

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, March 5, 2019 - 2:00 PM

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

### Regular Meeting

NORMAN YEE, PRESIDENT

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

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

Supervisors Fewer, Stefani, Mandelman, Ronen, Yee

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

Supervisors Fewer

##### **Budget and Finance Sub-Committee**

Supervisors Fewer, Stefani, Mandelman

##### **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

Wednesday

10:00 AM

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.

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**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, March 5, 2019, with President Norman Yee presiding.*

*President Yee called the meeting to order at 2:01 p.m.*

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

*On the call of the roll, Supervisors Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, and Yee were noted present. A quorum was present.*

*Supervisors Brown, Haney, and Walton were noted not present.*

*Supervisor Brown was noted present at 2:02 p.m.*

## **COMMUNICATIONS**

*There were no communications.*

*Supervisor Walton was noted present at 2:03 p.m.*

## **APPROVAL OF MEETING MINUTES**

*President Yee inquired whether any Board Member had any corrections to the January 29, 2019, Board Meeting Minutes. There were no corrections.*

**Supervisor Peskin, seconded by Supervisor Stefani, moved to approve the January 29, 2019, Board Meeting Minutes. The motion carried by the following vote, following general public comment:**

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

Absent: 1 - Haney

## **AGENDA CHANGES**

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendations of the Government Audit and Oversight Committee

#### **190002 [Settlement of Lawsuit - Small Property Owners of San Francisco Institute - \$110,000]**

Ordinance authorizing settlement of the lawsuit filed by Small Property Owners of San Francisco Institute against the City and County of San Francisco for \$110,000; the lawsuit was filed on January 28, 2014, in San Francisco Superior Court, Case No. CPF-14-513453; entitled Small Property Owners of San Francisco Institute v. City and County of San Francisco, et al.; the lawsuit involves a claim for attorney's fees and costs following Petitioner's challenge to Ordinance No. 286-13 on the grounds, in part, that Section 181(c)(3) is preempted by the state Ellis Act. (City Attorney)

**Ordinance No. 043-19**

**FINALLY PASSED**

#### **190003 [Settlement of Unlitigated Claim - Sambou Makalou - \$124,523.97 - Appropriation - Wastewater Enterprise Fund Balance]**

Ordinance approving the settlement of the unlitigated claim filed by Sambou Makalou against the City and County of San Francisco for \$124,523.97; the claim was filed on June 27, 2018; the claim involves alleged property damage arising from a water main break; and appropriating \$124,523.97 from the San Francisco Public Utilities Commission Wastewater Enterprise fund balance for payment of settlement. (City Attorney)

**Ordinance No. 044-19**

**FINALLY PASSED**

#### **190004 [Partial Settlement of Lawsuit - Susan Garduno - \$105,000]**

Ordinance authorizing settlement of the lawsuit filed by Susan Garduno against the City and County of San Francisco for \$105,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiff Susan Garduno, by the payment of \$105,000 and excluding the claim by this plaintiff for diminution of value for plaintiff's real property and the claim by plaintiff for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney)

**Ordinance No. 045-19**

**FINALLY PASSED**

**190005 [Settlement of Lawsuit - Winfield International, Inc. - \$500,000]**

Ordinance authorizing settlement of the lawsuit filed by Winfield International, Inc. against the City and County of San Francisco for a payment by Winfield International, Inc. of \$500,000; the lawsuit was filed on March 20, 2017, in San Francisco Superior Court, Case No. CPF-17-515532 (Appeal No. A153209); entitled Winfield International, Inc. v. City and County of San Francisco; the lawsuit challenges the City's enforcement of the Below Market Rate housing conditions of approval applicable to Petitioner's real property located at 3000 23rd Street; other material terms of the settlement include recording a notice of special restrictions reflecting the Below Market Rate conditions of approval applicable to the real property; and a 12-month extension and related lease terms for the current tenant of Unit No. 205. (City Attorney)

**Ordinance No. 046-19**

**FINALLY PASSED**

**190006 [Settlement of Lawsuit - N.C., a Minor - \$45,000]**

Ordinance authorizing settlement of the lawsuit filed by N.C., a minor against the City and County of San Francisco for \$45,000; the lawsuit was filed on July 17, 2017, in United States District Court, Case No. 17-cv-4016; entitled N.C., a minor v. City and County of San Francisco, et al.; the lawsuit involves allegations of civil rights violations. (City Attorney)

**Ordinance No. 036-19**

**FINALLY PASSED**

**190008 [Settlement of Lawsuit - Rocio Guarniz Palacios - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Rocio Guarniz Palacios against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 4, 2017, in San Francisco Superior Court, Case No. CGC-17-556267; entitled Rocio Guarniz Palacios v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

**Ordinance No. 047-19**

**FINALLY PASSED**

**Recommendations of the Land Use and Transportation Committee****180003 [Planning Code - Landmark Designation - 460 Arguello Boulevard (aka Theodore Roosevelt Middle School)]**

**Sponsor: Peskin**

Ordinance amending the Planning Code to designate 460 Arguello Boulevard (aka Theodore Roosevelt Middle School), in Assessor's Parcel Block No. 1061, Lot No. 049, 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. 037-19**

**FINALLY PASSED**

**180005 [Planning Code - Landmark Designation - 2728 Bryant Street (aka Sunshine School)]****Sponsor: Peskin**

Ordinance amending the Planning Code to designate 2728 Bryant Street (aka Sunshine School), Assessor's Parcel Block No. 4273, Lot No. 008, 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. 038-19**

**FINALLY PASSED**

**181045 [Planning Code, Zoning Map - 170 Valencia Street]****Sponsor: Mandelman**

Ordinance amending the Planning Code by amending the Zoning Map to rezone a portion of 170 Valencia Street from RTO (Residential Transit Oriented District) to NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) to establish a uniform zoning for the site; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

**Ordinance No. 039-19**

**FINALLY PASSED**

**181083 [Salina Lam Commemorative Plaque - 810 Silver Avenue, Hillcrest Elementary School]****Sponsor: Ronen**

Ordinance waiving permit and inspection fees and Public Works hearing, under the Commemorative Street Plaque Ordinance in the Public Works Code, for the installation of a plaque at one location on the Silver Avenue sidewalk, commemorating former Hillcrest Elementary School student Salina Lam; accepting a plaque in honor of Salina Lam as a gift to the City, and directing official acts in furtherance of this Ordinance, as defined herein; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Ordinance No. 040-19**

**FINALLY PASSED**

**190108 [Planning Code - Conversion of Medical Cannabis Dispensary Uses to Cannabis Retail Uses]**

Ordinance amending Section 191 of the Planning Code to deem a Grandfathered Medical Cannabis Dispensary (MCD) that receives a permit to operate as an MCD from the Department of Public Health before December 31, 2019, a Temporary Cannabis Sales Use and extending the expiration date of Section 191 to January 1, 2021; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making public necessity, convenience, and welfare findings under Planning Code, Section 302. (City Administrator)

**Ordinance No. 048-19**

**FINALLY PASSED**

## **Recommendation of the Rules Committee**

### **181158 [Police Code - Police Department Relationship to National Rifle Association]**

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

Ordinance amending the Police Code to rescind the authorization for the Police Department to be a member of the National Rifle Association or to collect tournament fees for the National Rifle Association.

