

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, November 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

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

Supervisors Mar, Brown, Peskin

##### **Joint City, School District, and City College Select Committee**

Supervisors Haney, Walton, Mar (Alt), Commissioners Cook, Collins, Moliga (Alt),  
Trustees Randolph, Williams, Selby (Alt)

##### **Land Use and Transportation Committee**

Supervisors Peskin, Safai, Haney

##### **Public Safety and Neighborhood Services Committee**

Supervisors Mandelman, Stefani, Walton

##### **Rules Committee**

Supervisors Ronen, Walton, Mar

#### Meeting Days

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd Friday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

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**Members Present:** 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, November 5, 2019, with President Norman Yee presiding.*

*President Yee called the meeting to order at 2:02 p.m.*

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

*On the call of the roll, Supervisors Fewer, Haney, Mar, Peskin, Ronen, Stefani, Walton, and Yee were noted present.*

*Supervisors Brown, Mandelman, and Safai were noted not present.*

*A quorum was present.*

## **COMMUNICATIONS**

*Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of a communication from Supervisor Vallie Brown, dated October 31, 2019, informing the Board of her absence and requesting to be excused from today's meeting.*

### **Supervisor Brown Excused from Attendance**

**Supervisor Fewer, seconded by Supervisor Ronen, moved that Supervisor Brown be excused from attending today's meeting. The motion carried by the following vote:**

Ayes: 8 - Fewer, Haney, Mar, Peskin, Ronen, Stefani, Walton, Yee

Excused: 1 - Brown

Absent: 2 - Mandelman, Safai

## **APPROVAL OF MEETING MINUTES**

*President Yee inquired whether any Member of the Board had any corrections to the October 1, 2019, Regular Board Meeting Minutes as they were presented. There were no corrections requested from any Member of the Board.*

**Supervisor Fewer, seconded by Supervisor Ronen, moved to approve the October 1, 2019, Regular Board Meeting Minutes as presented. The motion carried by the following vote, following general public comment:**

Ayes: 8 - Fewer, Haney, Mar, Peskin, Ronen, Stefani, Walton, Yee

Excused: 1 - Brown

Absent: 2 - Mandelman, Safai

## AGENDA CHANGES

*There were no agenda changes.*

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

## CONSENT AGENDA

### Recommendations of the Government Audit and Oversight Committee

#### **190867 [Settlement of Lawsuit - California Department of Public Health - City to Pay \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against California Department of Public Health for \$100,000 and a reduction of the citation from AA to A; the lawsuit was filed on April 13, 2017, in San Francisco Superior Court Case No. CGC-17-558162; entitled City and County of San Francisco v. California Department of Public Health; the lawsuit involves affirmative litigation for relief from citation and fine. (City Attorney)

**Ordinance No. 256-19**

**FINALLY PASSED**

#### **190868 [Settlement of Lawsuit - Lorena Pedraza - \$175,000]**

Ordinance authorizing settlement of the lawsuit filed by Lorena Pedraza against the City and County of San Francisco for \$175,000; the lawsuit was filed on September 19, 2018, in San Francisco Superior Court, Case No. CGC-18-569880; entitled Lorena Pedraza v. City and County of San Francisco; the lawsuit involves alleged medical negligence. (City Attorney)

**Ordinance No. 257-19**

**FINALLY PASSED**

#### **190916 [Settlement of Attorney's Fee Claim - Contest Promotions, LLC - City to Receive \$500,000]**

Ordinance authorizing settlement by payment of \$500,000 to the City and County of San Francisco, of the City's claim for attorney's fees and costs arising from the lawsuit that Contest Promotions, LLC, filed against the City; the lawsuit was filed on August 26, 2015, in San Francisco Superior Court, Case No. CGC-15-547630; entitled Contest Promotions, LLC vs. City and County of San Francisco; San Francisco Superior Court Case No. CPF-16-514771 was filed on February 9, 2016, and the actions were consolidated; the lawsuit involves a dispute about the City's compliance with a prior settlement agreement between the parties, and the constitutionality of sections of the Planning Code regulating on-site and off-site commercial signs. (City Attorney)

**Ordinance No. 258-19**

**FINALLY PASSED**

**190917 [Settlement of Lawsuit - Fidelis Cybersecurity, Inc. - City to Receive \$850,978]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Fidelis Cybersecurity, Inc. and others for \$850,978; the lawsuit was filed on November 27, 2018, in San Francisco Superior Court, Case No. CGC-18-571572; entitled City and County of San Francisco and the People of the State of California v. Fidelis Cybersecurity, Inc.; Maarek Zalatimo (aka Mark Zalatimo); Heather Zalatimo; Jeff Jorgenson, and Does One through Ten; the lawsuit involves the sale of products to the City in violation of conflict of interest laws; other material terms of the settlement are that Fidelis will pay the settlement amount over 18 months and that the City will return hardware purchased from Fidelis within 30 days. (City Attorney)

**Ordinance No. 259-19**

**FINALLY PASSED**

**190918 [Settlement of Lawsuit - Cheryl Jarne - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Cheryl Jarne against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 2, 2018, in San Francisco Superior Court, Case No. CGC-18-564726; entitled Cheryl Jarne v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney)

