

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, February 12, 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 12, 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, Supervisors Fewer and Haney were noted not present. There was a quorum.*

## **COMMUNICATIONS**

*There were no communications.*

*Supervisor Haney was noted present at 2:04 p.m.*

## **APPROVAL OF MEETING MINUTES**

*President Yee inquired whether any Board Member had any corrections to the January 8, 2019, Board Inaugural Meeting Minutes. There were no corrections.*

**Supervisor Mandelman, seconded by Supervisor Walton, moved to approve the January 8, 2019, Board Inaugural Meeting Minutes. The motion carried by the following vote, following general public comment:**

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

## **AGENDA CHANGES**

*There were no agenda changes.*

*Supervisor Fewer was noted present at 2:05 p.m.*

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

### **190159 [Formal Policy Discussions - February 12, 2019]**

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss the following eligible topics submitted from the Supervisors representing Districts 5 and 8. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

1. Use of city and county-owned properties for emergency shelters to temporarily shelter the homeless during periods of severe environmental and weather conditions (District 5)
2. Public transit (District 8)

*Mayor London Breed addressed the Board of Supervisors regarding the need for housing in San Francisco, the programs being implemented to expedite affordable housing projects, and the issuance of an Executive Directive to streamline the creation of in-law units. Mayor Breed then discussed the above referenced topics submitted by the District 5 and 8 Supervisors.*

*Supervisor Brown began the discussions by asking the following question: How can the Board of Supervisors work with you to better maximize the uptake for emergency and pop-up shelter beds? Also, would be supportive of opening severe weather pop-up shelters in appropriate City-owned properties in areas not currently well served by established pop-up locations? Mayor Breed provided information on the number of emergency shelters and severe weather pop-up shelters that were recently opened and indicated that - while regular shelter services are heavily utilized - emergency pop-up shelters are consistently underutilized when they are executed. Supervisor Brown then followed up with the following question: Are there other creative ways we can get people into these emergency shelters? Mayor Breed responded with possible ideas to make these shelters more accessible and the need to increase the overall number of shelter beds and housing. Mayor Breed did not ask any follow-up questions related to this topic.*

*Supervisor Mandelman began the discussions by asking the following question: How do you envision closing the gaps in our transit system, and moving from the reality of our congested present toward a truly transit-first future? Mayor Breed indicated Muni needs to be made faster and more reliable by addressing the major issues by tracking the City's deferred maintenance backlog, hiring more drivers, extend the system, creating operational efficiencies, and improving the infrastructure of the transit system. She continued by highlighting that ensuring that the transit system is reliable, there would be more people inclined to use the system. Supervisor Mandelman then followed up with the following question: If there was additional money to come in for ERAF, would you use it to help close the gap for Light Rail Vehicles? Mayor Breed indicated always. Mayor Breed then asked Supervisor Mandelman: Will you make an amendment to put the ERAF money back where it belongs to get the trains moving faster? Supervisor Mandelman indicated the only option was to send back to the MTA Board and if there is future ERAF money available he would evaluate that need. Mayor Breed did not ask a follow-up question related to this topic.*

*Following public comment this matter was filed. No further action was taken.*

**HEARD AND FILED**

## CONSENT AGENDA

### Recommendation 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)

**Ordinance No. 030-19**

**FINALLY PASSED**

### 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.

**Ordinance No. 031-19**

**FINALLY PASSED**

**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)

**Ordinance No. 032-19**

**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

#### Only one of the following two Motions should be approved.

##### **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 TABLED. The motion carried by the following vote:**

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

##### **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 AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding conditions on the project for the design modifications; medical office space size and use limitations; assessment of nearby structures and properties; a noise control plan; a dust control plan; parking during construction; construction equipment; hours of construction; procurement of a community liaison; and assistance for affected businesses in the 3600 block of Sacramento and including any other businesses within 150 feet of the project site. The motion carried by the following vote:**

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

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; and conditionally approving a Conditional Use Authorization for the same Planning Case and property with different conditions, 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.)

