mechanical, Inc. - Repair Oceanside Treatment Plant Ventilation Ducts - Oceanside Treatment Plant - Total Estimated Cost Not to Exceed \$3,000,000]**

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, to repair the Oceanside Treatment Plant Ventilation Ducts for a total estimated cost not to exceed \$3,000,000. (Public Utilities Commission)  
(Fiscal Impact)

**Resolution No. 060-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee



**190013 [Contract Agreement - Southern California Edison Company - Purchase of Renewable Energy - CleanPowerSF - Not to Exceed \$24,000,000]**

Resolution retroactively approving a contract agreement with Southern California Edison Company for supplies of renewable energy for CleanPowerSF for a contract term of one year, from January 1, 2019, through December 1, 2019, in an amount not to exceed \$24,000,000. (Public Utilities Commission)  
(Fiscal Impact)

*Privilege of the floor was granted unanimously to John Scarpulla (Public Utilities Commission) who responded to questions raised throughout the discussion.*

**Resolution No. 061-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

*President Yee requested File Nos. 181176, 181177, 181178, 190014, 190019, 190020, 190021, 190022, 190023, and 190024 be called together. Supervisor Peskin requested File No. 190014 be severed so that it may be considered separately.*

**181176 [Lease Agreement - InMotion Entertainment Group, LLC - Terminal 1 Retail Concession - \$405,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 1 Retail Concession Lease 1 - Lease No. 18-0203, between Inmotion Entertainment Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years, and a minimum annual guarantee of \$405,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No. 056-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**181177 [Lease Agreement - InMotion Entertainment Group, LLC - Terminal 3 Boarding Areas E and F Electronics Stores - \$500,000 Minimum Annual Guarantee]**

Resolution approving the Electronics Stores Lease in Terminal 3 Boarding Areas E and F - Lease No. 18-0232, between InMotion Entertainment Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years, and a minimum annual guarantee of \$500,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No. 057-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**181178 [Lease Agreement - InMotion Entertainment Group, LLC - International Terminal Boarding Area A Electronics Store - \$340,000 Minimum Annual Guarantee]**

Resolution approving the Electronics Store Lease in International Terminal Boarding Area A - Lease No. 18-0231, between InMotion Entertainment Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years, and a minimum annual guarantee of \$340,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No. 058-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**190014 [Lease Modification - United States Government - United States Federal Bureau of Investigation - Increase Annual Rent to \$615,384.57]**

Resolution retroactively approving Modification No. 1 to Lease No. GS-09P-LCA03395, between the United States Government and the City and County of San Francisco, acting by and through its Airport Commission, for space occupied by the United States Federal Bureau of Investigation at the International Terminal of San Francisco International Airport, to extend the term up to three years, two years firm, to commence January 4, 2019, and an increase in annual rent to \$615,384.57. (Airport Commission)

*Privilege of the floor was granted unanimously to Cathy Widener (San Francisco International Airport) who responded to questions raised throughout the discussion.*

**Resolution No. 062-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**190019 [Lease Agreement - L'Occitane Airport Venture, LLC - Airport Concession - \$135,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 1 Retail Concession Lease 4 - Lease No. 18-0205, between L'Occitane Airport Venture, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and a minimum annual guarantee of \$135,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No. 063-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**190020 [Lease Agreement - Airport Concession - Spa BR SFO, LLC - \$250,000 Minimum Annual Guarantee]**

Resolution approving Terminal 3 Boarding Area E and International Terminal Boarding Area G Wellness Concession Lease, between Spa BR SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years, and a minimum annual guarantee of \$250,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No. 064-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**190021 [Lease Agreement - Marshall Retail Group, LLC - Airport Concession - \$440,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 1 Retail Concession Lease 5 - Lease No. 18-0206, between Marshall Retail Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years, and a minimum annual guarantee of \$440,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No. 065-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**190022 [Lease Agreement - Skyline Concessions, Inc. - Airport Concession - \$220,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 1 Retail Concession Lease 7 - Lease No. 18-0208, between Skyline Concessions, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and a minimum annual guarantee of \$220,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No. 066-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**190023 [Lease Agreement - RAKH, Inc. - Airport Concession - \$126,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 1 Retail Concession Lease 6 - Lease No. 18-0207, between RAKH, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years with two one-year options to extend, and a minimum annual guarantee of \$126,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No. 067-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**190024 [Lease Agreement - Paradies Lagardere @ SFO 2018, LLC - Airport Concession - \$700,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 1 Retail Concession Lease 2 - Lease No. 18-0204, between Paradies Lagardere @ SFO 2018, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and a minimum annual guarantee of \$700,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