**Ordinance No. 042-19**

**FINALLY PASSED**

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

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

Absent: 1 - Haney

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Board

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

### **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.)

*Privilege of the floor was granted unanimously to Chris Corgas (Office of Economic and Workforce Development) and Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

*Supervisor Haney, seconded by Supervisor Ronen, moved to accept the amendments to the supporting documents by amending the Management Plan on Page 29, by adding 'The bylaws of the non-profit Owners Association will define a board of directors composition that meets both City and State law and insures representation from non-profit housing entities, cultural organizations/districts, education institutions, small business owners, residents (both property owners and bib-property owners).'; and amending the Management Plan and Engineer's Report on Page 12, by adding two paragraphs under the 'Land Use Considerations' section that indicate non-profit owned parcels do not benefit from the marketing and communications service area, the 7.56% ascribed to this area were deducted from their assessment payment, the amount was taken from the budget section to ensure added costs were not put on other property owners, the Steering Committee agreed to a 40% reduction for non-profit housing parcels, and the Community Benefit District will fundraise the 40% reductions for these parcels. Without objection, these amendments were accepted.*

#### **Resolution No. 104-19**

**ADOPTED, after accepting the amendments to the Management Plan and Engineer's Report, by the following vote:**

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

## **Recommendation of the Rules Committee**

### **181217 [Administrative Code - Police Officers Questioning Youth]**

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

Ordinance amending the Administrative Code to prohibit police officers from questioning persons 17 years of age or younger, in custody, unless certain conditions are met, providing for legal representation of the youth (as defined) in connection with the interrogation, and mandating that responsible adults (as defined) be given access to youth while police officers question youth.

**Ordinance No. 041-19**

**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

*Supervisors Fewer and Stefani were noted absent at 3:02 p.m.*

### Supervisor Walton Excused from Voting

*Supervisor Walton requested to be excused from voting on File No. 190060, due to a possible conflict of interest.*

**Supervisor Safai, seconded by Supervisor Ronen, moved that Supervisor Walton be excused from voting on File No. 190060. The motion carried by the following vote:**

Ayes: 8 - Brown, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Yee

Excused: 1 - Walton

Absent: 2 - Fewer, Stefani

### 190060 **[Accept and Expend Grant - Retroactive - Blue Shield of California Foundation - Leveraging Collaboration to End Domestic Violence - Amendment to the Annual Salary Ordinance - FYs 2018-2019 and 2019-2020 - \$384,562]**

#### **Sponsor: Safai**

Ordinance retroactively authorizing the Department on the Status of Women to accept and expend a grant in the amount of \$384,562 through the Blue Shield of California Foundation for Leveraging Collaboration to End Domestic Violence Program; and amending Ordinance No. 182-18 (Annual Salary Ordinance File No. 180575 for FYs 2018-2019 and 2019-2020) to provide for the addition of one grant-funded part-time Class 1820 Junior Administrative Analyst position (FTE 0.50) for the period of January 1, 2019, through December 31, 2020.

*Privilege of the floor was granted unanimously to Ben Rosenfield, Controller (Office of the City Controller), and Dr. Emily Murase (Department on the Status of Women) who responded to questions raised throughout the discussion.*

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

Ayes: 8 - Brown, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Yee

Excused: 1 - Walton

Absent: 2 - Fewer, Stefani

*Supervisor Stefani was noted present at 3:05 p.m.*

*Supervisor Fewer was noted present at 3:09 p.m.*

*President Yee requested File Nos. 190090 and 190091 be called together.*

**190090 [Authorization to Borrow Funds - Short-Term Loan Program for Federal Employees - Treasurer-Tax Collector - Line of Credit Amount Not to Exceed \$20,000,000]**

**Sponsors: Mayor; Haney and Safai**

Ordinance authorizing the Treasurer, in the event of a partial shutdown of the United States government occurring between February 2019 and December 2019, to secure a short-term line of credit in an amount not to exceed \$20,000,000 or, in the alternative, partner with one or more financial institutions, for the purpose of providing short-term emergency unsecured individual loans for federal employees residing in San Francisco or working at the San Francisco International Airport.

(Fiscal Impact)

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

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

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

**190091 [Appropriation - Office of the Treasurer and Tax Collector - Short-Term Loan and Interest Proceeds - Individual Loans and Interest and Other Loan Servicing Expenses - \$20,500,000]**

**Sponsors: Mayor; Haney and Safai**

Ordinance appropriating \$20,000,000 of short-term loan proceeds to the Treasurer's and Tax Collector's Office to administer individual loans for eligible Federal employees impacted by a future shutdown of the Federal Government; and authorizing repayment of the short-term loan utilizing repayment of those individual loans and up to \$500,000 of General Fund interest earnings.

(Fiscal Impact)

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

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

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

*President Yee requested File Nos. 181062, 181070, and 181071 be called together.*

**181062 [Lease Agreement - Host International, Inc. - Terminal 1 Food and Beverage Concession - \$475,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 1 Food and Beverage Concession Lease 8 - Lease No. 18-0217, between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years with one two-year option to extend, to commence following Board approval, and an initial minimum annual guarantee of \$475,000.

