

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, December 10, 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.

**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, December 10, 2019, with President Norman Yee presiding.*

*President Yee called the meeting to order at 2:04 p.m.*

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

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

*A quorum was present.*

## **COMMUNICATIONS**

*There were no agenda changes.*

## **APPROVAL OF MEETING MINUTES**

*President Yee inquired whether any Member of the Board had any corrections to the October 22, 2019, or October 29, 2019, Regular Board Meeting Minutes as they were presented. There were no corrections requested from any Member of the Board.*

**Supervisor Peskin, seconded by Supervisor Ronen, moved to approve the October 22, 2019, and October 29, 2019, Regular Board Meeting Minutes as presented. The motion carried by the following vote, following general public comment:**

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

## **AGENDA CHANGES**

*There were no agenda changes.*

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

*There were no questions submitted from the eligible Supervisors representing Districts 5, 6, 7, or 8. Mayor London N. Breed addressed the Board of Supervisors regarding the budget instructions and priorities for the upcoming fiscal year, including the proposed new process being considered by the Board of Supervisors, a projected budget deficit, and the necessity to balance the budget. Following public comment this matter was filed. No further action was taken.*

## CONSENT AGENDA

### Recommendations of the Budget and Finance Committee

#### **191011 [Appropriation - Certificates of Participation to Mayor's Office of Housing and Community Development for HOPE SF - \$83,600,000 - FY2019-2020]**

**Sponsor: Mayor**

Ordinance appropriating \$83,600,000 of Certificates of Participation to the Mayor's Office of Housing and Community Development to fund project costs of HOPE SF in FY2019-2020; and placing these funds on Controller's Reserve pending the sale of the Certificates of Participation. (Fiscal Impact)

**Ordinance No. 280-19**

**FINALLY PASSED**

#### **191014 [Authorizing Taxable and/or Tax-Exempt Certificates of Participation - HOPE SF - Not to Exceed \$83,600,000]**

**Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series on a tax-exempt and/or taxable basis and from time to time, evidencing and representing an aggregate principal amount not to exceed \$83,600,000 to finance and refinance certain capital improvement projects, including but not limited to certain properties generally known as Hunters View, Sunnydale, and Potrero Terrace and Annex housing developments, approving the form of a Supplement to Trust Agreement between the City and County of San Francisco and U.S. Bank National Association, as trustee ("Trustee") (including certain indemnities contained therein); approving respective forms of a Supplement to Property Lease and a Supplement to Project Lease, each between the City and the Trustee for the lease and lease back certain real property and improvements located at 375 Laguna Honda Boulevard or other property as determined by the Director of Public Finance; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Certificates of Participation; approving the form of an Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith, as defined herein. (Fiscal Impact)

**Ordinance No. 281-19**

**FINALLY PASSED**

**191012 [Appropriation - Certificates of Participation to Department of Public Health for the Homeless Services Center - \$7,250,000 - FY2019-2020]****Sponsor: Mayor**

Ordinance appropriating \$7,250,000 of Certificates of Participation to the Department of Public Health to fund construction costs for the Homeless Services Center in FY2019-2020; and placing these funds on Controller's Reserve pending the sale of the Certificates of Participation. (Fiscal Impact)

**Ordinance No. 282-19****FINALLY PASSED****191015 [Accept and Expend Grant and Amend the Annual Salary Ordinance - Retroactive - Office of Financial Empowerment Kindergarten to College Program - Mott Foundation - \$365,000]****Sponsor: Fewer**

Ordinance retroactively authorizing the Office of Treasurer & the Tax Collector to accept and expend a grant in the amount of \$365,000 from the Charles & Stuart Mott Foundation for implementing the Office of Financial Empowerment Kindergarten to College Program for the period of September 1, 2019, through August 31, 2021; and amending Ordinance No. 170-19 (Annual Salary Ordinance File No. 190620 for FYs 2019-2020 and 2020-2021) to provide for the creation of one grant-funded Class 1844 Senior Management Assistant position (0.67 FTE). (Treasurer-Tax Collector)

**Ordinance No. 283-19****FINALLY PASSED****Recommendations of the Government Audit and Oversight Committee****191060 [Settlement of Lawsuit - Joan Frost - \$105,000 - Appropriation - Wastewater Enterprise Fund Balance]**