**Ordinance No. 260-19**

**FINALLY PASSED**

**190993 [Settlement of Lawsuit - Lu Xia Tan Chen - \$50,000]**

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

**Ordinance No. 263-19**

**FINALLY PASSED**

**Recommendations of the Land Use and Transportation Committee****190866 [Fire Code - Repealing 2016 Code, Adopting 2019 Code]**

**Sponsor: Mayor**

Ordinance repealing the existing San Francisco Fire Code in its entirety and enacting a new San Francisco Fire Code consisting of the 2019 California Fire Code and portions of the 2018 International Fire Code, together with amendments specific to San Francisco with an operative date of January 1, 2020; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

**Ordinance No. 255-19**

**FINALLY PASSED**

**190964 [Green Building Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]**

Ordinance repealing the 2016 Green Building Code in its entirety and enacting a 2019 Green Building Code consisting of the 2019 California Green Building Standards Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

**Ordinance No. 262-19**

**FINALLY PASSED**

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

Ayes: 9 - Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Stefani, Walton, Yee

Excused: 1 - Brown

Absent: 1 - Safai

## REGULAR AGENDA

## UNFINISHED BUSINESS

### **Recommendation of the Government Audit and Oversight Committee**

*Supervisor Safai was noted present at 2:07 p.m.*

*Supervisor Yee requested File Nos. 190928 and 190548 be called together.*

**190928 [Health Code - City-Operated Adult Residential Facility]**

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

Ordinance amending the Health Code to require the Department of Public Health to maintain and operate at full capacity an adult residential facility with no fewer than 41 beds.

*FINALLY PASSED by the following vote:*

*Ayes: 9 - Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Stefani, Walton, Yee*

*Absent: 1 - Safai*

*Excused: 1 - Brown*

*Supervisor Safai, seconded by Supervisor Walton, moved to rescind the previous vote. The motion carried by the following vote:*

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

*Excused: 1 - Brown*

**Ordinance No. 261-19**

**FINALLY PASSED by the following vote:**

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

Excused: 1 - Brown

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

### **190548 [Planning Code - Jobs Housing Linkage Fee and Inclusionary Housing]**

**Sponsors: Haney; Fewer, Ronen, Mar, Peskin, Walton, Yee, Mandelman, Safai and Brown**  
Ordinance amending the Planning Code to modify the Jobs Housing Linkage Fee by clarifying the indexing of the fee, adding options for complying with the fee, phasing increases to the fee, dedicating funds for permanent supportive housing and the preservation and acquisition of affordable housing, requiring periodic evaluation of the nexus study and fee, and to remove the monetary limit for the Small Sites Funds under the Inclusionary Housing Program; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

*FINALLY PASSED by the following vote:*

*Ayes: 9 - Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Stefani, Walton, Yee*

*Absent: 1 - Safai*

*Excused: 1 - Brown*

*Supervisor Safai, seconded by Supervisor Walton, moved to rescind the previous vote. The motion carried by the following vote:*

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

*Excused: 1 - Brown*

**Ordinance No. 251-19**

**FINALLY PASSED by the following vote:**

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

*Excused: 1 - Brown*

### **190810 [Administrative, Public Works Codes - Recording of Jurisdictional Transfers and Street Vacations]**

**Sponsor: Peskin**

Ordinance amending the Administrative Code and Public Works Code to require that any resolution approving a jurisdictional transfer of real property (a transfer of the authority over City-owned real property between City departments) be recorded in the Office of the Recorder together with a legal description and map of the real property; to require that any petition to the Board of Supervisors for a street vacation include a legal description and County Surveyor-approved map, and that the Clerk of the Board record in the Office of the Recorder a copy of the adopted ordinance together with the legal description and map; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Ordinance No. 253-19**

**FINALLY PASSED by the following vote:**

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

*Excused: 1 - Brown*

**190839 [Planning Code - Fulton Street Grocery Store Special Use District]****Sponsor: Brown**

Ordinance amending the Planning Code to allow a grocery store use that is a formula retail use in the Fulton Street Grocery Store Special Use District ("District"), on Fulton Street between Laguna and Octavia Streets, subject to conditional use authorization, and adding criteria for such authorization; clarify the definition of a grocery store use within the District; eliminate square footage requirements for commercial uses in the District other than a grocery store and for subsequent uses in a location previously approved for a grocery store; extend the time period for effectiveness of controls for the District to five years from the effective date of the Ordinance; 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 302.

**Ordinance No. 254-19****FINALLY PASSED by the following vote:**

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

Excused: 1 - Brown

**Recommendation of the Public Safety and Neighborhood Services Committee****190710 [Health, Business and Tax Regulations Codes - Food Preparation and Service Establishment Categories, Disclosures, and Permit Fees]****Sponsor: Peskin**

Ordinance amending the Health Code and Business and Tax Regulations Code to replace the requirement that food preparation and service establishments ("food facilities") post a symbol issued by the Department of Public Health with a requirement to post a color-coded placard indicating whether the establishment has passed (green), conditionally passed (yellow), or failed (red) a health inspection; clarifying some of the terminology pertaining to violations and remedies and penalties for same; defining new categories of food facilities; establishing annual permit fees for new categories of food facilities; and increasing permit fees for temporary permits and food vending machines.