(Airport Commission)

**Resolution No. 102-19**

**ADOPTED by the following vote:**

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

**181070 [Lease Agreement - Lady Luck Gourmet, LLC - Terminal 1 Food and Beverage Concession - \$240,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 1 Food and Beverage Concession Lease 7 - Lease No. 18-0215, between Lady Luck Gourmet, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years with one two-year option to extend, to commence following Board approval, and a minimum annual guarantee of \$240,000 for the first year of the Lease. (Airport Commission)

**Resolution No.** 113-19

**ADOPTED by the following vote:**

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

**181071 [Lease Agreement - SF Foodways, LLC - Terminal 1 Food and Beverage Concession - \$620,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 1 Food and Beverage Concession Lease 9 - Lease No. 18-0216, between SF Foodways, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years with one two-year option to extend, to commence following Board approval, and a minimum annual guarantee of \$620,000 for the first year of the Lease. (Airport Commission)

**Resolution No.** 103-19

**ADOPTED by the following vote:**

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

**181162 [Accept and Expend Grant - Retroactive - Humboldt State University Program Foundation - Small Business Technical Assistance Expansion Program - \$203,917.50]**

**Sponsor:** Brown

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$203,917.50 from the Humboldt State University Program Foundation to expand the capacity of the San Francisco Small Business Development Center for the period of October 1, 2018, to September 30, 2019. (Department of Economic and Workforce Development)

**Resolution No.** 114-19

**ADOPTED by the following vote:**

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

**190071 [Agreement Amendment - Westside Community Mental Health Center, Inc. - Behavioral Health Services - Not to Exceed \$23,347,118]**

Resolution approving Amendment No. 1 to the agreement between Westside Community Mental Health Center, Inc. and the Department of Public Health for behavioral health services, to increase the agreement amount by \$17,991,918 for an amount not to exceed \$23,347,118; and to extend the term by three years and six months, from June 30, 2019, for a total agreement term of July 1, 2018, through December 31, 2022. (Public Health Department)  
(Fiscal Impact)

**Resolution No.** 105-19

**ADOPTED by the following vote:**

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

President Yee requested File Nos. 190144 and 190145 be called together.

**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)

**Resolution No. 106-19**

**ADOPTED by the following vote:**

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

**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.

**Resolution No. 107-19**

**ADOPTED by the following vote:**

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

President Yee requested File Nos. 190146 and 190147 be called together.

**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)

**Resolution No. 108-19**

**ADOPTED by the following vote:**

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

**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.

**Resolution No. 109-19**

**ADOPTED by the following vote:**

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

*President Yee requested File Nos. 190149 and 190150 be called together.*

**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.

**Resolution No. 110-19**

**ADOPTED by the following vote:**

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

**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.

**Resolution No. 111-19**

**ADOPTED by the following vote:**

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

*President Yee requested File Nos. 190152 and 190154 be called together.*

**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)

**Resolution No. 112-19**

**ADOPTED by the following vote:**

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

**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)

**Resolution No. 116-19****ADOPTED by the following vote:**

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

**Recommendations of the Government Audit and Oversight Committee****181210 [Administrative Code - Our City, Our Home Oversight Committee]****Sponsors: Mayor; Brown, Fewer and Haney**

Ordinance amending the Administrative Code to establish the Our City, Our Home Oversight Committee as an advisory committee to monitor the City's use of tax revenue received under the Homelessness Gross Receipts Tax established by Proposition C (November 2018), advise the Board of Supervisors and the Mayor regarding administration of the Our City, Our Home Fund, and recommend ways to reduce barriers that prevent people from exiting homelessness.

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

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

**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)

**Resolution No. 115-19****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**

### **181187 [Summary Street Vacation - Portions of Bradford Street and Ogden and Crescent Avenues - Property Transfer]**

**Sponsor: Ronen**

Ordinance ordering the summary street vacation of portions of Bradford Street, Ogden Avenue, and Crescent Avenue within the perimeter of the Alemany Farmers' Market (Assessor's Parcel Block Nos. 5731, 5732, 5733, 5733A, and 5734), bounded by Alemany Boulevard and Putnam Street; approving jurisdictional transfers of property at the site of the Market from Public Works and the Agricultural Commissioner to the General Services Agency - Real Estate Division; 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.

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

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

### **181213 [Building Code - Vacant or Abandoned Commercial Storefronts]**

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

Ordinance amending the Building Code to require vacant or abandoned commercial storefront owners to pay annual registration fees at the time of registration; require annual inspections of registered vacant or abandoned storefronts; update the penalty for violations of the requirement to register vacant or abandoned commercial storefronts; 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

## **Recommendations of the Rules Committee**

### **190001 [Administrative Code - County Adult Assistance Programs]**

**Sponsor: Ronen**

Ordinance amending the Administrative Code to expand eligibility for assistance under the Personal Assistance Employment Services (PAES) Program, the Cash Assistance Linked to Medi-Cal (CALM) Program, and the Supplemental Security Income Pending (SSIP) Program, to adults who are ineligible for assistance under the CalWORKs Program due to the lifetime limit on the receipt of assistance, and whose children are no longer minors, or are no longer under the care and control of the adult. (Human Services Agency)

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

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



**181098 [Appointments, Sugary Drinks Distributor Tax Advisory Committee - Vanessa Bohm, John Maa, Joi Jackson-Morgan, Roberto Ariel Vargas, Johnathan Butler, Janna Cordeiro and Derik Aoki]**

Motion appointing Vanessa Bohm, John Maa, Joi Jackson-Morgan (residency requirement waived), Roberto Ariel Vargas (residency requirement waived), Johnathan Butler (residency requirement waived), Janna Cordeiro and Derik Aoki, terms ending December 31, 2020, to the Sugary Drinks Distributor Tax Advisory Committee. (Rules Committee)

**Motion No. M19-034**

**APPROVED by the following vote:**

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

*President Yee requested File Nos. 190034, 190035, and 190036 be called together.*

**190034 [Appointments, Assessment Appeals Board No. 1 - Scott Spertzel, Edward Campana, Kristine Nelson and Paul Bellar]**

Motion appointing Scott Spertzel, Edward Campana, Kristine Nelson and Paul Bellar, terms ending September 6, 2021, to Assessment Appeals Board No. 1. (Rules Committee)

**Motion No. M19-035**

**APPROVED by the following vote:**

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

**190035 [Reappointments, Assessment Appeals Board No 2 - Louisa Mendoza, Daniel Hershkowitz, Joyce Lewis, and Angela Cheung]**

Motion reappointing Louisa Mendoza, Daniel Hershkowitz, Joyce Lewis and Angela Cheung, terms ending September 6, 2021, to the Assessment Appeals Board No. 2. (Rules Committee)

**Motion No. M19-036**

**APPROVED by the following vote:**

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

**190036 [Reappointment, Assessment Appeals Board No. 3 - Estrella Bryant]**

Motion reappointing Estrella Bryant, term ending September 6, 2021, to the Assessment Appeals Board No. 3. (Rules Committee)