**Motion No. M19-025**

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

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

**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)

**Motion No. M19-026**

**Supervisor Stefani, seconded by Supervisor Peskin, 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

**Recommendation of the Budget and Finance Committee**

**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 Greg Wagner (Department of Public Health) who responded to questions raised throughout the discussion.*

**Resolution No. 071-19**

**ADOPTED 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

*President Yee requested File Nos. 181180, 190017, and 190018 be called together.*

**181180 [Lease Agreement - Elevate Gourmet Brands, Inc., and Aimhigh ESG, LLC, a Joint Venture dba Elevate Gourmet Brands - SFO Group - Terminal 3 Coffee and Quick Serve Concession - \$375,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 3 Coffee and Quick Serve Concession Lease - Lease No. 18-0346, between Elevate Gourmet Brands, Inc., and Aimhigh ESG, LLC, a joint venture dba Elevate Gourmet Brands - SFO Group, as joint tenants, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of eight years, to commence following Board approval, with two one-year options to extend, and a minimum annual guarantee of \$375,000 for the first year of the Lease. (Airport Commission)

**Resolution No. 072-19**

**ADOPTED by the following vote:**

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

**190017 [Airport Professional Services Agreement Modification - WCME JV - Project Management Support Services - Terminal 3 West Modernization Project - Not to Exceed \$50,000,000]**

Resolution approving Modification No. 6 to Contract No. 10071.41, Project Management Support Services for the Terminal 3 West Modernization Project, with WCME JV to extend the term by four and a half years, from April 5, 2019, through October 4, 2023; and to increase the Contract amount by \$36,000,000 for a new total contract amount not to exceed \$50,000,000 pursuant to Charter, Section 9.118(b). (Airport Commission)  
(Fiscal Impact)

**Resolution No. 073-19**

**ADOPTED by the following vote:**

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

**190018 [2011 Airport Lease and Use Agreement - Icelandair ehf]**

Resolution approving the terms of 2011 Lease and Use Agreement No. 18-0322 between Icelandair ehf, and the City and County of San Francisco, acting by and through its Airport Commission, with joint use space rent and landing fees, for the lease term to commence following Board approval and expiring on June 30, 2021. (Airport Commission)

**Resolution No. 074-19**

**ADOPTED by the following vote:**

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

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

### **181108 [Police, Housing Codes - Required Disclosure of Storm Flood Risks]**

**Sponsor: Yee**

Ordinance amending the Police Code to require sellers or landlords of real property in San Francisco to disclose to buyers or tenants that the property is located within the flood risk zone delineated on the San Francisco Public Utilities Commission's 100-Year Storm Flood Risk Map; amending the Housing Code to require that the Department of Building Inspection's Report of Residential Building Record include a disclosure statement for property located within the flood risk zone; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Utilities Commission)

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

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

### **190050 [Street Encroachment Permit - Dogpatch Arts Plaza on a Portion of 19th Street]**

**Sponsors: Mayor; Walton**

Resolution granting revocable permission to 650 Indiana Street LLC, the property owner of 650 Indiana Street (Assessor's Parcel Block No. 4041, Lot No. 009), to occupy and maintain a portion of the 19th Street public right-of-way, between Indiana Street and Interstate Highway 280, with an arts-focused public pedestrian plaza; accepting an offer of public improvements and dedicating the improvements to public use; adopting environmental findings 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.

**Resolution No. 075-19**

**ADOPTED by the following vote:**

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

### **190053 [Street Encroachment Permit - Eagle Plaza on a Portion of 12th Street at Harrison Street]**

**Sponsors: Mayor; Haney and Mandelman**

Resolution granting revocable permission to 1532 Harrison Owner, LLC, the property owner of 1532 Harrison Street (Assessor's Parcel Block No. 3521, Lot No. 055-056), to install, occupy, and maintain a portion of the 12th Street public right-of-way, between Harrison Street and Bernice Street, with a LGBTQ leather-focused public pedestrian plaza space and a two-lane roadway; conditionally accepting an offer of public improvements and dedicating the improvements to public use; adopting environmental findings 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.

**Resolution No. 076-19**

**ADOPTED by the following vote:**

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



**Recommendations of the Rules Committee****190128 [Appointment, In-Home Supportive Services Public Authority - Michael Pappas]**

Motion appointing Michael Pappas, term ending March 1, 2021, to the In-Home Supportive Services Public Authority. (Rules Committee)

**Motion No.** M19-027

**APPROVED by the following vote:**

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

**190129 [Appointment, Bicycle Advisory Committee - Kisai Henriquez]**

Motion appointing Kisai Henriquez, term ending November 19, 2020, to the Bicycle Advisory Committee. (Rules Committee)