Ordinance authorizing settlement of the lawsuit filed by Joan Frost against the City and County of San Francisco for \$105,000; the lawsuit was filed on August 3, 2018, in San Francisco Superior Court, Case No. CGC-18-568679; entitled Joan Frost v. The City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a motor vehicle collision; and appropriating \$105,000 from the San Francisco Public Utilities Commission Wastewater Enterprise fund balance for payment of settlement. (City Attorney)

**PASSED ON FIRST READING****191061 [Settlement of Lawsuit - Pacific Bell Telephone Company - \$124,500]**

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$124,500; the lawsuit was filed on April 4, 2019, in San Francisco Superior Court, Case No. CGC-19-575041; entitled Pacific Bell Telephone Company v. City and County of San Francisco; the lawsuit involves a pipe leak that damaged plaintiff's equipment. (City Attorney)

**PASSED ON FIRST READING**

**191063 [Settlement of Unlitigated Claim - 220 Golden Gate Associates, L.P. - \$262,184.16 Plus Interest]**

Resolution approving the settlement of the unlitigated claim filed by 220 Golden Gate Associates, L.P. against the City and County of San Francisco for \$262,184.16 plus statutory interest; the claim was filed on July 15, 2019; the claim involves an alleged overpayment of property taxes. (City Attorney)

**Resolution No. 524-19**

**ADOPTED**

**Recommendation of the Public Safety and Neighborhood Services Committee****190756 [Police Code - Cannabis Retailers at Permitted Cannabis Events]**

**Sponsors: Mandelman; Walton and Brown**

Ordinance amending the Police Code to require that cannabis retailers at permitted events hold Cannabis Business Permits issued by the City, that applicants for Cannabis Event Permits identify the retailers that will be selling cannabis goods at such events and affirm that said retailers hold City-issued Cannabis Business Permits, and that recipients of Cannabis Event Permits take steps to reasonably ensure that only said retailers will sell cannabis goods at such events; to require that Cannabis Event Permit applicants commit to specific actions to support the City's equity goals as a condition of permit issuance; and to provide that a material false statement made in connection with an application for a Cannabis Event Permit may be subject to administrative penalty, cause for denial of a pending or future application for a Cannabis Business Permit, and cause for suspension or revocation of an existing Cannabis Business Permit; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Ordinance No. 284-19**

**FINALLY PASSED**

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

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

## REGULAR AGENDA

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

#### **191013 [Transportation Code - Mobility Device Permit Requirement]**

**Sponsor: Mayor**

Ordinance amending the Transportation Code to establish a violation for operating a Shared Mobility Device Service without a permit or other authorization from the Municipal Transportation Agency, and to repeal certain parking restrictions related to stationless bicycle share programs and powered scooter share programs; 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

#### **191033 [Administrative, Public Works, Police Codes - Establishing Office of Emerging Technology - Requiring Permits for Using Emerging Technology Devices on Public Right-of-Ways]**

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

Ordinance amending the Administrative Code to create an Office of Emerging Technology within Public Works; amending the Public Works Code to require a permit to obstruct the public right-of-way within Public Works' jurisdiction; amending the Administrative Code to codify the Public Works Director's authority to take official actions, as defined herein, including adopting regulations for the pilot operation of emerging technology devices; amending the Public Works Code and Police Code to provide for administrative, civil, and criminal penalties for unlawful obstruction of the public right-of-way, including operation of emerging technology devices without a required permit; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact)

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

**Supervisor Yee, seconded by Supervisor Mandelman, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 8, Line 1, by striking the duplicate 'OET'. The motion carried by the following vote:**

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

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

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

**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)

**Resolution No. 525-19**

**ADOPTED by the following vote:**

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

**191110 [Accept and Expend Grant - Retroactive - San Francisco Public Health Foundation - California Community Reinvestment Grants Program - \$350,000]**

**Sponsors: Mayor; Mandelman**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$350,000 from the San Francisco Public Health Foundation to participate in a program, entitled "California Community Reinvestment Grants Program," for the period of October 1, 2019, through September 30, 2021. (Public Health Department)

**Resolution No. 526-19**

**ADOPTED by the following vote:**

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

**191111 [Exclusive Negotiating Agreement - Ground Lease of 155 Grove Street, 165 Grove Street, and 240 Van Ness Avenue - Mercy Housing California - \$15,000 Annual Lease Payment]**