**Motion No. M19-037**

**APPROVED by the following vote:**

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

**190186 [Reappointment, Park, Recreation, and Open Space Advisory Committee - Wendy Aragon]**

Motion reappointing Wendy Aragon, term ending February 1, 2020, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

**Motion No. M19-038**

**APPROVED by the following vote:**

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

**190187 [Appointments, Bicycle Advisory Committee - Kristin Tieche and Elbert Hill]**

Motion appointing Kristin Tieche and Elbert Hill, terms ending November 19, 2020, to the Bicycle Advisory Committee. (Rules Committee)

**Motion No.** M19-039

**APPROVED by the following vote:**

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

**190197 [Reappointment, Police Commission - Cindy Elias]**

Motion confirming the reappointment of Cindy Elias, term ending April 30, 2023, to the Police Commission. (Rules Committee)

**Motion No.** M19-040

**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 Stefani, seconded by Supervisor Mandelman, 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 Stefani introduced, welcomed, and presented a Certificate of Honor to the many first responders and community members that assisted during-and-after the Geary Boulevard and Parker Avenue gas line explosion in February 2019, including representatives from the Department of Emergency Management, Office of Economic and Workforce Development, Fire Department, Fire Reserves, Public Works, Police Department, Department of Building Inspection, Mel's Diner on Geary Boulevard, Office of the City Administrator, Municipal Transportation Agency, USF Police, Red Cross, and Hong Kong Lounge II. Supervisor Fewer shared in this commendation. Chief Hayes-White provided additional commending remarks and acknowledgements.*

*Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to the Castro Art Walk, accepted by Angie Sticher and Daniel Bergerac, in recognition of their many accomplishments and efforts to preserve the arts and culture of the Castro.*

## 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 indicated this appeal has been withdrawn by the appellant. Supervisor Haney provided brief opening remarks. The President then inquired as to whether any individual wished to address the Board. Speaker; spoke in support of the project and in opposition to the appeal. There were no other speakers. President Yee closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

### **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)

**Motion No. M19-041**

**Supervisor Haney, 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

### **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 TABLED. 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 TABLED. 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. 181247, 181248, 181249, and 181250 be called together.*

**181247 [Hearing - Appeal of Determination of Exemption From Environmental Review - 2831-2833 Pierce Street]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on May 10, 2018, for the proposed project at 2831-2833 Pierce Street, to remodel a three-story two-unit building and construct the addition of a fourth floor. (District 2) (Appellant: Genevieve Anderson) (Filed December 26, 2018) (Clerk of the Board)

*President Yee opened the public hearing and inquired as to whether any individual wished to address the Board. Genevieve Anderson (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Stephanie Cisneros and Debra Dweyer (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Tara Sullivan, Reuben, Junius & Rose LLP (on behalf of Project Sponsor), provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Genevieve Anderson (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Yee closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

**181248 [Affirming the Categorical Exemption Determination - 2831-2833 Pierce Street]**

Motion affirming the determination by the Planning Department that the proposed project at 2831-2833 Pierce Street is categorically exempt from further environmental review. (Clerk of the Board)

**Motion No.** M19-042

**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

**181249 [Conditionally Reversing the Categorical Exemption Determination - 2831-2833 Pierce Street]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 2831-2833 Pierce 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 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

**181250 [Preparation of Findings to Reverse the Categorical Exemption Determination - 2831-2833 Pierce Street]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 2831-2833 Pierce Street is categorically exempt from further environmental review. (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

## COMMITTEE REPORTS

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

*President Yee requested File Nos. 190007 and 180645 be called together.*

**190007 [General Plan - Downtown Area Plan Amendment - 175 Golden Gate Avenue]**

**Sponsors: Haney; Peskin and Safai**

Ordinance amending the General Plan to revise Map 1 of the Downtown Area Plan to include 175 Golden Gate Avenue, Assessor's Parcel Block No. 0349, Lot No. 11, in the C-3-G (Downtown General Commercial District) area; and making environmental findings, 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 340. (Planning Commission)

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

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

**180645 [Planning Code, Zoning Map - Rezoning, Preservation Designation - 175 Golden Gate Avenue]**

**Sponsors: Haney; Peskin and Safai**

Ordinance amending the Planning Code and Zoning Map to rezone the building at 175 Golden Gate Avenue (De Marillac Academy), Assessor's Parcel Block No. 0349, Lot No. 011, from RC-4 (Residential-Commercial, High Density) to C-3-G (Commercial, Downtown General); designating the building for preservation purposes as a Category III, Contributory Building; 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.

**Supervisor Haney, seconded by Supervisor Walton, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 10-12, by striking 'On \_\_\_\_, the Historic Preservation Commission, in Resolution No. \_\_\_\_, likewise adopted findings pursuant to Planning Code Section 302 that the proposed amendment to Article 11 will serve the public necessity, convenience, and welfare.', and Line 13, by striking 'both of', striking 'Copies', and adding 'A copy'. The motion carried by the following vote:**

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

**PASSED ON FIRST READING AS AMENDED 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. 190209, 190210, and 190211 be called together.*

### **190209 [Mayoral Reappointment, Historic Preservation Commission - Richard Johns]**

Motion approving the Mayor's nomination of Richard Johns for reappointment to the Historic Preservation Commission, for a term ending December 31, 2022. (Clerk of the Board) (Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: February 22, 2019.)

**Motion No. M19-043**

**APPROVED by the following vote:**

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

### **190210 [Mayoral Appointment, Historic Preservation Commission - Kate Black]**

Motion approving the Mayor's nomination of Kate Black for appointment to the Historic Preservation Commission, for a term ending December 31, 2022. (Clerk of the Board) (Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: February 22, 2019.)

**Motion No. M19-044**

**APPROVED by the following vote:**

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

### **190211 [Mayoral Reappointment, Historic Preservation Commission - Andrew Wolfram]**

Motion approving the Mayor's nomination of Andrew Wolfram for reappointment to the Historic Preservation Commission, for a term ending December 31, 2022. (Clerk of the Board) (Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: February 22, 2019.)