**Resolution No. 068-19**

**ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**190056 [Multifamily Housing Revenue Note - 1990 Folsom Street - Not to Exceed \$62,132,500]****Sponsors: Mayor; Ronen**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$62,132,500 for the purpose of providing financing for the construction of an 143-unit multifamily rental housing project known as "1990 Folsom;" 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 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; and granting general authority to City officials to take actions necessary to implement this Resolution, and related matters, as defined herein.

**Resolution No. 069-19****ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**Referred Without Recommendation from the Budget and Finance Committee****190055 [Vertical Disposition and Development Agreement - TMG Partners and Presidio Bay Ventures - Parcel K North/Pier 70]****Sponsor: Mayor**

Resolution approving a Vertical Disposition and Development Agreement between the Port and a joint venture between TMG Partners and Presidio Bay Ventures for the sale of Parcel K North, located at 20th Street and Illinois Street, by the Port Commission; and adopting findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101(b). (Port)  
(Fiscal Impact)

**Resolution No. 040-19****ADOPTED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**Recommendations of the Land Use and Transportation Committee****181155 [Public Works Code - Major Encroachment Permit Revocation Hearings]****Sponsor: Peskin**

Ordinance amending the Public Works Code to allow five members of the Board of Supervisors to schedule an administrative hearing before the Board regarding potential revocation of a major encroachment permit when the Director of Public Works has not taken timely steps to schedule and hold a hearing or issue a decision regarding the revocation; and affirming the Planning Department's determination under the California Environmental Quality Act.

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**181175 [Planning Code - Landmark Designation - 22 Beaver Street (Benedict-Gieling House)]****Sponsor: Mandelman**

Ordinance amending the Planning Code to designate 22 Beaver Street (Benedict-Gieling House), Assessor's Parcel Block No. 3561, Lot No. 060, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**Recommendations of the Rules Committee**

*President Yee requested File Nos. 190077, 190080, and 190082 be called together.*

**Supervisor Haney Excused from Voting**

Supervisor Peskin, seconded by Supervisor Safai, moved that Supervisor Haney be excused from voting on File Nos. 190077, 190080, 190082. The motion carried by the following vote:

Ayes: 10 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

Excused: 1 - Haney

**190077 [Appointment, Association of Bay Area Governments, Executive Board - Supervisor Matt Haney]**

Motion appointing Supervisor Matt Haney, term ending June 30, 2020, to the Association of Bay Area Governments, Executive Board. (Clerk of the Board)

**Motion No. M19-017****APPROVED by the following vote:**

Ayes: 10 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

Excused: 1 - Haney

**190080 [Appointment, Transbay Joint Powers Authority - Supervisor Matt Haney]**

Motion appointing Supervisor Matt Haney, for an indefinite term, to the Transbay Joint Powers Authority. (Clerk of the Board)

**Motion No. M19-018****APPROVED by the following vote:**

Ayes: 10 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

Excused: 1 - Haney

**190082 [Appointment, San Francisco Local Agency Formation Commission - Supervisor Matt Haney]**

Motion appointing Supervisor Matt Haney, term ending February 4, 2022, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

**Motion No.** M19-019

**APPROVED by the following vote:**

Ayes: 10 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee  
Excused: 1 - Haney

**Supervisor Stefani Excused from Voting**

Supervisor Brown, seconded by Supervisor Fewer, moved that Supervisor Stefani be excused from voting on File No. 190078. The motion carried by the following vote:

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Walton, Yee  
Excused: 1 - Stefani