**Motion No.** M19-028

**APPROVED by the following vote:**

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

**190130 [Appointment, Park, Recreation, and Open Space Advisory Committee - Karen Rhodes]**

Motion appointing Karen Rhodes, term ending February 1, 2021, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

**Motion No.** M19-029

**APPROVED by the following vote:**

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

**190132 [Appointment, Pedestrian Safety Advisory Committee - Cyndi Bakir]**

Motion appointing Cyndi Bakir, term ending March 31, 2021, to the Pedestrian Safety Advisory Committee. (Rules Committee)

**Motion No.** M19-030

**APPROVED by the following vote:**

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

**190133 [Reappointment, Elections Commission - Christopher Jerdonek]**

Motion reappointing Christopher Jerdonek, term ending January 1, 2024, to the Elections Commission. (Rules Committee)

**Motion No.** M19-031

**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 Peskin, seconded by Supervisor Brown, 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 Peskin introduced, welcomed, and presented a Certificate of Honor to Kary Schulman, former Director of the San Francisco Grants for the Arts Program, on the occasion of her retirement after 38 years with the agency and in recognition of her many accomplishments securing funding for arts, events and festivals throughout San Francisco. Supervisor Brown shared in this commendation.*

*Supervisor Brown introduced, welcomed, and presented a Certificate of Honor to Kimiah Tucker, former Executive Director of Mo' Magic, in recognition of her many accomplishments leading a community collaborative creating safe places and opportunities for everyone. Supervisor Walton shared in this commendation.*

*Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to World Central Kitchen in recognition of their chefs that work in the kitchen to improve health, increase education rates, provide career skills, create food businesses, and most recently concluded their operation to feed federal government workers during the government shutdown. Chef Tyler Florence and Dan Bernal, on behalf of Speaker of the House Nancy Pelosi, shared in this commendation.*

*Supervisor Mar introduced, welcomed, and presented a posthumous Certificate of Honor in memory of Kim Bok-dong, a former "comfort woman," in recognition of her many accomplishments as a strong activist, advocating to stop violence against women and for a formal apology and compensation from the Japanese government. Supervisor Fewer shared in this commendation.*

## SPECIAL ORDER 3:00 P.M.

*President Yee requested File Nos. 190093, 190094, 190095, 190096, 190097, 190098, 190099, and 190100 be called together.*

### **Supervisor Safai Excused from Voting**

Supervisor Stefani, seconded by Supervisor Fewer, moved that Supervisor Safai be excused from voting on File Nos. 190093, 190094, 190095, 190096, 190097, 190098, 190099, and 190100. The motion carried by the following vote:

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

Excused: 1 - Safai

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

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

*President Yee opened the public hearings and Supervisor Haney indicated that, at the request of the appellant and project sponsor, he would be making a motion to continue these matters to a later date. The President then inquired as to whether any individual wished to address the Board. Sue Hestor (Appellant) confirmed the appellant's request that the Board waive the deadlines contained in Planning Code, Section 308.1(c), and that these matters be continued to April 9, 2019. Alice Suet Yee Barkley (Project Sponsor) confirmed the project sponsor's request that the Board waive the deadlines contained in Planning Code, Section 308.1(c), and that these matters be continued to April 9, 2019. Jon Givner (Office of the City Attorney) provided additional information and answered questions raised throughout the discussion. There were no other speakers. President Yee closed public on the continuance.*

Supervisor Haney, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of April 9, 2019, pursuant to the request of the appellant and project sponsor to waive the deadlines of Planning Code, Section 308.1(c). The motion carried by the following vote:

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

Excused: 1 - Safai

**190094 [Affirming the Community Plan Evaluation - 1052-1060 Folsom Street and 190-194 Russ Street]**

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

**Supervisor Haney, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of April 9, 2019, pursuant to the request of the appellant and project sponsor to waive the deadlines of Planning Code, Section 308.1(c). The motion carried by the following vote:**

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

Excused: 1 - Safai

**190095 [Conditionally Reversing the Community Plan Evaluation - 1052-1060 Folsom Street and 190-194 Russ Street]**

Motion conditionally reversing the determination by the Planning Department, that the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street is exempt from further environmental review under a Community Plan Evaluation, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

**Supervisor Haney, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of April 9, 2019, pursuant to the request of the appellant and project sponsor to waive the deadlines of Planning Code, Section 308.1(c). The motion carried by the following vote:**

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

Excused: 1 - Safai

**190096 [Preparation of Findings to Reverse the Community Plan Evaluation - 1052-1060 Folsom Street and 190-194 Russ Street]**