**Motion No. M19-045**

**APPROVED 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.*

## **Appointment of President Pro Tempore**

*At the request of President Yee, Supervisor Peskin assumed the chair at 3:54 p.m. The President resumed the chair at 3:57 p.m.*

## **PUBLIC COMMENT**

*Richard Hack; expressed concerns regarding residential density and the needs for housing.*

*Speaker; spoke fondly in memory of Mary Anne Miller.*

*Cecile Castillo; expressed concerns regarding the Presidential Administration's changes to Title X Family Planning Program.*

*Speaker; expressed concerns regarding the Presidential Administration's changes to Title X Family Planning Program.*

*Katherine Howard; spoke fondly in memory of Mary Anne Miller.*

*Charles Pitts; shared concerns regarding the Director for the Department of Homelessness and Supportive Housing.*

*Speaker; expressed concerns regarding religion, youth and personal failures.*

## **CLOSED SESSION**

## **CONFERENCE WITH LABOR NEGOTIATORS**

### **190127 [Closed Session - Labor Negotiations - March 12, 2019]**

Closed Session for the Board of Supervisors to convene on March 12, 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)

**Supervisor Peskin, seconded by Supervisor Haney, moved that this Closed Session be CONTINUED to March 12, 2019. 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

### **190225 [Approval of a 90-Day Retroactive Extension for Planning Commission Review of Accessory Dwelling Units in New Construction (File No. 181156)]**

**Sponsor: Safai**

Resolution retroactively extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 181156) amending the Planning Code and Business and Tax Regulations Code to authorize the addition of an Accessory Dwelling Unit (ADU) in the construction of a new single-family or multi-family building; clarify the ministerial approval process and create an expedited Board of Appeals process for certain ADUs in single-family homes meeting specific 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. 118-19**

**ADOPTED**

### **190208 [Final Map 9359 - 830 Broderick Street]**

Motion approving Final Map 9359, a six residential unit condominium project, located at 830 Broderick Street, being a subdivision of Assessor's Parcel Block No. 1156, Lot No. 021; and adopting findings pursuant to the General Plan, and the priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-046**

**APPROVED**

The foregoing items were acted upon by the following vote:

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

## **Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Mar requested that File No. 190223 be severed so that it may be considered separately.*

### **190223 [Supporting an Irish Famine Memorial]**

**Sponsors: Mar; Haney, Peskin, Yee, Safai and Mandelman**

Resolution supporting a permanent memorial in San Francisco for the victims and survivors of the Irish Famine, also known as the Great Hunger.

*Supervisors Mandelman, Ronen, and Fewer requested to be added as co-sponsors.*

**Supervisor Mar, seconded by Supervisor Safai, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 15, by striking 'criminally' and adding 'shamefully'. The motion carried by the following vote:**

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

**Supervisor Mar, seconded by Supervisor Fewer, moved that this Resolution be CONTINUED AS AMENDED to the Board of Supervisors meeting of March 19, 2019. The motion carried by the following vote:**

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



Supervisor Peskin requested that File No. 190224 be severed so that it may be considered separately.

**190224 [Supporting California State Assembly Bill No. 1611 (Chiu) - Emergency Hospital Services]**

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

Resolution supporting California State Assembly Bill No. 1611, authored by Assembly Member David Chiu, which would extend consumer protections from the practice of “balance billing” to all privately-insured patients at San Francisco General Hospital.

*Supervisors Mandelman and Haney requested to be added as co-sponsors.*

**Supervisor Peskin, seconded by Supervisor Haney, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 1-2, by adding ‘WHEREAS, Insurance companies - not patients or taxpayers - should be responsible for covering the costs of trauma center care for privately insured patients; and’, Line 11, by adding ‘(AB 1611)’, and Lines 15-17, by adding ‘WHEREAS, The Board of Supervisors acknowledges continued deliberations and study to fairly define “Reasonable Charges” in Section 1317.2a of AB 1611 in such a way that does not place undue burden on taxpayers; now, therefore, be it’. The motion carried by the following vote:**

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

**Resolution No. 117-19**

**ADOPTED AS AMENDED by the following vote:**

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

*Supervisor Stefani requested that File No. 190229 be severed so that it may be considered separately.*

**190229 [Supporting California State Senate Bill No. 281 (Wiener) - Cow Palace Joint Powers Authority]**

**Sponsors: Stefani; Brown, Walton, Mar and Safai**

Resolution supporting California State Senate Bill No. 281, authored by Senator Scott Wiener, prohibiting the sales of firearms and ammunition at the Cow Palace in Daly City and requiring the formation of the Cow Palace Joint Powers Authority to develop the property; implementation would begin January 1, 2020.

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

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

*Supervisor Brown requested that File No. 190231 be severed so that it may be considered separately.*

**190231 [Closed Session - Existing Litigation - Tax Measures Adopted by the Voters at the June 5, 2018, and November 6, 2018 Municipal Elections - April 2, 2019]**

Motion that the Board of Supervisors convene in closed session on March 19, 2019, pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding existing litigation in which the City is a defendant, Howard Jarvis Taxpayers Ass'n, Building Owners and Managers Ass'n of California, California Business Properties Ass'n, and California Business Roundtable v. City and County of San Francisco and All Persons Interested in the Matter of Proposition C of the June 2018 Ballot, Case No. CGC 18-568657, filed in San Francisco Superior Court on August 3, 2018; existing litigation in which the City is a plaintiff, City and County of San Francisco v. All Persons Interested in the Matter of Proposition G on the June 5, 2018, San Francisco Ballot, Case No. CGC 18-569987, filed in San Francisco Superior Court on September 21, 2018; and existing litigation in which the City is a plaintiff, City and County of San Francisco v. All Persons Interested in the Matter of Proposition C on the November 6, 2018, San Francisco Ballot, Case No. CGC 19-573230, filed in San Francisco Superior Court on January 28, 2019. (Clerk of the Board)

**Supervisor Brown, seconded by Supervisor Haney, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 1 and 3, and Page 2, Line 11, by changing the date to convene in Closed Session from 'March 19, 2019' to 'April 2, 2019'. The motion carried by the following vote:**

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

Motion that the Board of Supervisors convene in closed session on April 2, 2019, pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding existing litigation in which the City is a defendant, Howard Jarvis Taxpayers Ass'n, Building Owners and Managers Ass'n of California, California Business Properties Ass'n, and California Business Roundtable v. City and County of San Francisco and All Persons Interested in the Matter of Proposition C of the June 2018 Ballot, Case No. CGC 18-568657, filed in San Francisco Superior Court on August 3, 2018; existing litigation in which the City is a plaintiff, City and County of San Francisco v. All Persons Interested in the Matter of Proposition G on the June 5, 2018, San Francisco Ballot, Case No. CGC 18-569987, filed in San Francisco Superior Court on September 21, 2018; and existing litigation in which the City is a plaintiff, City and County of San Francisco v. All Persons Interested in the Matter of Proposition C on the November 6, 2018, San Francisco Ballot, Case No. CGC 19-573230, filed in San Francisco Superior Court on January 28, 2019. (Clerk of the Board)

**Motion No. M19-047**

**APPROVED AS AMENDED 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

### 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 streamline contracting for homeless shelters, and siting of homeless shelters by, among other things, authorizing the Department of Homelessness and Supportive Housing (HSH) to enter into and amend contracts without requiring competitive bidding for professional and other services relating to sites and programs for people experiencing homelessness (Projects Addressing Homelessness); authorizing Public Works to enter into and amend contracts without adhering to the Environment Code or to provisions relating to competitive bidding, equal benefits, local business enterprise utilization, and other requirements, for construction work and professional and other services relating to Projects Addressing 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.