**190078 [Appointment, Bay Conservation and Development Commission - Supervisor Catherine Stefani]**

Motion appointing Supervisor Catherine Stefani, for an indefinite term, as an alternate member to the San Francisco Bay Conservation and Development Commission. (Clerk of the Board)

**Motion No.** M19-020

**APPROVED by the following vote:**

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Walton, Yee  
Excused: 1 - Stefani

**Supervisor Walton Excused from Voting**

Supervisor Brown, seconded by Supervisor Safai, moved that Supervisor Walton be excused from voting on File No. 190079. The motion carried by the following vote:

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee  
Excused: 1 - Walton

**190079 [Appointment, Golden Gate Bridge, Highway and Transportation District Board of Directors - Supervisor Shamann Walton]**

Motion appointing Supervisor Shamann Walton, term ending January 31, 2021, to the Golden Gate Bridge, Highway and Transportation District Board of Directors. (Clerk of the Board)

**Motion No.** M19-021

**APPROVED by the following vote:**

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee  
Excused: 1 - Walton

## **Supervisor Mar Excused from Voting**

Supervisor Peskin, seconded by Supervisor Ronen, moved that Supervisor Mar be excused from voting on File No. 190081. The motion carried by the following vote:

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Peskin, Ronen, Safai, Stefani, Walton, Yee  
Excused: 1 - Mar

### **190081 [Appointment, San Francisco Local Agency Formation Commission - Supervisor Gordon Mar]**

Motion appointing Supervisor Gordon Mar, term ending February 4, 2022, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

**Motion No.** M19-022

**APPROVED** by the following vote:

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Peskin, Ronen, Safai, Stefani, Walton, Yee  
Excused: 1 - Mar

### **190087 [Appointments, Shelter Monitoring Committee - Diana Almanza, Traci Watson, Gabriela Avalos and Vixen Yvonne]**

Motion appointing Diana Almanza and Traci Watson, terms ending January 1, 2020, and Gabriela Avalos and Vixen Yvonne, terms ending January 1, 2021, to the Shelter Monitoring Committee. (Clerk of the Board)

**Motion No.** M19-023

**APPROVED** by the following vote:

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

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

Supervisor Ronen, seconded by Supervisor Walton, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

*Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Bevan Dufty, Anne Cervantes, and David Churton in recognition of their collective group efforts supporting homeless children and families in the Mission and their continued community support. Supervisors Walton and Haney shared in this commendation.*

## SPECIAL ORDER 3:00 P.M.

*President Yee requested File Nos. 190039, 190040, 190041, and 190042 be called together.*

### **190039 [Hearing - Appeal of Tentative Map Approval - 630 Natoma Street]**

Hearing of persons interested in or objecting to the decision of Public Works dated January 4, 2019, approving a Tentative Map for a three-unit condominium project at 630 Natoma Street, Assessor's Parcel Block No. 3727, Lot No. 049. (District 6) (Appellant: Sofia Rillanos) (Filed January 10, 2019) (Clerk of the Board)

*President Yee opened the public hearing and Supervisor Haney provided opening remarks and indicated he would be making a motion to continue this appeal hearing and the associated items to a later date. The President then inquired as to whether any individual wished to address the Board. Aaron Starr (Planning Department) provided information and answered questions raised throughout the discussion. Katherine Weiss; spoke on various concerns related to the appeal and the proposed continuance. There were no other speakers. President Yee closed public comment.*

**Supervisor Haney, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of March 5, 2019. The motion carried by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

### **190040 [Approving Decision of Public Works and Approving Tentative Map - 630 Natoma Street]**

Motion approving decision of Public Works and approving the Tentative Map for a three-unit condominium project at 630 Natoma Street, Assessor's Parcel Block No. 3727, Lot No. 049; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

**Supervisor Haney, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 5, 2019. The motion carried by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

### **190041 [Conditionally Disapproving Decision of Public Works and Disapproving Tentative Map - 630 Natoma Street]**

Motion conditionally disapproving decision of Public Works and disapproving the Tentative Map for a three-unit condominium project at 630 Natoma Street, Assessor's Parcel Block No. 3727, Lot No. 049, subject to the Board of Supervisors' adoption of written findings in support of the disapproval. (Clerk of the Board)