**Ordinance No. 252-19****FINALLY PASSED by the following vote:**

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

Excused: 1 - Brown

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

#### **190966 [Sale of City-Owned Real Property - Property on West Lucille Avenue in Fresno County, CA - Richard S. Storti, Jr. - \$170,000]**

Resolution approving and authorizing the Real Estate Division to sell City-owned real property located on West Lucille Avenue, west of Coalinga in Fresno County, California (Assessor's Parcel No. 083-020-012), to Richard S. Storti, Jr. for \$170,000; affirming the Planning Department's determination under the California Environmental Quality Act; adopting the Planning Department's findings that the sale is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; 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. (Real Estate Department)

**Resolution No. 470-19**

**ADOPTED by the following vote:**

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

#### **190997 [Purchase Agreement - Retroactive - Pacific Gas & Electric Company - Electricity-Related Products - Not to Exceed \$11,070,118]**

Resolution retroactively authorizing an agreement for CleanPowerSF to purchase electricity-related products from Pacific Gas & Electric Company for a term of January 1, 2020, through December 31, 2022, for a total cost of \$11,070,118. (Public Utilities Commission) (Fiscal Impact)

**Resolution No. 471-19**

**ADOPTED by the following vote:**

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

#### **191022 [Contract Agreement - ConvergeOne, Inc. - Cisco Products and Services - Not to Exceed \$65,000,000]**

**Sponsor: Fewer**

Resolution authorizing the Department of Technology to enter into an Agreement between the City and County of San Francisco and ConvergeOne, Inc., for the purchase of Cisco products and services, with a not to exceed amount of \$65,000,000 for the term ending November 1, 2022, to commence following Board approval, with two two-year options to extend at the sole and absolute discretion of the City. (Department of Technology) (Fiscal Impact)

**Resolution No. 472-19**

**ADOPTED by the following vote:**

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



**191023 [Grant Agreement Amendment - The Regents of the University of California - Community Assessment and Services Center - Not to Exceed \$18,007,010]****Sponsor: Fewer**

Resolution approving a first amendment to the grant agreement between the Adult Probation Department and The Regents of the University of California, on behalf of its San Francisco Campus, for the operation of the Community Assessment and Services Center, to increase the grant funding by \$12,207,010 for a total amount of \$18,007,010 and extend the performance period for three years for a total term of November 1, 2017, through October 31, 2022. (Adult Probation)  
(Fiscal Impact)

**Resolution No. 473-19****ADOPTED by the following vote:**

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

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

*President Yee requested File Nos. 190959, 190960, 190961, 190962, and 190963 be called together.*

**190959 [Building Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]**

Ordinance repealing the 2016 Building Code in its entirety and enacting a 2019 Building Code consisting of the 2019 California Building Code and the 2019 California Residential Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

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

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

**190960 [Existing Building Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]**

Ordinance repealing the 2016 Existing Building Code in its entirety and enacting a 2019 Existing Building Code consisting of the 2019 California Existing Building Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

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

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

**190961 [Electrical Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]**

Ordinance repealing the 2016 Electrical Code in its entirety and enacting a 2019 Electrical Code consisting of the 2019 California Electrical Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

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

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

**190962 [Mechanical Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]**

Ordinance repealing the 2016 Mechanical Code in its entirety and enacting a 2019 Mechanical Code consisting of the 2019 California Mechanical Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

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

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

**190963 [Plumbing Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]**

Ordinance repealing the 2016 Plumbing Code in its entirety and enacting a 2019 Plumbing Code consisting of the 2019 California Plumbing Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

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

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

**190936 [Urging Expansion of Treasure Island Resident Relocation and Transition Benefits]**

**Sponsor: Haney**

Resolution urging the Treasure Island Development Authority to expand relocation and transition benefits for "Post-Development and Disposition Agreement" households.

**Resolution No. 476-19**

**ADOPTED by the following vote:**

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

**190969 [Resolution of Intention to Vacate Streets - India Basin]****Sponsors: Mayor; Walton**

Resolution declaring the intention of the Board of Supervisors to order the vacation of streets in the India Basin Project site, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline; and setting the Board of Supervisors hearing date of December 10, 2019, for all persons interested in the proposed vacation of said street areas.

**Resolution No. 474-19****ADOPTED by the following vote:**

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

**Recommendation of the Public Safety and Neighborhood Services Committee****190815 [Declaring a State of Emergency on Pedestrian and Cyclist Fatalities in San Francisco]****Sponsors: Haney; Yee, Brown, Ronen, Fewer, Walton, Mandelman, Stefani, Mar and Safai**  
Resolution declaring a state of emergency regarding pedestrian and cyclist fatalities in San Francisco.

*Supervisors Walton, Mandelman, Stefani, Mar, and Safai requested to be added as co-sponsors.*

**Resolution No. 475-19****ADOPTED by the following vote:**

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

**Recommendations of the Rules Committee****190945 [Charter Amendment - Retiree Health Benefits - Housing Authority Employees]****Sponsors: Mayor; Walton, Peskin, Stefani, Yee, Safai, Ronen, Brown, Mar, Mandelman, Fewer and Haney**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide retiree health care benefits to employees of the Housing Authority of the City and County of San Francisco ("Housing Authority") who started working for the City and County of San Francisco on or after March 7, 2019, and before March 1, 2021, without a break in service between employment with the Housing Authority and employment with the City and County of San Francisco; and affirming the Planning Department's determination under the California Environmental Quality Act; at an election to be held on March 3, 2020.