02/19/19; REFERRED TO DEPARTMENT.

03/05/19; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

**190092 [Business and Tax Regulations Code - Credits For Waiver of Homelessness Gross Receipts Tax Refund and Certain Gifts]****Sponsors: Mayor; Brown**

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

(Fiscal Impact)

01/29/19; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/28/2019.

02/19/19; REFERRED TO DEPARTMENT.

02/27/19; RESPONSE RECEIVED.

03/05/19; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

**190245 [Waiver of Banner Fee - Retroactive - Office of Economic and Workforce Development - Shop & Dine in the 49 Campaign]****Sponsors: Mayor; Brown**

Ordinance retroactively waiving the banner fees under Public Works Code, Section 184.78, for the placement of up to 300 banners per year, for three years, by the Office of Economic and Workforce Development to publicize the City's "Shop & Dine in the 49" campaign, beginning on November 20, 2018; and affirming the Planning Department's determination under the California Environmental Quality Act.

03/05/19; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 4/4/2019.

**181153 [Planning Code - Regional Commercial and Folsom Street Neighborhood Commercial Transit Districts, Arts Activities and Nighttime Entertainment Uses]****Sponsor: Haney**

Ordinance amending the Planning Code to allow Arts Activities as a principally permitted use in the RCD (Regional Commercial District), to conditionally permit Nighttime Entertainment uses within the RCD in historic buildings and buildings that contribute to a historic district, to exempt Nighttime Entertainment in the RCD from the 200-foot buffer requirement, and to require a Preservation, Rehabilitation and Maintenance Plan for uses within the Folsom Street Neighborhood Commercial Transit and RCD Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

11/27/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/27/2018.

12/05/18; REFERRED TO DEPARTMENT.

12/27/18; RESPONSE RECEIVED.

02/26/19; RESPONSE RECEIVED.

03/05/19; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

**190248 [Planning Code - Uses in the Upper Market NCT and NCT-3 Zoning Districts]****Sponsor: Mandelman**

Ordinance amending the Planning Code to revise the NCT-3 (Moderate-Scale Neighborhood Commercial Transit) District controls to allow Arts Activities, Philanthropic Administrative Services, and Public Facilities as a principal use on all stories, revise the Upper Market Neighborhood Commercial Transit (NCT) District controls to allow Arts Activities and Institutional Uses as a principal use on the first and second stories and as a conditional use on the third story and above and to allow General Entertainment as a principal use on the first and second stories, modify the requirements for liquor stores and bars in the NCT-3 and Upper Market Street NCT Districts, add additional conditional use criteria for liquor stores and require liquor stores to comply with standard location and operating conditions, and add additional uses to the definition of Open Air Sales; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

03/05/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/4/2019.

**190249 [Development Agreement - SYTS Investments, LLC - 915 Cayuga Avenue]****Sponsor: Safai**

Ordinance approving a Development Agreement between the City and County of San Francisco and SYTS Investments, LLC, for the development project at 915 Cayuga Avenue, with various public benefits including significantly more below market rate units than otherwise required; making findings under the California Environmental Quality Act and findings of consistency with the General Plan, and eight priority policies of Planning Code, Section 101.1(b); confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B and 56; and ratifying certain actions taken in connection therewith, as defined herein.

03/05/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/4/2019.

**190250 [Planning Code, Zoning Map - Cayuga/Alemanly Special Use District]****Sponsor: Safai**

Ordinance amending the Planning Code to establish the Cayuga/Alemanly Special Use District (SUD) for the property located at 915 Cayuga Avenue (Assessor's Parcel Block No. 6954, Lot Nos. 039 and 011C); amending the Zoning Map to add the Cayuga /Alemanly SUD and to change the height limit on Assessor's Parcel Block No. 6954, Lot Nos. 039 and 011C, to 65-X; affirming the Planning Department's California Environmental Quality Act findings; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.

03/05/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/4/2019.

**190251 [Planning Code - Zoning Map Amendment]****Sponsor: Safai**

Ordinance amending the Zoning Map to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 039, from RH-1 (Residential, House District, One Family) and Excelsior Outer Mission Street Neighborhood Commercial District to Excelsior Outer Mission Street Neighborhood Commercial District; and to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 011C, from RH-1 to Excelsior Outer Mission Street Neighborhood Commercial District; affirming the Planning Department's California Environmental Quality Act findings; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.

03/05/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/4/2019.

**RESOLUTIONS****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)

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

03/05/19; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

**190252 [Five-Year Information and Communication Technology Plan - FYs 2020-2024]****Sponsor: Mayor**

Resolution adopting the City's five-year information and communication technology plan for FYs 2020-2024 pursuant to Administrative Code, Section 22A.6.

03/05/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190253 [Ten-Year Capital Expenditure Plan - FYs 2020-2029]****Sponsor: Mayor**

Resolution adopting the City's ten-year capital expenditure plan for FYs 2020-2029, pursuant to Administrative Code, Section 3.20.

03/05/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190254 [Multifamily Housing Revenue Bonds - 385-387 Eddy Street - Not to Exceed \$35,000,000]****Sponsor: Mayor**

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 \$35,000,000 for 385-387 Eddy 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 \$35,000,000; 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.

03/05/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190255 [Urging the United States Department of Health and Human Services to Rescind New Title X Regulations]****Sponsors: Brown; Stefani, Fewer, Ronen, Walton, Yee, Peskin, Mandelman, Haney, Safai and Mar**

Resolution urging the United States Department of Health and Human Services to rescind the new Title X regulations that will impede access to essential, time-sensitive health care for low-income women, men, and teens in San Francisco and the United States.