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Evaluation determination by the Planning Department that a proposed project at 1052-1060 Folsom Street and 190-194 Russ Street is exempt from further environmental review. (Clerk of the Board)

**Supervisor Haney, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of April 9, 2019, pursuant to the request of the appellant and project sponsor to waive the deadlines of Planning Code, Section 308.1(c). The motion carried by the following vote:**

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

Excused: 1 - Safai

**SPECIAL ORDER 3:00 P.M.****190097 [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 1052-1060 Folsom Street and 190-194 Russ Street]**

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

*President Yee opened the public hearings and Supervisor Haney indicated that, at the request of the appellant and project sponsor, he would be making a motion to continue these matters to a later date. The President then inquired as to whether any individual wished to address the Board. Sue Hestor (Appellant) confirmed the appellant's request that the Board waive the deadlines contained in Planning Code, Section 308.1(c), and that these matters be continued to April 9, 2019. Alice Suet Yee Barkley (Project Sponsor) confirmed the project sponsor's request that the Board waive the deadlines contained in Planning Code, Section 308.1(c), and that these matters be continued to April 9, 2019. Jon Givner (Office of the City Attorney) provided additional information and answered questions raised throughout the discussion. There were no other speakers. President Yee closed public on the continuance.*

**Supervisor Haney, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of April 9, 2019, pursuant to the request of the appellant and project sponsor to waive the deadlines of Planning Code, Section 308.1(c). The motion carried by the following vote:**

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

**190098 [Approving Conditional Use Authorization - 1052-1060 Folsom Street and 190-194 Russ Street]**

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

**Supervisor Haney, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of April 9, 2019, pursuant to the request of the appellant and project sponsor to waive the deadlines of Planning Code, Section 308.1(c). The motion carried by the following vote:**

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

**190099 [Conditionally Disapproving Conditional Use Authorization - 1052-1060 Folsom Street and 190-194 Russ Street]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20361, approving a Conditional Use Authorization identified as Planning Case No. 2016.004905CUA for a proposed project at 1052-1060 Folsom Street and 190-194 Russ Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

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

**Supervisor Haney, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of April 9, 2019, pursuant to the request of the appellant and project sponsor to waive the deadlines of Planning Code, Section 308.1(c). The motion carried by the following vote:**

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

Excused: 1 - Safai

**190100 [Preparation of Findings Related to Conditional Use Authorization Appeal - 1052-1060 Folsom Street and 190-194 Russ Street]**

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization identified as Planning Case No. 2016.004905CUA for a proposed project located at 1052-1060 Folsom Street and 190-194 Russ Street. (Clerk of the Board)

**Supervisor Haney, seconded by Supervisor Mandelman, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of April 9, 2019, pursuant to the request of the appellant and project sponsor to waive the deadlines of Planning Code, Section 308.1(c). The motion carried by the following vote:**

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

Excused: 1 - Safai

## COMMITTEE REPORTS

### Recommendations of the Budget and Finance Committee

**181186 [Appropriation - Educational Revenue Augmentation Fund Property Tax \$220,551,322 - Rainy Day One-Time Reserve Funds \$52,000,000 - SFPUC Revenue Bonds \$10,000,000 - Various Services - FY2018-2019]**

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

Ordinance appropriating \$220,551,322 of excess Educational Revenue Augmentation Fund Property Taxes and \$52,000,000 of Rainy Day One-Time Reserve funds for affordable housing small site, single residence occupancy hotel, and behavioral health acquisition and renovation, homelessness and behavioral health services, early care and SFUSD educator funding, for a utility distribution acquisition assessment, various mandatory baseline contributions, and to establish a Teacher and Early Care Educator Unappropriated Emergency Reserve, and \$10,000,000 from San Francisco Public Utilities Commission Revenue Bonds for a utility substation.  
(Fiscal Impact)

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

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

**190044 [Appropriation - Educational Revenue Augmentation Fund Property Tax - New Light Rail Vehicles, Energy Efficiency Audits, Small Business Mitigation Fund, and Mandatory City Services Auditor Baseline - SFMTA - \$38,124,000 - FY2018-2019]**  
**Sponsor: Mayor**