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

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

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

**190499 [Administrative Code - Dissolving Workforce Community Advisory Committee and Committee on City Workforce Alignment]**

Ordinance amending the Administrative Code to dissolve the Workforce Community Advisory Committee and the Committee on City Workforce Alignment. (Clerk of the Board)

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

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

**190949 [Administrative Code - Extension of Pedestrian Safety Advisory Committee]  
Sponsors: Yee; Haney, Mar, Ronen, Walton, Fewer and Mandelman**

Ordinance amending the Administrative Code to extend the sunset date for the Pedestrian Safety Advisory Committee by one year, to October 1, 2020, and requiring the Committee to recommend changes to its structure and duties.

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

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

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

*President Yee requested File Nos. 190967 and 190968 be called together.*

**190967 [Appointment, Treasury Oversight Committee - Aimee Brown]**

Motion approving the Treasurer's nomination of Aimee Brown, for a term ending September 30, 2023, to the Treasury Oversight Committee. (Clerk of the Board)

**Motion No. M19-151**

**APPROVED by the following vote:**

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

**190968 [Appointment, Treasury Oversight Committee - Brenda McNulty]**

Motion approving the Treasurer's nomination of Brenda McNulty, for a term ending September 30, 2023, to the Treasury Oversight Committee. (Clerk of the Board)

**Motion No. M19-152**

**APPROVED by the following vote:**

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

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

**Supervisor Peskin, 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: 10 - Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

Excused: 1 - Brown

*Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to Captain Jacky Douglas, San Francisco's first female sportfishing captain, in recognition of her more than 30 years as a skipper and owner of the fishing boat the "Wacky Jacky," providing the thrill of the catch and boating activities.*

*Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Lisa Lightman, Director (Collaborative Courts System), on the occasion of her retirement and in recognition of her many accomplishments providing assistance and services to individuals and families in the criminal justice system.*

*Supervisor Walton introduced, welcomed, and presented a Certificate of Honor to Sabrina McFarland who was named the National Youth of the Year for her extraordinary character and exceptional leadership.*

## SPECIAL ORDER 3:00 P.M.

*President Yee requested File Nos. 191035, 191036, 191037, 191038, 191039, 191040, 191041, 191042, 191043, 191044, 191045, and 191046 be called together.*

### **191035 [Hearing - Appeal of Final Environmental Impact Report Certification - Proposed Project at 3333 California Street]**

Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for a proposed mixed-use project and project variant at 3333 California Street, identified in Planning Case No. 2015-014028ENV, issued by the Planning Commission through Motion No. 20512, dated September 5, 2019; to demolish the existing annex building, surface parking lots, and circular garage ramps; partially demolish the existing four-story office building and divide it into two separate buildings, vertically expanding the existing building to add two to three levels; construct 13 new buildings that would include 824,691 square feet of residential uses containing a total of 558 units, 54,117 square feet of retail use, 49,999 square feet of office use, and 14,690 square feet of child care use; the project variant would include 978,611 square feet of residential uses containing a total of 744 units, 48,593 square feet of retail use, and 14,650 square feet of child care use; both project and project variant would include vehicular parking, bicycle parking, loading facilities and streetscape improvements. (District 2) (Appellants: Kathryn Devincenzi, on behalf of the Laurel Heights Improvement Association of San Francisco, Inc.) (Filed: October 7, 2019) (Clerk of the Board)

*President Yee opened the public hearings and indicated these matters will be continued to a later date. The President then asked if any individual would like to address the Board regarding the continuance. There were no speakers. President Yee closed public comment on the continuance.*

*Supervisor Stefani, seconded by Supervisor Safai, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of November 12, 2019. The motion carried by the following vote:*

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

*Supervisor Stefani, seconded by Supervisor Mandelman, moved to rescind the previous vote in order to allow additional public comment. The motion carried by the following vote:*

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

*Krisanthy Desby; Speaker; spoke on various concerns regarding the project and the proposed continuances. There were no other speakers. President Yee re-closed public comment on the continuance.*

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

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

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

**191036 [Affirming the Final Environmental Impact Report Certification - Proposed Project at 3333 California Street]**

Motion affirming the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project at 3333 California Street. (Clerk of the Board)

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

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

*Supervisor Stefani, seconded by Supervisor Mandelman, moved to rescind the previous vote in order to allow additional public comment. The motion carried by the following vote:*

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

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

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

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

**191037 [Conditionally Reversing the Final Environmental Impact Report Certification - Proposed Project at 3333 California Street]**

Motion conditionally reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project at 3333 California Street, subject to the adoption of written findings of the Board of Supervisors in support of this determination. (Clerk of the Board)

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

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

*Supervisor Stefani, seconded by Supervisor Mandelman, moved to rescind the previous vote in order to allow additional public comment. The motion carried by the following vote:*

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

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

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

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

**191038 [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - Proposed Project at 3333 California Street]**

Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project at 3333 California Street. (Clerk of the Board)