03/05/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**190256 [Supporting California State Assembly Bill No. 392 (Weber and McCarty) - California Act to Save Lives: Incorporating Police Best Practices]****Sponsors: Haney; Mar**

Resolution supporting California State Assembly Bill No. 392, introduced by Assembly Members Shirley Weber and Kevin McCarty, co-authored by Assembly Members Chris Holden and Mark Stone, and California State Senators Steven Bradford and Holly Mitchell, California Act to Save Lives: incorporating policing best practices that authorizes police officers to use deadly force only when it is necessary to prevent imminent and serious bodily injury or death and to require de-escalation methods whenever possible.

03/05/19; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**190257 [Declaring San Francisco an "Open to All" City]****Sponsors: Mandelman; Brown, Walton and Fewer**

Resolution stating the City and County of San Francisco's support of the national "Open to All" campaign; urging San Francisco businesses to sign the "Open to All" Pledge; declaring the City and County of San Francisco an "Open to All" City; and urging the California State Legislature to enact legislation in support of the "Open to All" campaign.

03/05/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**190258 [Lawrence Ferlinghetti Day - March 24, 2019]****Sponsors: Peskin; Stefani and Ronen**

Resolution declaring March 24, 2019, as Lawrence Ferlinghetti Day in the City and County of San Francisco.

03/05/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**190259 [Urging Walgreens Boots Alliance Inc. to Engage in Good-Faith Negotiations - United Food and Commercial Workers International Union, Local 648, Members]****Sponsors: Safai; Peskin, Brown, Walton, Ronen, Fewer, Mar, Haney, Mandelman and Stefani**

Resolution urging Walgreens Boots Alliance Inc. to engage in good-faith negotiations and quickly reach a fair and equitable contract with the United Food and Commercial Workers International Union, Local 648, employed by Walgreens Boots Alliance Inc.

03/05/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**190260 [Acquisition of Real Property - 493 Sunrise Way - Wei San Deng and Jenny HJ Deng - Total Not to Exceed \$50,000]****Sponsor: Walton**

Resolution approving and authorizing the Real Estate Division, on behalf of Public Works, to acquire a portion of residential real property, located at 493 Sunrise Way, from Wei San Deng (50% ownership interest) and Jenny HJ Deng (50% ownership interest), at a purchase price of \$25,000 plus associated transaction and closing costs not to exceed \$25,000 for a total amount not to exceed \$50,000; adopting Planning Department's findings that the conveyance is consistent with the General Plan, the eight priority policies of Planning Code, Section 101.1, and California Environmental Quality Act findings; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the Purchase and Sale Agreement and this Resolution, as defined herein.

03/05/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190261 [Acquisition of Real Property - 494 Sunrise Way - Can Yuan Yu, Bao Yan Yu, and Cui Yan Yu - Total Not to Exceed \$50,000]****Sponsor: Walton**

Resolution approving and authorizing the Real Estate Division, on behalf of Public Works, to acquire a portion of residential real property, located at 494 Sunrise Way, from Can Yuan Yu (33.33% ownership interest), Bao Yan Yu (33.33% ownership interest) and Cui Yan Yu (33.34% ownership interest), at a purchase price of \$25,000 plus associated transaction and closing costs not to exceed \$25,000 for a total amount not to exceed \$50,000; adopting Planning Department's findings that the conveyance is consistent with the General Plan, the eight priority policies of Planning Code, Section 101.1, and California Environmental Quality Act findings; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of the Purchase and Sale Agreement and this Resolution, as defined herein.

03/05/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## MOTIONS

**190262 [Amending Board Rules of Order - Amending Board Rules 3.26 and 3.30 - Adding Board Rule 3.31 to Establish a Joint City, School District, and City College Select] Sponsors: Yee; Ronen and Mar**

Motion amending the Board Rules of Order of the Board of Supervisors by making clarifying amendments to Rule 3.26 Rules Committee and Rule 3.30 Select Committee; and by adding Rule 3.31 to establish a Joint City, School District, and City College Select Committee.

03/05/19; RECEIVED AND ASSIGNED to Rules Committee.

**190246 [Appointment, Bay Area Air Quality Management District, Board of Directors - Supervisor Gordon Mar]**

Motion appointing Supervisor Gordon Mar, term ending February 1, 2021, to the Bay Area Air Quality Management District, Board of Directors. (Clerk of the Board)

03/05/19; RECEIVED AND ASSIGNED to Rules Committee.

**190247 [Appointment, Peninsula Corridor Joint Powers Board - Supervisor Shamann Walton]**

Motion appointing Supervisor Shamann Walton, for an indefinite term, to the Peninsula Corridor Joint Powers Board. (Clerk of the Board)

03/05/19; RECEIVED AND ASSIGNED to Rules Committee.

**190273 [Adoption of Findings Related to Conditional Use Authorization - 3637-3657 Sacramento Street Project]**

Motion adopting findings in support of the Board of Supervisors' disapproval of Planning Commission 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 the Board's approval of a Conditional Use Authorization for the same Planning Case and property with different conditions; and adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

03/05/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## REQUESTS FOR HEARING

**190263 [Hearing - Status of City Employee Positions Exempt from Civil Service] Sponsor: Fewer**

Hearing on the status of permanent and temporary exempt City and County employee positions excluded from the civil service system, including the numbers of exempt positions each year since 2007, the exemption categories, the classifications of these positions, and the race and gender demographics of exempt employees; and requesting the Department of Human Resources, Civil Service Commission, Municipal Transportation Agency, Public Works, Recreation and Parks Department, General Services Agency, Department of Technology, Public Utilities Commission, Department of Public Health, and the Port to report.

03/05/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190264 [Hearing - Six-Month Budget Status Report - FY2018-2019]****Sponsor: Fewer**

Hearing on the FY2018-2019 six-month budget status report; and requesting the Controller to report.

03/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190265 [Hearing - Budget Process Overview - FYs 2019-2020 and 2020-2021]****Sponsor: Fewer**

Hearing on the overview and updates regarding the City's budget process for FYs 2019-2020 and 2020-2021; and requesting the Controller, Budget and Legislative Analyst, and Mayor's Budget Office to report.

03/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190266 [Hearing - Outcomes of the Central Market Tax Exclusion of 2011]****Sponsors: Haney; Mar**

Hearing to review the outcomes of the Central Market Tax Exclusion of 2011, examining the impact on City resources, economic growth, its effect on vacant store fronts, and the negotiated community benefits; and requesting the Citizen's Advisory Committee for the Central Market and Tenderloin Area, City Administrator, Controller, Office of Economic and Workforce Development, and Planning Department to report.