Ordinance appropriating \$38,124,000 in excess Educational Revenue Augmentation Fund Property Taxes to the San Francisco Municipal Transportation Agency (SFMTA), including \$19,247,904 to purchase Light Rail Vehicles, \$13,800,000 to conduct energy efficiency audits and improvements at SFMTA facilities, \$5,000,000 to a Small Business Impact Mitigation Fund and a mandatory City Services Auditor baseline in FY 2018-2019; and placing \$38,124,000 on Controller's Reserve pending confirmation of cash flow timing from the State of California.  
(Fiscal Impact)

**PASSED ON FIRST READING 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

*Reuben Goodman; shared concerns regarding criminal activity by staff at a shelter facility.*  
*Francisco Da Costa; shared concerns regarding shelter services in San Francisco.*  
*Lavonne Arnold; shared concerns regarding Section 8 and the Housing Authority.*  
*Tom Gilberty; shared concerns regarding PG&E and climate change.*  
*Speaker; shared various religious concerns.*  
*Speaker; shared concerns regarding the need for affordable housing.*  
*Ahne; shared concerns regarding the Tenderloin and drug usage.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **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.

**Resolution No. 077-19**

**ADOPTED**

### **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.

**Resolution No. 078-19**

**ADOPTED**

### **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.

*Supervisor Ronen requested to be added as a co-sponsor.*

**Resolution No. 079-19**

**ADOPTED**



**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)

**Motion No. M19-032**

**APPROVED**

**The foregoing items were acted upon 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

### **190045 [Building, Business and Tax Regulations Codes - Temporary Homeless Shelter Provisions During Shelter Crisis]**

**Sponsors: Mayor; Brown, Walton, Haney, Mandelman and Stefani**

Ordinance amending the Building Code to adopt standards for constructing homeless shelters, and to create an alternative approval procedure for homeless shelters, during a shelter crisis, pursuant to California Government Code, Section 8698.4; amending the Business and Tax Regulations Code to provide for an expedited permit appeals process for homeless shelters during a shelter crisis; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission and the California Department of Housing and Community Development upon final passage.

01/15/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/14/2019.

01/23/19; REFERRED TO DEPARTMENT.

01/24/19; TRANSFERRED to Rules Committee.

02/12/19; SUBSTITUTED AND ASSIGNED to Rules Committee.

### **190047 [Administrative, Planning Codes - Streamlined Contracting for Homeless Services and Siting for Homeless Shelters]**

**Sponsors: Mayor; Brown, Walton, Haney, Mandelman and Stefani**

Ordinance amending the Administrative Code and Planning Code to authorize the Departments of Homelessness and Supportive Housing (HSH) and Public Works to enter into and amend contracts without requiring competitive bidding for construction work and professional and other services relating to sites and programs for people experiencing homelessness; permitting Homeless Shelters in PDR (Production Distribution Repair) and SALI (Service/Arts/Light Industrial) districts; authorizing HSH to operate Navigation Centers for more than two years; 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.

01/15/19; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/14/2019.

01/30/19; REFERRED TO DEPARTMENT.

02/12/19; SUBSTITUTED AND ASSIGNED to Rules Committee.

**190163 [Settlement of Lawsuit - 1049 Market Street, LLC - \$2,400,000 Loan - Tenderloin Housing Clinic]****Sponsors: Mayor; Haney**

Ordinance authorizing settlement of multiple lawsuits filed by 1049 Market Street, LLC, against the City and County of San Francisco, including 1049 Market Street, LLC v. City and County of San Francisco, et al. (U.S. District Court, Northern District of California, Case No. 4:15-cv-02075 filed on May 8, 2015), 1049 Market Street, LLC v. Miller, et al. (San Francisco Superior Court, Case No. CGC-15-545950 filed on May 21, 2015; 1st Circuit Court of Appeal No. A148716), 1049 Market Street, LLC v. City and County of San Francisco (San Francisco Superior Court, Case No. CPF-16-515046 filed on May 23, 2016), 1049 Market Street, LLC v. City and County of San Francisco (San Francisco Superior Court, Case No. CGC-15-547161 filed on August 3, 2015), 1049 Market Street, LLC v. City and County of San Francisco (San Francisco Superior Court, Case No. CPF-17-515754 filed on June 30, 2017), and 1049 Market Street, LLC v. City and County of San Francisco (San Francisco Superior Court, Case No. CGC-17-559890 filed on June 30, 2017); the lawsuits challenge the City's enforcement of the Planning Code's requirements for a Conditional Use Authorization for elimination of residential uses and the City's enforcement of Planning and Building Code violations against the property owners of 1049 Market Street; upon the grant of additional discretionary City approvals, the settlement would legalize commercial use of portions of the building and provide fifteen units of affordable housing, with priority for artists, at 1049 Market Street through the purchase and retrofit of the second floor of the building by Tenderloin Housing Clinic ("THC"); the settlement would provide for a loan in the amount of \$2,400,000 by the City to THC to permanently finance THC's purchase of an interest in the building for the purpose of affordable housing and additional funds to retrofit residential units.