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

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

*Excused: 1 - Brown*

*Supervisor Stefani, seconded by Supervisor Mandelman, moved to rescind the previous vote in order to allow additional public comment. The motion carried by the following vote:*

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

*Excused: 1 - Brown*

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

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

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

**Excused: 1 - Brown**



**SPECIAL ORDER 3:00 P.M.****191039 [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 3333 California Street]**

Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization and planned development for a proposed project at 3333 California Street, Assessor's Parcel Block No. 1032, Lot No. 003, identified in Planning Case No. 2015-014028CUA, issued by the Planning Commission by Motion No. 20516, dated September 5, 2019, to allow structures to exceed 40 feet in height within an RM (Residential, Mixed) Zoning District and 3333 California Street Special Use District and for an existing child care facility to change of use to residential use, pursuant to Planning Code, Sections 253, 303 and 304, of the Planning Code modifications to the Rear Yard Requirements (Section 134), Permitted Obstructions (Section 136), Dwelling Unit Exposure (Section 140), General Standards for Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155); Dwelling Unit Density (Section 207), and Measurement of Height (Section 260), within the RM-1 (Residential, Mixed, Low Density) Zoning District and a 40-X, 67-X, 80-X, and 92-X Height and Bulk District. (District 2) (Appellant: Kathryn Devincenzi, on behalf of Laurel Heights Improvement Association of San Francisco, Inc.) (Filed October 7, 2019) (Clerk of the Board)

*President Yee opened the public hearings and indicated these matters will be continued to a later date. The President then asked if any individual would like to address the Board regarding the continuance. There were no speakers. President Yee closed public comment on the continuance.*

*Supervisor Stefani, seconded by Supervisor Safai, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of November 12, 2019. The motion carried by the following vote:*

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

*Supervisor Stefani, seconded by Supervisor Mandelman, moved to rescind the previous vote in order to allow additional public comment. The motion carried by the following vote:*

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

*Krisanthy Desby; Speaker; spoke on various concerns regarding the project and the proposed continuances. There were no other speakers. President Yee re-closed public comment on the continuance.*

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

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

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

**191040 [Approving Conditional Use Authorization - 3333 California Street]**

Motion approving the decision of the Planning Commission by its Motion No. 20516, approving a Conditional Use Authorization, identified as Planning Case No. 2015-014028CUA, for a proposed project located at 3333 California Street; and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

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

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

*Supervisor Stefani, seconded by Supervisor Mandelman, moved to rescind the previous vote in order to allow additional public comment. The motion carried by the following vote:*

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

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

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

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

**191041 [Conditionally Disapproving Conditional Use Authorization - 3333 California Street]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20516, approving a Conditional Use Authorization, identified as Planning Case No. 2015-014028CUA, for a proposed project located at 3333 California 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 (eight votes).)

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

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

*Supervisor Stefani, seconded by Supervisor Mandelman, moved to rescind the previous vote in order to allow additional public comment. The motion carried by the following vote:*

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

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

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

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

**191042 [Preparation of Findings Related to Conditional Use Authorization Appeal - 3333 California 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 in Planning Case No. 2015-014028CUA, for a proposed project at 3333 California Street. (Clerk of the Board)

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

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

*Excused: 1 - Brown*

*Supervisor Stefani, seconded by Supervisor Mandelman, moved to rescind the previous vote in order to allow additional public comment. The motion carried by the following vote:*

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

*Excused: 1 - Brown*

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

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

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

**Excused: 1 - Brown**

**SPECIAL ORDER 3:00 P.M.****191043 [Hearing - Appeal of Tentative Map Approval - 3333 California Street]**

Hearing of persons interested in or objecting to the decision of Public Works, dated September 27, 2019, approving a Tentative Map for a 15 Lot Vertical Subdivision and 675 Residential and 64 Commercial, mixed-use new condominium project at 3333 California Street, Assessor's Parcel Block No. 1032, Lot No. 003. (District 2) (Appellant: Kathryn Devincenzi, on behalf of Laurel Heights Improvement Association of San Francisco, Inc.) (Filed: October 7, 2019) (Clerk of the Board)

*President Yee opened the public hearings and indicated these matters will be continued to a later date. The President then asked if any individual would like to address the Board regarding the continuance. There were no speakers. President Yee closed public comment on the continuance.*

*Supervisor Stefani, seconded by Supervisor Safai, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of November 12, 2019. The motion carried by the following vote:*

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

*Supervisor Stefani, seconded by Supervisor Mandelman, moved to rescind the previous vote in order to allow additional public comment. The motion carried by the following vote:*

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

*Krisanthy Desby; Speaker; spoke on various concerns regarding the project and the proposed continuances. There were no other speakers. President Yee re-closed public comment on the continuance.*

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

**Supervisor Stefani, seconded by Supervisor Ronen, moved that this Hearing be CONTINUED OPEN to the Board of Supervisors meeting of November 12, 2019. The motion carried by the following vote:**

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

**191044 [Approving Decision of Public Works and Approving Tentative Map - 3333 California Street]**

Motion approving the decision of Public Works and approving the Tentative Map for a 15 Lot Vertical Subdivision and 675 Residential and 64 Commercial mixed-use new condominium project at 3333 California Street, Assessor's Parcel Block No. 1032, Lot No. 003; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