**Sponsors: Mayor; Haney**

Resolution approving an Exclusive Negotiating Agreement ("ENA") with Mercy Housing California, a California non-profit public benefit corporation, for a proposed ground lease of City real property at 155 Grove Street, 165 Grove Street, and 240 Van Ness Avenue (Assessor's Parcel Block No. 0811, Lot Nos. 016, 019, and 021), with an annual lease payment of \$15,000 under the jurisdiction of the Real Estate Division, subject to several conditions; affirming the Planning Department's determination under the California Environmental Quality Act ("CEQA"); adopting the Planning Department's findings that the transaction contemplated by the ENA is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and that the transaction contemplated by the ENA is not defined as a project under CEQA Guidelines, Sections 15378 and 15060(c)2, subject to the City's discretionary approval after the completion of environmental review; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the ENA and this Resolution, as defined herein.  
(Fiscal Impact)

**Resolution No. 527-19**

**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**

### **191102 [Health, Administrative Codes - City-Operated Adult Residential Facility]**

**Sponsors: Ronen, Haney, Walton, Peskin, Mar, Mandelman, Safai, Yee, Fewer and Preston**  
Ordinance amending the Health Code to require the Department of Public Health to maintain and operate at full capacity an adult residential facility ("ARF") with no fewer than 41 beds; and amending the Administrative Code to establish the Adult Residential Facility Working Group to advise the Board of Supervisors and the Mayor regarding resident care, training, workplace conditions, and staffing at the ARF located at 887 Potrero Avenue.

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

**Supervisor Ronen, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Line 5, by adding 'Members of the Working Group shall serve at the pleasure of their respective appointing authorities and may be removed by the member's appointing authority at any time.'; and on Page 6, Line 14, by adding 'Any voting member who misses three regular meetings of the Working Group within a six-month period without the express approval of the Working Group by majority vote or before each missing meeting shall be deemed to have resigned from the Working Group ten days after the unapproved absence.'**  
**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

### **190767 [Memorandum of Understanding - Reorganization of the Housing Authority of the City and County of San Francisco - Loan Not to Exceed \$20,000,000]**

**Sponsor: Mayor**

Resolution approving a Memorandum of Understanding between the City and County of San Francisco and the Housing Authority of the City and County of San Francisco (SFHA) regarding the reorganization of SFHA; ratifying and approving a loan not to exceed \$20,000,000 to SFHA and any action heretofore taken in connection with such loan to SFHA; and granting general authority to the Mayor and the Mayor's Office of Housing and Community Development to take actions necessary to implement this Resolution, as defined herein.  
(Fiscal Impact)

**Resolution No. 528-19**

**ADOPTED by the following vote:**

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



President Yee requested File Nos. 191064, 191065, 191066, 191067, and 191068 be called together.

**191064 [Mills Act Historical Property Contract - 2251 Webster Street]**

Resolution approving an historical property contract between Sally A. Sadosky Revocable Trust, the owner of 2251 Webster Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

**Resolution No. 529-19**

**ADOPTED by the following vote:**

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

**191065 [Mills Act Historical Property Contract - 1401 Howard Street]**

**Sponsor: Haney**

Resolution approving an historical property contract between 1401 Howard LLC, the owner of 1401 Howard Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

**Resolution No. 550-19**

**ADOPTED by the following vote:**

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

**191066 [Mills Act Historical Property Contract - 64 Potomac Street]**

**Sponsor: Mandelman**

Resolution approving an historical property contract between Gustav Lindqvist & Caroline Ingeborn, the owners of 64 Potomac Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

**Resolution No. 530-19**

**ADOPTED by the following vote:**

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

**191067 [Mills Act Historical Property Contract - 2168 Market Street]**

**Sponsor: Mandelman**

Resolution approving an historical property contract between the Swedish Society of San Francisco, the owners of 2168 Market Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

**Resolution No. 531-19**

**ADOPTED by the following vote:**

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

**191068 [Mills Act Historical Property Contract - 2731-2735 Folsom Street]****Sponsor: Ronen**

Resolution approving an historical property contract between Adele Feng, Timothy Wen Haw Yen, Brent Goldman, and 2735 Folsom Street, LLC, the owners of 2731-2735 Folsom Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

**Resolution No. 532-19****ADOPTED by the following vote:**

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

**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.

**Resolution No. 533-19****ADOPTED by the following vote:**

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

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

### **190856 [Establishing Vision Zero on Homicides and Violent Crimes Plan]**

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

Resolution establishing the creation of a Vision Zero on Homicides and Violent Crimes Plan for neighborhoods most impacted by violence, and urging City departments to implement strategies to achieve the plan.