02/12/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190164 [Police Code - Acceptance of Cash by Brick-and-Mortar Businesses]****Sponsors: Brown; Fewer, Walton, Peskin, Safai, Mandelman and Ronen**

Ordinance amending the Police Code to require, in general, that brick-and-mortar businesses accept payment in cash.

02/12/19; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 3/14/2019.

**190165 [Planning Code - Legitimization Program for Non-Residential Uses at 3150-18th Street]****Sponsors: Ronen; Brown**

Ordinance amending the Planning Code to establish a legitimization program for certain Non-Residential Uses at 3150-18th Street (Assessor's Parcel Block No. 3573, Lot No. 106); 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 under Planning Code, Section 302.

02/12/19; ASSIGNED to Land Use and Transportation Committee.

## RESOLUTIONS

**190166 [Lease of City Property - La Cocina, Inc. - 101 Hyde Street - Annual Base Rent \$12,000]**

**Sponsors: Mayor; Haney**

Resolution authorizing the Director of Property to execute a commercial lease between the City and County of San Francisco and La Cocina, Inc., for the lease of City-owned property located at 101 Hyde Street for a term to commence upon full execution of the lease through December 31, 2025, for an annual base rent of \$12,000 plus percentage rent of net income and a \$1,465,000 allowance for tenant improvements; adopting California Environmental Quality Act findings; and making findings that the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

02/12/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190167 [Accept and Expend Gift - San Francisco Foundation - 101 Hyde Street - \$1,000,000]**

**Sponsors: Mayor; Haney**

Resolution authorizing the Mayor's Office of Housing and Community Development to accept and expend a gift of \$1,000,000 from the San Francisco Foundation to the Neighborhood Development Special Revenue Fund; and approving the City's use of those funds for the interim activation of City property located at 101 Hyde Street.

02/12/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190168 [Accept and Expend Grant - Retroactive - San Francisco Bay Area Rapid Transit District - Pit Stop Public Toilet Program - \$225,000]**

**Sponsor: Mayor**

Resolution retroactively authorizing Public Works to accept and expend a grant in an amount up to \$225,000 from the San Francisco Bay Area Rapid Transit District (BART) for the Pit Stop Public Toilet Program for the period of July 1, 2018, through June 30, 2019. (Public Works)  
(Fiscal Impact; no Budget and Legislative Analyst report)

02/12/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190169 [Accept and Expend Grant - Federal Emergency Management Agency - Rescue Boat - \$399,562]**

**Sponsors: Mayor; Stefani**

Resolution authorizing the Fire Department to accept and expend a grant in the amount of \$399,562 from the Federal Emergency Management Agency to purchase a rescue boat, for the period of September 1, 2018, through August 31, 2021, and waiving indirect costs. (Fire Department)

02/12/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190170 [Accept and Expend Grant - Federal Emergency Management Agency - Rescue Tools and Defibrillators - \$2,733,591]****Sponsor: Mayor**

Resolution authorizing the Fire Department to accept and expend a grant in the amount of \$2,733,591 from the Federal Emergency Management Agency to purchase rescue tools and defibrillators, for the period of September 14, 2018, through September 13, 2019, and waiving indirect costs. (Fire Department)  
(Fiscal Impact)

02/12/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190171 [Accept and Expend Gift - JNJ Roof Prop - Fire Department Training Division - \$24,417]****Sponsors: Mayor; Brown**

Resolution authorizing the Fire Department to accept and expend a donation of a roof training prop valued at \$24,417 from JNJ Roof Prop for the Fire Department's Training Division. (Fire Department)

02/12/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190172 [Accept and Expend Gift - Retroactive - Friends of Laguna Honda - Equipment Materials, Supplies and Services - \$141,000]****Sponsor: Mayor**