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

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

*Excused: 1 - Brown*

*Supervisor Stefani, seconded by Supervisor Mandelman, moved to rescind the previous vote in order to allow additional public comment. The motion carried by the following vote:*

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

*Excused: 1 - Brown*

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

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

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

**Excused: 1 - Brown**

**191045 [Conditionally Disapproving Decision of Public Works and Disapproving Tentative Map - 3333 California Street]**

Motion conditionally disapproving the decision of Public Works and disapproving the Tentative Map for a 15 Lot Vertical Subdivision and 675 Residential and 64 Commercial mixed-use new condominium project at 3333 California Street, Assessor's Parcel Block No. 1032, Lot No. 003, subject to the Board of Supervisors' adoption of written findings in support of the disapproval. (Clerk of the Board)

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

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

*Excused: 1 - Brown*

*Supervisor Stefani, seconded by Supervisor Mandelman, moved to rescind the previous vote in order to allow additional public comment. The motion carried by the following vote:*

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

*Excused: 1 - Brown*

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

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

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

**Excused: 1 - Brown**

**191046 [Preparation of Findings Related to the Tentative Map - 3333 California 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 15 Lot Vertical Subdivision and 675 Residential and 64 Commercial mixed-use new condominium project at 3333 California Street, Assessor's Parcel Block No. 1032, Lot No. 003. (Clerk of the Board)

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

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

*Supervisor Stefani, seconded by Supervisor Mandelman, moved to rescind the previous vote in order to allow additional public comment. The motion carried by the following vote:*

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

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

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

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

**Referred Without Recommendation from the Land Use and Transportation Committee**

*President Yee requested File Nos. 190844, 190845, and 190947 be called together.*

**190844 [Planning Code, Zoning Map - 3333 California Street Special Use District]  
Sponsor: Stefani**

Ordinance amending the Planning Code and Zoning Map to create the 3333 California Street Special Use District; 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 convenience, necessity, and welfare under Planning Code, Section 302.  
(Economic Impact)

**Supervisor Mandelman, seconded by Supervisor Walton, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of November 12, 2019. The motion carried by the following vote:**

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

**190845 [Development Agreement - Laurel Heights Partners, LLC - 3333 California Street Project - California Street at Presidio Avenue]****Sponsor: Stefani**

Ordinance approving a Development Agreement between the City and County of San Francisco and Laurel Heights Partners, LLC, a Delaware limited liability company, for the development of an approximately 10.25-acre site located at California Street at Presidio Avenue (3333 California Street), with various public benefits, including 25% affordable housing, a child care center comprised of approximately 14,665 square feet, and approximately 2.87 acres of privately owned, publicly accessible open space; making findings under the California Environmental Quality Act, and findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); approving certain development impact fees for the project, and waiving certain Planning Code fees and requirements; confirming compliance with or waiving certain provisions of Administrative Code, Chapter 56; ratifying certain actions taken in connection with the Development Agreement, as described herein; and authorizing certain actions to be taken under the Development Agreement, as described herein.

(Economic Impact)

**Supervisor Mandelman, seconded by Supervisor Walton, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of November 12, 2019. The motion carried by the following vote:**

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

Excused: 1 - Brown

**190947 [Public Works Code - Major Encroachment Permit - 3333 California Street Project]****Sponsor: Stefani**

Ordinance approving a major encroachment permit for Laurel Heights Partners, LLC ("Permittee") to occupy portions of Presidio Avenue, Masonic Avenue, Pine Street, Euclid Avenue, Mayfair Drive, and Laurel Street adjacent to 3333 California Street (Assessor's Parcel Block No. 1032, Lot No. 003) for the purpose of installing and maintaining landscape planters, differentiated paving, corner bulb-outs, and other improvements; waiving conflicting requirements under Public Works Code, Sections 800 et seq. and 810A, in connection with Permittee's implementation of the encroachment permit and project development; making 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.

**Supervisor Mandelman, seconded by Supervisor Walton, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of November 12, 2019. The motion carried by the following vote:**

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

Excused: 1 - Brown

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Speaker; shared certain religious and political views.*

*Walter Paulson; shared in song the need to vote and various encouragements.*

*Francisco Da Costa; shared concerns regarding small businesses and the need for truth.*

*Wade Gaines; expressed support of the Bayview neighborhood.*

*Maria Lopez; expressed support of the Resolution regarding the fee-for-service pharmacy reimbursement policy for specialty medications (File No. 191117).*

*Speaker; expressed support of the Resolution regarding the fee-for-service pharmacy reimbursement policy for specialty medications (File No. 191117).*

*Jana Patrovsky; expressed support of the Resolution regarding the fee-for-service pharmacy reimbursement policy for specialty medications (File No. 191117).*

*Speaker; expressed support of the Resolution regarding the fee-for-service pharmacy reimbursement policy for specialty medications (File No. 191117).*

*Laura Williams; expressed support of the Resolution regarding the fee-for-service pharmacy reimbursement policy for specialty medications (File No. 191117).*

*Dennis Petronis; expressed support of the Resolution regarding the fee-for-service pharmacy reimbursement policy for specialty medications (File No. 191117).*