**Supervisor Haney, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 5, 2019. The motion carried by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

### **190042 [Preparation of Findings Related to the Tentative Map - 630 Natoma Street]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for a three-unit condominium project at 630 Natoma Street, Assessor's Parcel Block No. 3727, Lot No. 049. (Clerk of the Board)

**Supervisor Haney, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 5, 2019. The motion carried by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee



## SPECIAL ORDER 3:00 P.M.

*President Yee requested File Nos. 190028 and 190029 be called together.*

## Board of Supervisors Sitting as a Committee of the Whole

### **190028 [Hearing - Committee of the Whole - Western SoMa Community Benefit District - February 5, 2019, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on February 5, 2019, at 3:00 p.m., to consider establishment of a property-based assessment district to be known as the SoMa West Community Benefit District, pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code, Sections 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code Article 15; scheduled pursuant to Resolution No. 421-18, adopted on December 11, 2018. (Clerk of the Board)

*President Yee opened the public hearing and Supervisor Haney provided opening remarks. The President then inquired as to whether any individual wished to address the Committee of the Whole relating to proposed Western SoMa Community Benefit District (CBD). Chris Corgas (Mayor's Office of Economic and Workforce Development) provided an overview of the proposed CBD and responded to questions raised throughout the discussion. Steve Gibson; James Snell; Amy Liedeu; Ray Jackson; Liz Mahorsky; Speaker; Alan Walton; Adam Thompson; Harold Hoogasian; Speaker; Micha Oliva; Nick Rosario; Brendan Tobin; Lead Edwards; Debra Benedict; Sara Simon; Chris Bolly; Mark Patsenerri; Jenny Spinello; Jim Spinello, Sr.; Miriam Zouzounis; Michael Gardy; Vidy Hart; Carole Lennon; Cathy Peck; Ed Junie; Martha Bradahan; Dee Hopkins; Julie Sidell; Tom Taylor; Francisco Da Costa; Brian Dick; Speaker; Ian James; spoke in support of the CBD. Paul Boden; Clay Austin; Bright Fair; Alexandra Goldman; Miriam Fair; Candy Michelle Song; Ben Hoosley; Flo Kelly; Diana Oglestein; spoke in opposition to the CBD. There were no other speakers. President Yee closed public comment, declared the hearing heard and filed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## Committee of the Whole Adjourn and Report

**190029 [Resolution to Establish - SoMa West Community Benefit District]****Sponsor: Haney**

Resolution to establish the property-based business improvement district known as the "SoMa West Community Benefit District," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with FY2019-2020, subject to conditions as specified; and making environmental findings.

(The returned weighted ballots voting for the Western SoMa Community Benefit District was 56.17%, and the returned weighted ballots voting against the Western SoMa Community Benefit District was 43.83%; indicating there was no majority protest.)

*Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Western SoMa Community Benefit District was 56.17%, and the returned weighted ballots voting against the Western SoMa Community Benefit District was 43.83%, further indicating there was no majority protest.*

**Supervisor Haney, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of March 5, 2019. The motion carried by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

**PUBLIC COMMENT**

*Abdalla Megahed; shared concerns regarding the state of the government and the need to address homelessness.*

*Charlie Peters; shared concerns regarding use of ethanol in gasoline.*

*Tess Wellborn; shared concerns regarding state legislation that will affect local control over housing.*

*Francisco Da Costa; shared concerns regarding the need for senior housing.*

*Chris Woo; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Speaker; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Speaker; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Alyssa; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Catelina; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Yolanda; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Reyna Tilla; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Speaker; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Peter Hoosey; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Syshit Jacob; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Speaker; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Todd Peppinger; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Speaker; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Rick Gurley; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Max Stuart; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Nell Shalene; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*David Hellman; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Ray Walshman; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Irene Dick-Endrizzi; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Terry Saul; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Amy Dillon; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Darren Barchelis; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Julian; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Debra Porter; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Enrico Perez; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Michelle Desitzer; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Monica; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Tom Gilberty; shared concerns regarding housing, cannabis, and the need for a robust public bank.*