*Supervisors Fewer and Yee requested to be added as co-sponsors.*

**Supervisor Stefani, seconded by Supervisor Walton, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 1-9, by adding 'WHEREAS, Gender-based violence and domestic violence are a leading cause of death among self-identified women and a threat to public safety, and the presence of a gun in a domestic violence situation increases the risk of homicide by 500 percent; and WHEREAS, Intimate partner violence accounts for 15 percent of all violent crime, and nearly half of all women who were murdered were killed by a current or former intimate partner, over 70 percent of all murder-suicides involve an intimate partner; over 30 percent of California women and 25 percent of Californian men experience intimate partner physical violence, intimate partner sexual violence and/or intimate partner stalking in their lifetimes; now, therefore, be it'; and on Page 4, Line 22, through page 5, Line 5, by adding 'FURTHER RESOLVED, The Board of Supervisors urges The San Francisco Violence Council and the Department on the Status of Women to present ongoing reports to the Board of Supervisors and the Mayor regarding Family Violence in San Francisco and recommendation ending this violence; and, be it FURTHER RESOLVED, The San Francisco Board of Supervisors urges the San Francisco Police Department to pursue gun violence restraining orders whenever there is a nexus between the use or threat of use of a firearm or ammunition by the individual who is the subject of the gun violence restraining orders and the danger presented to self or others, and the gun violence restraining order is necessary to prevent an injury to self or others; and'. The motion carried by the following vote:**

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

**Resolution No. 534-19**

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

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

### **191032 [Liquor License - 294 Ivy Street - Ebb & Flow]**

Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises liquor license to Ebb & Flow, Inc., doing business as Ebb & Flow, located at 294 Ivy Street (District 5), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**Resolution No. 535-19**

**ADOPTED by the following vote:**

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

## **Recommendations of the Rules Committee**

### **190869 [Administrative Code - Farmers' Markets and Flea Markets]**

Ordinance amending the Administrative Code to affirm the County Agricultural Commissioner's authority under state law to certify and inspect farmers' markets and producers, and to enforce state law governing the direct marketing of agricultural products to consumers; replace the County Agricultural Commissioner with the Director of Property as the operator of City-operated farmers' markets and flea markets; eliminate the allocation of space at farmers' markets for the distribution of surplus commodities to needy persons; increase the permit fees for certified producers and other vendors; and increase the permit fees for farmers' market operators. (City Administrator)

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

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

### **190926 [Administrative Code - Acquisition, Retention, and Use of Surveillance Technology] Sponsor: Peskin**

Ordinance amending Chapter 19B of the Administrative Code, governing the City's acquisition, retention, and use of surveillance technology, to allow the acquisition and retention of face recognition technology under certain conditions; to preclude legal relief for alleged violations of Chapter 19B that the City timely cured following notice; and to authorize the City Administrator to adopt implementing standards to guide departments in compliance with Chapter 19B's restrictions on the acquisition, retention, and use of surveillance technology.

**Supervisor Peskin, seconded by Supervisor Walton, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 15-16, and Page 3, Line 8, by inserting 'or device, and that the functions unrelated to Face Recognition Technology are'. 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

### **191000 [Administrative Code - Right to Affordable Housing Unit in a Revitalized Housing Development]**

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

Ordinance amending the Administrative Code to clarify the right of current households to occupy replacement housing units, provide a priority to former households of an existing public housing development to return to a revitalized housing development, and provide a priority to current and former households of an existing public housing development to occupy a new affordable housing unit.