*Speaker; shared his experience being assaulted and concerns regarding the judicial system.*

*Speaker; expressed support of the Resolution regarding the fee-for-service pharmacy reimbursement policy for specialty medications (File No. 191117).*

*Tom Gilberty; shared concerns regarding his mother's birthday, public utilities, and gun control.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **191069 [Final Map 9845 - 363-21st Avenue]**

Motion approving Final Map 9845, a four residential unit and one commercial unit, mixed-use new condominium project, located at 363-21st Avenue, being a subdivision of Assessor's Parcel Block No. 1453, Lot No. 013; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-153**

**APPROVED**

### **191100 [Final Map 9608 - 1050 Baker Street]**

Motion approving Final Map 9608, a six residential unit condominium project, located at 1050 Baker Street, being a subdivision of Assessor's Parcel Block No. 1117, Lot No. 001; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-154**

**APPROVED**



**191101 [Final Map 9598 - 2177 Third Street]**

Motion approving Final Map 9598, a 114 residential and seven commercial units, mixed-use new condominium project, located at 2177 Third Street, being a subdivision of Assessor's Parcel Block No. 4045, Lot Nos. 003 and 003B; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-155**

**APPROVED**

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

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

Excused: 1 - Brown

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

*Supervisor Ronen requested that File No. 191117 be severed so that it may be considered separately.*

**191117 [Urging the State of California to Rescind or Amend the Fee-for-Service Pharmacy Reimbursements Policy for Specialty Medications]**

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

Resolution urging the State of California to rescind or amend the new Department of Health Care Services Medi-Cal policy, regarding fee-for-service pharmacy reimbursements for covered specialty medications.

*Supervisors Yee, Mar, and Safai requested to be added as co-sponsors.*

**Resolution No. 477-19**

**ADOPTED by the following vote:**

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

Excused: 1 - Brown

**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

### **191123 [Appropriation - Revenue Bonds Proceeds - Capital Improvement Projects - Airport Commission - \$3,888,069,311 - FY2019-2020]**

**Sponsor: Mayor**

Ordinance appropriating \$3,888,069,311 of proceeds from the sale of revenue bonds or commercial paper for capital improvement projects to the Airport Commission for FY2019-2020; and placing \$3,888,069,311 on Controller's Reserve pending receipt of proceeds of indebtedness. (Fiscal Impact; No Budget and Analyst Legislative Report)

11/05/19; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/5/2019.

### **191125 [Planning, Administrative Codes - Approval of Development Agreement, Conditional Use Procedures for Large Noncontiguous Post-Secondary Educational Institutions, Planning and Administrative Code Waivers]**

**Sponsors: Peskin; Yee**

Ordinance approving a Development Agreement between the City and County of San Francisco and the Stephens Institute, dba Academy of Art University, and its affiliated entities, as to the Academy's properties, which agreement provides for various public benefits, including among others an "affordable housing payment" of \$37,600,000 and a payment of approximately \$8,200,000 to the City's Small Sites Fund; amending the Planning Code to provide review procedures for Large Noncontiguous Post-Secondary Educational Institutions; waiving conflicting provisions in the Planning and Administrative Codes, including Planning Code, Section 169; confirming compliance with or waiving certain provisions of Administrative Code, Chapters 41 and 56; ratifying certain actions taken in connection with the Development Agreement and authorizing certain actions to be taken consistent with the Development Agreement, as defined herein; affirming the Planning Department's determination under the California Environmental Quality Act, and findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

11/05/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/5/2019.

## RESOLUTIONS

### **191124 [Airport Commission Capital Plan Bonds - San Francisco International Airport Second Series Revenue Bonds - Up to \$3,000,000,000 - Airport Capital Plan Projects]**

**Sponsor: Mayor**

Resolution approving the issuance of up to an additional \$3,000,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds to finance and refinance Airport Capital Plan projects; and ratifying and confirming certain Resolutions of the Board and the Airport Commission related to the foregoing.  
(Fiscal Impact; No Budget and Analyst Legislative Report)

11/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **191126 [Multifamily Housing Revenue Bonds - 2340 San Jose Avenue (Balboa Park Upper Yard) - Not to Exceed \$80,000,000]**

**Sponsors: Mayor; Safai**

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness in an aggregate principal amount not to exceed \$80,000,000; 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 \$80,000,000 for 2340 San Jose Avenue; 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; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

11/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **191127 [Multifamily Housing Revenue Bonds - 4840 Mission Street - Not to Exceed \$75,000,000]**

**Sponsors: Mayor; Safai**

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness in an aggregate principal amount not to exceed \$75,000,000; 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 \$75,000,000 for 4840 Mission 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; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

11/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191128 [Multifamily Housing Revenue Bonds - 190 Coleridge Street (Coleridge Park Homes) - Not to Exceed \$20,655,000]****Sponsors: Mayor; Ronen**

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness in an aggregate principal amount not to exceed \$20,655,000; 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 \$20,655,000 for 190 Coleridge Street (Coleridge Park Homes); 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; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

11/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191129 [Multifamily Housing Revenue Bonds - 681 Florida Street - Not to Exceed \$55,972,500]****Sponsors: Mayor; Ronen**

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 pursuant to a plan of financing in an aggregate principal amount not to exceed \$55,972,500 for 681 Florida 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 \$55,972,500; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

11/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191130 [Management Agreement - Owners' Association - Administration/Management of Civic Center Community Benefit District]****Sponsors: Mayor; Haney and Brown**

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the "Civic Center Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, through June 30, 2034.