*Micah; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Jackie; expressed support for the Resolution urging state legislation to enable the creation of a public banking charter (File No. 190118).*

*Peter Warfield; shared various concerns related to the San Francisco Public Library.*

## CLOSED SESSION

## CONFERENCE WITH LABOR NEGOTIATORS

### 190127 [Closed Session - Labor Negotiations - February 5, 2019]

Closed Session for the Board of Supervisors to convene on February 5, 2019, at 4:00 p.m., with the Mayor's Office and the Department of Human Resources under Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding negotiations with labor unions representing City employees; scheduled pursuant to Motion No. M19-015, approved January 29, 2019. (Clerk of the Board)

*CONVENED IN CLOSED SESSION*

*The Board recessed at the hour of 5:42 p.m. to convene in closed session pursuant to Motion No. M19-015 (File No. 190127), approved on January 29, 2019.*

*The following Supervisors were noted present: Supervisors Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee*

*Persons in attendance: Jon Givner, Deputy City Attorney (Office of the City Attorney); Ben Rosenfield, Controller (Office of the City Controller); Micki Callahan, Director, Leuwam Tesfai, and Carol Isen (Department of Human Resources); and Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).*

*Matter was heard in closed session and no action was taken.*

*RECONVENED AS THE BOARD OF SUPERVISORS*

*The Board reconvened at the hour of 6:40 p.m.*

*The following Supervisors were noted present: Supervisors Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen Safai, Stefani, Walton, Yee*

**Supervisor Peskin, seconded by Supervisor Safai, moved that this Closed Session be CONTINUED to the Board of Supervisors meeting of March 5, 2019. The motion carried by the following vote:**

**Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee**

*[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.*

**Supervisor Peskin, seconded by Supervisor Safai, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:**

**Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee**

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*Supervisor Fewer requested that File No. 190118 be severed so that it may be considered separately.*

### **190118 [Urging California State Legislators to Allow for the Creation of a Public Banking Charter]**

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

Resolution urging California State legislators to enact legislation amending the Government Code to enable local agencies to create public banks through an option for a public banking charter.

*Supervisors Brown and Walton requested to be added as co-sponsors.*

**Supervisor Fewer, seconded by Supervisor Mandelman, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 5-6, by striking 'directs our' and adding 'requests the Mayor to direct', Line 6, by changing 'County' to 'County's', and striking 'these', Lines 6-7, by striking 'in Sacramento' and adding 'to create a pathway for a public banking charter in the state of California', and Lines 9-11, by adding 'FURTHER RESOLVED, That this Resolution is specific to the creation of a state charter mechanism for public banks, and does not commit the City and County to a position on any other provisions that may be included in such legislation; and, be it'. The motion carried by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

**Resolution No. 070-19**

**Although a motion to move was not required, Supervisor Fewer, seconded by Supervisor Brown, moved that this Resolution be ADOPTED AS AMENDED. The motion carried by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

### **190107 [Final Transfer Map 9597 - Portions of Pier 70]**

Motion approving Final Transfer Map 9597, a 52 lot merger and subdivision of Assessor's Parcel Block No. 4052, Lot No. 001, Assessor's Parcel Block No. 3941, Lot No. 001, Assessor's Parcel Block No. 4046, Lot Nos. 001 and 002, Assessor's Parcel Block No. 4111, Lot Nos. 003 and 004; and adopting findings pursuant to the General Plan, and the priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-024**

**APPROVED by the following vote:**

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

## IMPERATIVE AGENDA

*There were no imperative agenda items.*

## 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.*

## ORDINANCES

### **190140 [Administrative Code - Displaced Tenant Preference in City Affordable Housing]**

**Sponsors: Brown; Peskin**

Ordinance amending the Administrative Code to expand the Displaced Tenant Preference in City Affordable Housing Programs to cover tenants where the tenant's unit is no longer restricted by a regulatory agreement or other affordable housing restriction and the landlord has increased the rent to be more than 40% of the tenant's gross household income.

02/05/19; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/7/2019.