*Supervisor Mandelman 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

**191105 [Administrative Code - Extending Eviction Control to Units Constructed After 1979] Sponsors: Haney; Fewer, Ronen, Walton, Mandelman and Preston**

Ordinance amending the Administrative Code to apply eviction controls to units that are exempt from rent increase limitations because they first received a certificate of occupancy after June 13, 1979, or have undergone a substantial rehabilitation; clarifying the law's application to units with pending notices to vacate; extending the City's current residential rental unit fee to these units; making non-substantive, technical changes; and making findings as required by the Tenant Protection Act of 2019.

*Supervisor Mandelman 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

**191174 [Police Code - Cannabis Regulation]**

Ordinance amending the Police Code to, among other things, 1) create a Cannabis Nursery Permit; 2) prohibit equity applicants from applying for a Cannabis Business Permit through a cooperative; 3) clarify where in the processing order the Office will review and process Cannabis Business Permit applications from holders of Temporary Cannabis Business Permits and Medical Cannabis Dispensaries; 4) prohibit Cannabis Retailers from using business names likely to attract minors as customers or mislead the public into believing that the business is authorized to sell products to minors; 5) remove the requirement that a Cannabis Business Permit application be denied following any violation of Article 16 of the Police Code, and instead require permit denial after a refusal to remediate an Article 16 violation of which they have been notified by the Office; 6) require Cannabis Distributors to notify the Office when they learn that Cannabis products in their possession have failed state testing standards; and affirming the Planning Department's determination under the California Environmental Quality Act. (City Administrator)

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

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

**191095 [Appointment, Park, Recreation, and Open Space Advisory Committee - James Falino]**

Motion appointing James Falino, term ending February 1, 2020, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

**Motion No. M19-173**

**APPROVED by the following vote:**

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

**191146 [Appointment, Commission on Aging Advisory Council - Diane Wesley Smith]**

Motion appointing Diane Wesley Smith, term ending March 31, 2020, to the Commission on the Aging Advisory Council. (Rules Committee)

**Motion No. M19-174**

**APPROVED by the following vote:**

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

**191193 [Appointment, Close Juvenile Hall Working Group - Kandy Kalani Ifopo]**

Motion appointing Kandy Kalani Ifopo, for an indefinite term, to the Close Juvenile Hall Working Group. (Rules Committee)

**Motion No.** M19-175

**APPROVED by the following vote:**

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

**191196 [Appointments, Our City, Our Home Oversight Committee - Shanell Williams, Julie Leadbetter, Julia D'Antonio, and Jennifer Friedenbach]**

Motion appointing Shanell Williams, Julie Leadbetter, Julia D'Antonio, and Jennifer Friedenbach, terms ending April 22, 2021, to the Our City, Our Home Oversight Committee. (Rules Committee)

**Motion No.** M19-176

**APPROVED by the following vote:**

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

*President Yee requested File Nos. 191198, 191199, and 191200 be called together.*

**191198 [Reappointments, Assessment Appeals Board No. 1 - Jeffrey Morris and Eugene Valla]**

Motion reappointing Jeffrey Morris and Eugene Valla, terms ending September 5, 2022, to the Assessment Appeals Board No. 1. (Rules Committee)

**Motion No.** M19-177

**APPROVED by the following vote:**

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

**191199 [Reappointments, Assessment Appeals Board No. 2 - John Lee, Mervin Conlan, and Yosef Tahbazof]**

Motion reappointing John Lee, Mervin Conlan, and Yosef Tahbazof, terms ending September 5, 2022, to the Assessment Appeals Board No. 2. (Rules Committee)

**Motion No.** M19-178

**APPROVED by the following vote:**

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

**191200 [Reappointments, Assessment Appeals Board No. 3 - Shawn Ridgell and James Reynolds]**

Motion reappointing Shawn Ridgell and James Reynolds, terms ending September 5, 2022, to the Assessment Appeals Board No. 3. (Rules Committee)

**Motion No.** M19-179

**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 Brown, seconded by Supervisor Haney, 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 Brown introduced, welcomed, and presented a Certificate of Honor to Franklin Marshall for their organization of, and contributions to, a series of events at the Fillmore Heritage Center honoring 400 years of African American history in the United States.*

*Supervisor Haney introduced, welcomed, and presented a Certificate of Honor to Frank Hansen of Recology in recognition of their accomplishments and two decades of community support providing sanitation services to the Tenderloin.*

## SPECIAL ORDER 3:00 P.M.

*President Yee requested File Nos. 190970 and 190971 be called together.*

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

### **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)

*President Yee opened the public hearing and inquired as to whether any individual wished to address the Board. There were no speakers. President Yee closed public comment, declared the public hearing heard and filed, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## Committee of the Whole Adjourn and Report

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

#### **190971 [Street Vacation and Conveyance - India Basin Project]**

**Sponsors: Mayor; Walton**

Ordinance 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.