11/05/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**191131 [Accept and Expend Grant - California Department of Housing and Community Development - Westside Community Development Planning Grant - \$300,000]****Sponsor: Fewer**

Resolution authorizing the Mayor's Office of Housing and Community Development to accept and expend a grant in the amount of \$300,000 from the California Department of Housing and Community Development to provide funding to support the growth, expansion, or creation of a Westside based nonprofit community organization dedicated to preserving and expanding affordable housing, as well as supporting small businesses and nonprofit organizations on the west side of San Francisco (Districts 1, 4, and 7) for the period to commence upon Department of Housing and Community Development approval through June 30, 2022. (Mayor's Office of Housing and Community Development)

11/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191132 [Approval of a 60-Day Extension for Planning Commission Review of Exemption from Density Limits for Affordable and Unauthorized Units; Residential Care Facilities (File No. 190757)]****Sponsor: Mandelman**

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 190757) amending the Planning Code to provide an exception from density limit calculations for all affordable units in projects not seeking and receiving a density bonus, permit the legalization of all unauthorized dwelling units notwithstanding a history of no-fault evictions, and principally permit residential care facilities for seven or more persons in all RH (Residential, House) zoning 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 welfare under Planning Code, Section 302.

11/05/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## MOTIONS

**191133 [Setting the Budget and Legislative Analyst Services Audit Plan - Ethics Commission - FY2019-2020]****Sponsor: Yee**

Motion directing the Budget and Legislative Analyst to conduct a performance audit in FY2019-2020 of the Ethics Commission as a priority.

11/05/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**191135 [California Clerk of the Board of Supervisors Association Week - December 2 to December 6, 2019]****Sponsor: Yee**

Motion recognizing the 35th Anniversary of the California Clerk of the Board of Supervisors Association by honoring the important work performed by Clerks of the Board of Supervisors from the 58 California Counties and only upon the express condition of specifically honoring the vital contributions of their staff and proclaiming the week of December 2 to December 6, 2019, to be California Clerk of the Board of Supervisors Association Week. (Clerk of the Board)

## REQUESTS FOR HEARING

### **191134 [Hearing - Expansion of the Safe Parking Program]**

#### **Sponsors: Safai; Yee and Brown**

Hearing on the expansion of the Safe Parking Program citywide, and presentation of facts related to the increase of vehicular homelessness and potential cost to fund multiple sites; and requesting the Department of Homelessness and Supportive Housing, Real Estate Division, Budget and Legislative Analyst's Office, and Controller's Office to report.

11/05/19; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

### **190970 [Hearing - Committee of the Whole - Street Vacation and Conveyance - India Basin - December 10, 2019]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on December 10, 2019, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance (File No. 190971) ordering the vacation of streets in the India Basin Project site, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline; reserving temporary public utility and access rights in favor of the City and temporary easement rights for existing PG&E gas and overhead electrical facilities; authorizing the City to quitclaim its interest in approximately 3.8 acres within Earl Street, Hudson Avenue, and Arelious Walker Drive to India Basin Investment LLC; authorizing the City to transfer approximately 1.1 acres within Arelious Walker Drive, Hudson Avenue, Earl Street, and Galvez Avenue to the State for purposes of having such property reconveyed to the City to be held by the Port, in trust, through implementation of the India Basin Public Trust Exchange; 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 the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein, including transmittal of the Ordinance by the Clerk of the Board of Supervisors to the Assessor Recorder for recording; scheduled pursuant to Resolution No. 474-19 (File No. 190969), approved on November 5, 2019. (Clerk of the Board)

11/05/19; 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****191098 [Airport Professional Services Agreement Modification - Faith Group, LLC - Airport Security Infrastructure Program - Not to Exceed \$17,381,359]**

Resolution approving Modification No. 11 to Airport Contract No. 10511.41, Program Management Support Services for the Airport Security Infrastructure Program, with Faith Group, LLC, to increase the Contract amount by \$3,279,901 for a new not to exceed amount of \$17,381,359 with no changes to the term, for services through December 31, 2021, to commence following Board approval, pursuant to Charter, Section 9.118(b). (Airport Commission)  
(Fiscal Impact)

10/28/19; RECEIVED FROM DEPARTMENT.

11/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191099 [Updated Emergency Declaration - Repair Southeast Treatment Plant Final Effluent Force Main - Total Estimated Cost Not to Exceed \$6,250,000]**

Resolution approving an updated emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Sections 6.60 and 21.15, to repair the Southeast Treatment Plant Final Effluent Force Main for a total estimated cost not to exceed \$6,250,000.  
(Public Utilities Commission)  
(Fiscal Impact)

10/25/19; RECEIVED FROM DEPARTMENT.

11/05/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**In Memoriam**

*Pilsoo Seong - Supervisor Ronen*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 3:48 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 December 17, 2019.*

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Angela Calvillo, Clerk of the Board