### **190141 [Administrative Code - Programs and Fund for Vehicularly Housed Persons]**

**Sponsors: Brown; Safai and Fewer**

Ordinance amending the Administrative Code to establish the Relocation Assistance Fund for the Vehicularly Housed and to allow eligible vehicularly housed persons to receive financial assistance from the Fund for up to six months; require the Department of Homelessness and Supportive Housing ("HSH") to establish a Safe Overnight Parking Program to provide eligible vehicularly housed persons a place to park and sleep in their vehicles overnight, case management, and other services; require HSH to collaborate with Municipal Transportation Agency to develop an On-Street Parking Citation and Tow-and-Storage-Fee Abatement Program to provide eligible vehicularly housed persons with waivers or reduced parking fines and fees; and affirming the Planning Department's determination under the California Environmental Quality Act.

02/05/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/7/2019.

### **190142 [Environment Code - Existing Buildings Energy Performance and Benchmarking]**

**Sponsors: Brown; Peskin and Mar**

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.

02/05/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

**190143 [Administrative Code - Harvey Milk Terminal Signage at San Francisco International Airport]****Sponsors: Ronen; Mandelman and Mar**

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

02/05/19; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

**RESOLUTIONS****190144 [Loan Agreement - 735 Davis Senior, L.P. - 100% Affordable Housing at 735 Davis Street - Not to Exceed \$19,583,557]****Sponsor: Mayor**

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development to execute a Loan Agreement with 735 Davis Senior, L.P., a California limited partnership, in an amount not to exceed \$19,583,557 for a minimum term of 57 years to finance the construction of a 100% affordable, 52-unit multifamily rental housing development (plus one staff unit) for low and moderate income senior households ("Davis Project"); and adopting findings that the Loan Agreement is consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190145 [Multifamily Housing Revenue Note - 735 Davis Senior LP - Not to Exceed \$21,885,000]****Sponsor: Mayor**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$21,885,000 for the purpose of providing financing for the construction of a 53-unit multifamily rental housing project known as "735 Davis Senior 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 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.

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190146 [Loan Agreement - 88 Broadway Family, L.P. - 100% Affordable Housing at 88 Broadway - Not to Exceed \$31,020,739]****Sponsor: Mayor**

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development to execute a Loan Agreement with 88 Broadway Family, L.P., a California limited partnership, in an amount not to exceed \$31,020,739 for a minimum term of 57 years to finance the construction of a 100% affordable, 124-unit multifamily rental housing development (plus one staff unit) for low and moderate income households ("Broadway Project"); and adopting findings that the Loan Agreement is consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
(Fiscal Impact)

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190147 [Multifamily Housing Revenue Note - 88 Broadway Family Apartments - Not to Exceed \$55,280,000]****Sponsor: Mayor**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$55,280,000 for the purpose of providing financing for the construction of a 125-unit multifamily rental housing project known as "88 Broadway Family 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 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.

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190148 [Multifamily Housing Revenue Bonds - 22, 102, and 106 South Park Street - Not to Exceed \$40,000,000]****Sponsors: Mayor; Haney**

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$40,000,000 for 22, 102, and 106 South Park Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$40,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.



**190149 [Apply for Grant Application - Noncompetitive Alternative Process County Designation - California Department of Housing and Community Development - No Place Like Home Grant Program]**

**Sponsor: Mayor**

Resolution authorizing and delegating to the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to apply for the county noncompetitive allocation award under the California Department of Housing and Community Development No Place Like Home Program, which provides funding for counties to develop multifamily housing specifically for persons with serious mental illness who are homeless, chronically homeless, or at-risk of chronic homelessness.

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190150 [Apply for Grant Application - Alternative Process County Competitive Allocation Funds - California Department of Housing and Community Development - No Place Like Home Grant Program]**

**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to apply for and accept the county competitive allocation award under the California Department of Housing and Community Development No Place Like Home Program, which provides funding for counties to develop multifamily housing specifically for persons with serious mental illness who are homeless, chronically homeless, or at-risk of chronic homelessness.