**Supervisor Walton, seconded by Supervisor Ronen, moved that this Ordinance be RE-REFERRED to the Land Use and Transportation Committee. 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 Budget and Finance Committee

#### **191148 [Administrative Code - Mental Health SF]**

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

Ordinance amending the Administrative Code to establish Mental Health SF, a mental health program designed to provide access to mental health services, substance use treatment, and psychiatric medications to all adult residents of San Francisco with mental illness and/or substance use disorders who are homeless, uninsured, or enrolled in Medi-Cal or Healthy San Francisco; to establish an Office of Private Health Insurance Accountability to advocate on behalf of privately insured individuals not receiving timely and appropriate mental health care under their private health insurance; to provide that Mental Health SF shall not become operative until either the City's budget has exceeded the prior year's budget by 13%, or the voters have approved a tax that will sufficiently finance the program, or the Board of Supervisors has approved the appropriation of general funds to finance the program; and to establish the Mental Health SF Implementation Working Group to advise the Mental Health Board, the Department of Public Health, the Health Commission, the San Francisco Health Authority, and the Board of Supervisors on the design and implementation of Mental Health SF.  
(Fiscal Impact)

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

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

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

**Sponsors: Fewer; Yee and Mar**

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)

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

**Resolution No. 536-19**

**ADOPTED by the following vote:**

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

**191140 [Prevailing Wage Rates - Various Workers Pursuant to Administrative Code, Section 6.22(e) and Sections 21C.1 through 21C.11]**

Resolution fixing prevailing wage rates for 1) workers performing work under City contracts for public works and improvements; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; 6) workers performing moving services under City contracts at facilities owned or leased by the City; 7) workers engaged in exhibit, display, or trade show work at special events on property owned by the City; 8) workers engaged in broadcast services on property owned by the City; 9) workers engaged in loading or unloading into or from a commercial vehicle on City property of materials, goods, or products in connection with a show or special event, or engaged in driving a commercial vehicle into which or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event; 10) workers engaged in security guard services under City contracts or at facilities or on property owned or leased by the City; and 11) motor bus service contracts. (Civil Service Commission)  
(Fiscal Impact)

**Resolution No. 537-19**

**ADOPTED by the following vote:**

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

**191151 [Multifamily Housing Revenue Bonds - 53 Colton Street - Not to Exceed \$38,700,000]**

**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 \$38,700,000 for 53 Colton 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 \$38,700,000; 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.

**Resolution No. 538-19**

**ADOPTED by the following vote:**

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

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

### **191138 [Settlement of Lawsuit - Manconia Green - \$82,500]**

Ordinance authorizing settlement of the lawsuit filed by Manconia Green against the City and County of San Francisco for \$82,500; the lawsuit was filed on July 25, 2017, in the San Francisco County Superior Court, Case No. CGC-17-560392; entitled Manconia Green v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

**PASSED ON FIRST READING 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**

### **190973 [Health Code - Approving a New Location for a Permittee's Medical Cannabis Dispensary Permit]**

**Sponsor: Haney**

Ordinance amending the Health Code to authorize the Director of the Department of Public Health to allow an existing Medical Cannabis Dispensary permittee to operate under that permit at a new location, provided the permittee has been verified by the Office of Cannabis as an Equity Applicant under the Police Code, the permittee has been evicted from the location associated with the permit or been notified by the landlord that the lease would be terminated or not renewed, the new location has an existing authorization for Medical Cannabis Dispensary Use, the permittee has complied with all requirements of Article 33 of the Health Code (the Medical Cannabis Act) with respect to the new location, and the permittee satisfies the provisions of Article 33 regarding authorization by the Office of Cannabis to sell Adult Use Cannabis; and affirming the Planning Department's determination under the California Environmental Quality Act.