03/05/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190267 [Hearing - Initiative Ordinance - Campaign and Governmental Conduct Code - Sunlight on Dark Money Initiative]****Sponsors: Mar; Haney, Fewer, Ronen and Mandelman**

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.

03/05/19; RECEIVED AND ASSIGNED to Rules Committee.

**190268 [Hearing - Municipal Transportation Agency Service Delivery and Performance Metrics]****Sponsor: Mar**

Hearing on the Municipal Transportation Agency's (MTA) performance and progress in meeting quarterly goals, including service delivery, reducing gaps on rapid bus lines, reducing gaps on metro rail, improving on-time performance, and reducing preventable collisions; and requesting MTA to report.

03/05/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190269 [Hearing - Juvenile Probation Department - Policies, Practices and Cost-Effectiveness of Services]****Sponsors: Ronen; Walton and Haney**

Hearing to examine the Juvenile Probation Department's policies and practices that impact the lives of juvenile justice involved youth, including those who are incarcerated at the Youth Guidance Center and those who are on probation, cost-effectiveness of those services, and what efforts are underway to reduce the over-incarceration of youth of color, and identify opportunities for improvements; and requesting the Juvenile Probation Department, District Attorney, Public Defender, Department of Public Health, and Department of Children, Youth, and Their Families to report.

03/05/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190270 [Closed Session - Existing Litigation - Tax Measures Adopted by the Voters at the June 5, 2018, and November 6, 2018 Municipal Elections - April 2, 2019]**

Closed Session for the Board of Supervisors to convene on April 2, 2019, for the purpose of conferring with, or receiving advice from the City Attorney, pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(1), regarding existing litigation in which the City is a defendant, Howard Jarvis Taxpayers Ass'n, Building Owners and Managers Ass'n of California, California Business Properties Ass'n, and California Business Roundtable v. City and County of San Francisco and All Persons Interested in the Matter of Proposition C of the June 2018 Ballot, Case No. CGC 18-568657, filed in San Francisco Superior Court on August 3, 2018; existing litigation in which the City is a plaintiff, City and County of San Francisco v. All Persons Interested in the Matter of Proposition G on the June 5, 2018, San Francisco Ballot, Case No. CGC 18-569987, filed in San Francisco Superior Court on September 21, 2018; and existing litigation in which the City is a plaintiff, City and County of San Francisco v. All Persons Interested in the Matter of Proposition C on the November 6, 2018, San Francisco Ballot, Case No. CGC 19-573230, filed in San Francisco Superior Court on January 28, 2019; scheduled pursuant to Motion No. M19-047, approved March 5, 2019. (Clerk of the Board)

03/05/19; 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 RESOLUTIONS**

### **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 Prologis, L.P., 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)

02/04/19; RECEIVED FROM DEPARTMENT.

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

02/25/19; RECEIVED FROM DEPARTMENT.

03/05/19; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

### **190203 [Contract Amendment - Leaders in Community Alternatives, Inc. - Home Detention and Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2019 Calendar Year - Not to Exceed \$2,465,000]**

Resolution authorizing the Sheriff's Department to enter into a third amendment to the existing contract with Leaders in Community Alternatives, Inc. ("LCA") to administer the Sheriff's Department's home detention and electronic monitoring program; extending the term by three months for a total contract term of May 1, 2014, through July 31, 2019, and increasing the amount by \$465,000 for a total amount not to exceed \$2,465,000; approving the Sheriff Department's home detention and electronic monitoring program rules and regulations; and approving evidence of financial responsibility demonstrated by program administrator LCA for the 2019 calendar year. (Sheriff)  
(Fiscal Impact)

02/19/19; RECEIVED FROM DEPARTMENT.

03/05/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190204 [Lease Agreement - The Marshall Retail Group, LLC - Boarding Area C Retail Concession Lease 2 - Lease No.18-0368 - \$600,000 Minimum Annual Guarantee]**

Resolution approving the Boarding Area C Retail Concession Lease 2 - Lease No. 18-0368, between The Marshall Retail Group, 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 \$600,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

02/21/19; RECEIVED FROM DEPARTMENT.

03/05/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190205 [Contract Amendment - Black and Veatch Corporation - Water Enterprise Water System - Calaveras Dam Replacement Project - Not to Exceed \$71,800,000]**

Resolution authorizing the General Manager of the Public Utilities Commission to execute Amendment No. 4 to an agreement with Black and Veatch Corporation, increasing the length of the agreement by ten months, for a total duration of nine years and eight months, for a total agreement term of August 1, 2010, through March 29, 2020, and increasing the agreement by \$3,800,000 for a total not to exceed agreement amount of \$71,800,000 for continued construction management services for the Water Enterprise Water System Improvement Program-funded Agreement No. CS-911R, Calaveras Dam Replacement Project, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

(Fiscal Impact)

02/22/19; RECEIVED FROM DEPARTMENT.

03/05/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190206 [Grant Agreement Amendment - Retroactive - Self-Help for the Elderly - Nutrition Services Program - Not to Exceed \$10,560,828]**

Resolution retroactively approving Amendment No. 2, authorizing the Executive Director of the Human Services Agency to execute an amendment to the Grant Agreement between the City and County of San Francisco, by and through its Human Services Agency, and the non-profit Self-Help for the Elderly to provide the Nutrition Services Program to older adults and adults with disabilities for the total agreement term of July 1, 2017, to June 30, 2020, by increasing the agreement amount by \$1,136,712 with a contingent amount of \$960,075 for a total not to exceed amount of \$10,560,828. (Human Services Agency)

(Fiscal Impact; No Budget and Legislative Analyst Report)

02/21/19; RECEIVED FROM DEPARTMENT.

03/05/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190207 [CalSAWS Consortium - Creation of a 58-County Joint Powers Authority - Memorandum of Understanding]**

Resolution approving the creation of a 58-county Joint Powers Authority to be known as CalSAWS Consortium, and approving the Memorandum of Understanding between the CalSAWS Consortium and the City and County of San Francisco. (Human Services Agency)

(Fiscal Impact; No Budget and Legislative Analyst Report)

02/21/19; RECEIVED FROM DEPARTMENT.

03/05/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **In Memoriams**

*Eugene White - Supervisor Brown*

*Ted Kroeber - Supervisors Peskin*

*Mary Anne Miller - Supervisors Peskin and Mar*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 4:53 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 April 9, 2019.*

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Angela Calvillo, Clerk of the Board