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190151 [Authorizing the Director of Public Works to Execute Agreements - Jefferson Street Improvements, Phase II - \$6,782,000]**

**Sponsors: Mayor; Peskin**

Resolution authorizing the Director of Public Works to execute agreements with the California Department of Transportation pertaining to the Jefferson Street Improvements, Phase II Project, for the amount of \$6,782,000.

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190152 [Accept and Expend Grant - Retroactive - California Department of Public Health - HIV Prevention State Grant No. 18-10590 - \$467,082]**

**Sponsor: Mandelman**

Resolution retroactively authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$467,082 from the California Department of Public Health to participate in a program, entitled "HIV Prevention State Grant No. 18-10590," for the period of July 1, 2018, through June 30, 2019. (Public Health Department)

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190153 [Approval of a 90-Day Extension for Planning Commission Review of Planning, Building Codes - Controls on Residential Demolition, Merger, Conversion, and Alteration (File No. 181216)]**

**Sponsor: Peskin**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 181216) amending the Planning Code to increase penalties for violations of the Planning Code; provide new definitions for Residential Demolitions and Residential Flats, revise definitions for Alterations and Removal, require additional notice and impose new conditional use criteria for Residential Demolitions, Mergers, and Conversions; establish criteria for Major Expansions of Existing Residential Buildings; amending the Building Code to conform the definition of Residential Demolition, require pre-permit inspections and additional application requirements; affirming the Planning Department's California Environmental Quality Act determination; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

02/05/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**190154 [Accept and Expend Grant - California Department of Rehabilitation - State Vocational Rehabilitation Services Program - \$271,200]**

**Sponsor: Walton**

Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of \$271,200 from the California Department of Rehabilitation to participate in a program, entitled "State Vocational Rehabilitation Services Program," for the period of July 1, 2019, through June 30, 2022, and waiving indirect costs. (Public Health Department)  
(Fiscal Impact)

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190158 [Supporting the Naming of Oscar Grant Way at Fruitvale BART Station]**

**Sponsors: Walton; Ronen**

Resolution supporting the naming of the unnamed road on the west side of Fruitvale BART Station between 33rd Avenue and 35th Avenue, to Oscar Grant Way in Oakland, California.

02/05/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**190155 [Supporting California State Assembly Bill 50 (Kalra) - Expansion of the State Assisted Living Waiver Program]**

**Sponsors: Yee; Mandelman**

Resolution urging the Board of Supervisors to support California State Assembly Bill 50, Medi-Cal: Assisted Living Waiver program expansion statewide and advocate for greater slots to be allocated to San Francisco residents, authored by Assembly Member Ash Kalra.

02/05/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## MOTION

**190160 [Closed Session - Existing Litigation - American Beverage Association, California Retailers Association, and California State Outdoor Advertising Association - February 26, 2019]**

Motion that the Board of Supervisors convene in closed session on February 26, 2019, pursuant to California Government Code, Section 54956.9(a), and Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the existing litigation in which the City is a defendant and appellee, American Beverage Association, California Retailers Association, and California State Outdoor Advertising Association v. City and County of San Francisco, Ninth Circuit Court of Appeals Case Nos. 16-16072 and 16-16073, filed in the United States District Court for the Northern District of California on July 24, 2015. (Clerk of the Board)

02/05/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## REQUESTS FOR HEARING

**190156 [Hearing - Department Subversion of Board of Supervisors Authority to Approve Contracts Pursuant to Charter, Section 9.118]**

**Sponsors: Peskin; Yee and Mar**

Hearing to inquire into the circumstances surrounding the retroactive nature of the Board of Supervisors' approval on January 29, 2019, of the Grant Agreement between the City and County of San Francisco and Tenderloin Housing Clinic, and of the First Amendment to that Grant Agreement; a review of any other contracts to which the City and County of San Francisco are a party and which were not proactively made subject to approval by the Board of Supervisors in spite of the explicit contract and lease limitations set forth in Section 9.118 of the Charter of the City and County of San Francisco; and requesting the Department of Homelessness and Supportive Housing and Human Services Agency to report.

02/05/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190157 [Hearing - Shelter Monitoring Committee Annual Report]**

**Sponsor: Ronen**

Hearing on the annual report of the Shelter Monitoring Committee; and requesting the Shelter Monitoring Committee to report.