Resolution retroactively authorizing the Department of Public Health to accept and expend a monetary gift in the amount of \$141,000 from the Friends of Laguna Honda to the Laguna Honda Hospital Gift Fund for the purchase of equipment materials, supplies, and services for residents at Laguna Honda who are otherwise unable to obtain them, for the period of July 1, 2018, through June 30, 2019. (Public Health Department)

02/12/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190173 [Adopting the Vision, Goals and Objectives of The Bay Area Comprehensive Economic Development Strategy - Establish a Bay Area Regional Economic Development District]****Sponsors: Mayor; Haney**

Resolution adopting the Vision, Goals and Objectives of The Bay Area Comprehensive Economic Development Strategy to establish an eight county regional Economic Development District recognized by the United States Economic Development Administration, to improve access to economic and workforce related grants and technical assistance from federal and state agencies and private foundations to foster greater public and private collaboration in addressing economic, workforce, and equity issues that no single jurisdiction, organization, or enterprise can solve alone.

02/12/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**190174 [Urging San Francisco Public Utilities Commission to Report on a Plan for Building Renewable Power Facilities on City-Owned Property]****Sponsors: Fewer; Peskin, Mar, Ronen and Brown**

Resolution urging the San Francisco Public Utilities Commission to include in their preliminary report to the Mayor regarding PG&E, a plan to build out renewable power facilities on City-owned property.

02/12/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**190175 [Supporting California State Senate Bill No. 233 (Wiener) - Immunity From Arrest]****Sponsors: Haney; Ronen and Mandelman**

Resolution supporting California State Senate Bill No. 233, authored by Senator Scott Wiener and co-authored by Assembly Members Bill Quirk and Laura Friedman, establishing protections for sex workers when reporting a crime and preventing condoms from being used as probable cause to arrest those suspected of sex work.

02/12/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**190176 [Urging Plan Approval - Interdepartmental Staff Committee on Traffic and Transportation - How Weird Street Faire Admission Fee]****Sponsor: Haney**

Resolution urging the Interdepartmental Staff Committee on Traffic and Transportation to approve a proposed plan to allow the How Weird Street Faire to charge an admission fee.

02/12/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**190177 [Nominating Supervisor Peskin for Reappointment to California Coastal Commission]****Sponsor: Stefani**

Resolution nominating Supervisor Aaron Peskin for the North Coast Central seat on the California Coastal Commission.

02/12/19; RECEIVED AND ASSIGNED to Rules Committee.

## REQUESTS FOR HEARING

**190178 [Hearing - Open Air Drug Dealing - Tenderloin, Mid-Market, and South of Market]****Sponsor: Haney**

Hearing on the City's response to open air drug dealing in the Tenderloin, Mid-Market, and South of Market; and requesting the Police Department, District Attorney, Public Defender, Sheriff, Adult Probation Department, Public Works, Department of Public Health, and Office of Economic and Workforce Development to report.

02/12/19; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**190179 [Hearing - Sexual Orientation and Gender Identity Data]****Sponsor: Mandelman**

Hearing on the City's collection and analysis of Sexual Orientation and Gender Identity (SOGI) data; and requesting the Department of Public Health, Mayor's Office of Housing and Community Development, Department of Human Services, Department of Aging and Adult Services, Department of Children, Youth and their Families, and Department of Homelessness and Supportive Housing to report.

02/12/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190180 [Hearing - Initiative Ordinance - Campaign and Governmental Conduct Code - Sunlight on Dark Money Initiative]****Sponsors: Mar; Ronen, Fewer, Haney, Mandelman, Yee, Walton and Brown**

Hearing to consider the proposed initiative ordinance submitted by four or more Supervisors to the voters at the November 5, 2019, Election, entitled "Sunlight on Dark Money Initiative," an Ordinance amending the Campaign and Governmental Conduct Code to expand disclosure requirements for independent expenditure committee advertisements, prohibiting campaign contributions from limited liability corporations and limited liability partnerships, and prohibiting campaign contributions to candidates for certain offices from individuals associated with land use decisions that may be decided by those offices.

02/12/19; RECEIVED AND ASSIGNED to Rules Committee.

**190181 [Hearing - Language Access, Emergency Response Protocols, and Response Time - Police, Fire, and Emergency Management]****Sponsors: Safai; Yee and Mar**

Hearing on language access, emergency response protocol, and response time when responding to emergency calls for service; namely, but not limited to, the robbery of the Good Orchard Bakery in District 11, mid-January 2019; and requesting the Department of Emergency Management, Police Department, and Fire Department to report.