02/05/19; RECEIVED AND ASSIGNED to Rules Committee.

## **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**

### **190101 [Settlement of Lawsuit - Satinder Singh - \$425,000]**

Ordinance authorizing settlement of the lawsuit filed by Satinder Singh against the City and County of San Francisco for \$425,000; the lawsuit was filed on January 23, 2014, in San Francisco Superior Court, Case No. CGC-14-536941; entitled Satinder Singh v. Xuong Lu, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

01/22/19; RECEIVED FROM DEPARTMENT.

02/05/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **190102 [Settlement of Lawsuit - Brandon Simpson - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Brandon Simpson against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 11, 2017, in the United States District Court, Northern District of California, Case No. 17-CV-00133 KAW; entitled Brandon Simpson v. City and County of San Francisco, et al.; the lawsuit involves alleged damages stemming from civil rights violations; other material terms of the settlement are that Mr. Simpson's court ordered criminal restitution will be paid from the settlement proceeds. (City Attorney)

01/22/19; RECEIVED FROM DEPARTMENT.

02/05/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **PROPOSED RESOLUTIONS**

### **190103 [Donation of Retired Ambulance to the San Francisco Unified School District]**

Resolution authorizing the Fire Department to donate a retired ambulance to the San Francisco Unified School District's Health Academy at John O'Connell High School. (Fire Department)

01/25/19; RECEIVED FROM DEPARTMENT.

02/05/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **190104 [Public Auction - Tax-Defaulted Real Property]**

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

01/28/19; RECEIVED FROM DEPARTMENT.

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190105 [Agreement Amendment - Community Awareness and Treatment Services - Behavioral Health Fiscal Intermediary Services - Not to Exceed \$23,186,920]**

Resolution approving Amendment No. 1 to the agreement between Community Awareness and Treatment Services and the Department of Public Health for behavioral health services, to increase the agreement amount by \$14,363,136 for an amount not to exceed \$23,186,920; and to extend the term by three years, from June 30, 2019, for a total agreement term of July 1, 2017, through June 30, 2022. (Public Health Department)  
(Fiscal Impact)

01/25/19; RECEIVED FROM DEPARTMENT.

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190106 [Agreement Amendment - Conard House - Behavioral Health Fiscal Intermediary Services - Not to Exceed \$44,862,764]**

Resolution approving Amendment No. 1 to the agreement between Conard House and the Department of Public Health for behavioral health services, to increase the agreement amount by \$36,323,985 for an amount not to exceed \$44,862,764; and to extend the term by four years, from June 30, 2019, for a total agreement term of July 1, 2018, through June 30, 2023. (Public Health Department)  
(Fiscal Impact)

01/25/19; RECEIVED FROM DEPARTMENT.

02/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*From: Supervisors Walton and Brown*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft an ordinance requiring health warnings on soda ads.*

*From: Supervisor Peskin*

*To: All City Departments*

*Requesting/Inquiring: Inquiry into the circumstances surrounding the retroactive nature of the Board of Supervisors' approval on January 29, 2019 of the Grant Agreement between the City and County of San Francisco and Tenderloin Housing Clinic, and of the First Amendment to that Grant Agreement; and a review of any other contracts to which the City and County of San Francisco are a party and which were not proactively made subject to approval by the Board of Supervisors in spite of the explicit contract and lease limitations set forth in Section 9.118 of the Charter of the City and County of San Francisco.*

*From: Supervisor Peskin*

*To: All City Departments*

*Requesting/Inquiring: Supervisor Peskin inquires of each department, board or commission of the City and County of San Francisco a list of any contract(s), including any amendments to any contract(s), the names of the parties to the contract(s), amount of the contract(s), term of the contract(s) and any options, that are subject to the requirements of Charter Section 9.118 and have been entered into without approval of the Board of Supervisors.*

## **In Memoriams**

*Kenneth Scudder - Supervisor Peskin  
Thomas Murphy - Supervisor Safai  
Patricia Earby-Banks - Supervisor Walton*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 6:46 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on March 12, 2019.*

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Angela Calvillo, Clerk of the Board