02/12/19; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**190182 [Hearing - Geary/Parker Gas Line Explosion]****Sponsors: Stefani; Fewer**

Hearing on the Geary/Parker gas line explosion on February 6, 2019, to conduct a full review of the incident including: actions and events leading up to the execution of the construction on-site, the cause of the incident, notification and coordination of response, and examination of each entity's role in the actual response to incident; and requesting Pacific Gas and Electric, Verizon, Department of Emergency Management, Fire Department, Public Utilities Commission, Department of Building Inspection, and Public Works to report.

02/12/19; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**190183 [Hearing - Oversight on the Sheriff's Department]****Sponsors: Walton; Fewer**

Hearing to inquire why the Sheriff's Department, as a law enforcement agency, lacks an oversight body in light of recent reports of guards mistreating inmates; and requesting the Department of Police Accountability, Sheriff, Public Defender, and District Attorney to report.

02/12/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190184 [Hearing - Illegal Dumping - District 10]****Sponsor: Walton**

Hearing to identify the scope of illegal dumping in District 10, current resources that Public Works has devoted to curb illegal dumping, and long term plans to reduce illegal dumping; and requesting Public Works, Recology San Francisco, and 3-1-1 to report.

02/12/19; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**190185 [Closed Session - Existing Litigation - American Beverage Association, California Retailers Association, and California State Outdoor Advertising Association - February 26, 2019]**

Closed Session for the Board of Supervisors to convene on February 26, 2019, for the purpose of conferring with, or receiving advice from the City Attorney, under California Government Code, Section 54956.9(a), and Administrative Code, Section 67.10(d)(1), regarding the following 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; scheduled pursuant to Motion No. M19-032, approved February 12, 2019. (Clerk of the Board)

02/12/19; RECEIVED AND ASSIGNED to Board of Supervisors.

**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**

**190136 [Various Department of Building Inspection Codes - Technical Corrections to Existing Code]**

Ordinance amending various sections of the Building, Existing Building, Plumbing, Electrical, and Housing Codes to correct or clarify existing Code language, re-enact a longstanding permit requirement for fences with the finding required by the California Health and Safety Code, and add enforcement provisions for the Building Facade Inspection and Maintenance Program; affirming the Planning Department's determination under the California Environmental Quality Act; adopting a finding under the California Health and Safety Code; and directing the Clerk to forward this Ordinance to the California Building Standards Commission upon final passage. (Building Inspection Commission)

01/29/19; RECEIVED FROM DEPARTMENT.

02/12/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/7/2019.

**190137 [Settlement of Lawsuit - Logan Rachel Ury - \$80,000]**

Ordinance authorizing settlement of the lawsuit filed by Logan Rachel Ury against the City and County of San Francisco for \$80,000; the lawsuit was filed on February 14, 2017, in San Francisco Superior Court, Case No. CGC-17-557062; entitled Logan Rachel Ury v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury in Golden Gate Park. (City Attorney)

01/31/19; RECEIVED FROM DEPARTMENT.

02/12/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.



## PROPOSED RESOLUTIONS

**190138** [Settlement of Unlitigated Claim - Antrea Investments & Trading LLC - \$41,163.13]  
Resolution approving the settlement of the unlitigated claim filed by Antrea Investments & Trading LLC against the City and County of San Francisco for \$41,163.13; the claim was filed on September 21, 2018; the claim involves alleged property damage arising from a six-inch water main break. (City Attorney)

01/31/19; RECEIVED FROM DEPARTMENT.

02/12/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190139** [Real Property Lease Extension - Prologis, L.P. - 1740 Cesar Chavez Street - \$419,760 Initial Annual Base Rent]

Resolution authorizing the Director of Real Estate to exercise a Lease Extension for the real property located at 1740 Cesar Chavez Street with SF Industrial 1, as Landlord, for a five-year term to commence on April 1, 2019, through March 31, 2024, and a five-year option to extend at the monthly base rent of \$34,980 for a total initial annual base rent of \$419,760 with a 3% annual increase. (Human Resources Department)

(Fiscal Impact; no Budget and Legislative Analyst report)

02/04/19; RECEIVED FROM DEPARTMENT.

02/12/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## In Memoriam

*Kim Bok-Dong Halmoni - Supervisor Mar*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour 4:43 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 19, 2019.*

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Angela Calvillo, Clerk of the Board