*(This item was not sent as a committee report.)*

### **191016 [Planning Code - 100% Affordable Housing and Educator Housing Streamlining Program]**

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

Ordinance amending the Planning Code to require at least half of residential units in Educator Housing projects to have two or more bedrooms, to eliminate the requirement that Educator Housing projects have a minimum amount of three-bedroom units, conditioned on the passage of Proposition E in the November 5, 2019, Municipal Consolidated Election; 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 convenience, necessity, and welfare under Planning Code, Section 302.

(Pursuant to Planning Code, Section 206.9(h), this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

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

**Supervisor Yee requested this Ordinance be DUPLICATED.**

*See duplicated File No. 191249.*

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

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

**191249 [Planning Code - 100% Affordable Housing and Educator Housing Streamlining Program]****Sponsors: Fewer; Mar, Peskin, Haney, Safai, Walton, Ronen and Preston**

Ordinance amending the Planning Code to require at least half of residential units in Educator Housing projects to have two or more bedrooms, to eliminate the requirement that Educator Housing projects have a minimum amount of three-bedroom units, conditioned on the passage of Proposition E in the November 5, 2019, Municipal Consolidated Election; 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 convenience, necessity, and welfare under Planning Code, Section 302.

(Pursuant to Planning Code, Section 206.9(h), this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

*Duplicated from File No. 191016.*

**Supervisor Yee, seconded by Supervisor Fewer, moved that this Ordinance be RE-REFERRED to the Land Use and Transportation Committee. The motion carried by the following vote:**

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

**191017 [Housing Code - Heat Requirements in Residential Rental Units]****Sponsor: Peskin**

Ordinance amending the Housing Code to revise the requirements for heating in residential rental units; 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

**191106 [Administrative Code - Annual Report on Job Growth and Housing Production]****Sponsors: Mar; Haney, Fewer, Safai, Walton and Preston**

Ordinance amending the Administrative Code to require an annual report analyzing the fit between housing needs associated with job growth by wages in San Francisco and housing production by affordability in the City.

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

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

**191107 [Business and Tax Regulations Code - Extending Temporary Suspension of Business Registration and Fee for Transportation Network Company Drivers and Taxi Drivers]****Sponsor: Peskin**

Ordinance amending the Business and Tax Regulations Code to extend through FY2020-2021 the temporary suspension of the application of the business registration and fee requirements to transportation network company drivers and taxi drivers.

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

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

**191085 [Interim Zoning Controls - Conditional Use Authorization for Conversion of Unpermitted Residential Care Facilities]****Sponsors: Mandelman; Safai and Ronen**

Resolution modifying interim zoning controls established in Resolution No. 430-19, which require a Conditional Use authorization for Residential Care Facilities, to clarify that those interim zoning controls apply to certain Residential Care Facilities, including facilities lacking required permits; 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.

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

**Resolution No. 539-19****ADOPTED 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. 191072 and 191088 be called together.*

**191072 [Administrative Code - Budget Approval Process]****Sponsors: Fewer; Mar, Mandelman, Walton, Ronen, Yee and Haney**

Ordinance amending the Administrative Code to modify the process for the City's adoption of the annual budget by requiring City agencies to hold public hearings prior to submission of their proposed budgets to the Controller and the Mayor; requiring the Mayor to submit to the Board of Supervisors a description of the Mayor's budget priorities after holding a public hearing regarding those priorities; and requiring the Controller to maintain a public website with information about the City's budget process.

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

**Supervisor Fewer, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Line 20, by adding 'Each year beginning on December 1, 2020,'. 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

**191088 [Amending Board Rules of Order - Budget Process]****Sponsors: Fewer; Mar, Mandelman, Walton, Ronen, Stefani, Yee and Haney**

Motion amending the Board of Supervisors Rules of Order to rename the five-member Budget and Finance Committee as the Budget and Appropriations Committee, and to require that Committee to hold special hearings regarding the Mayor's budget instructions and budget priorities.

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

**Motion No. M19-180****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 Fewer assumed the chair at 3:28 p.m. The President resumed the chair at 3:30 p.m.*

## PUBLIC COMMENT

*Stephen A. Nakajo; shared his concerns regarding the Japanese community in San Francisco.*

*Peter Warfield; shared concerns regarding service and class cuts at City College of San Francisco.*

*Speaker; spoke on issues of homelessness and governance in San Francisco.*

*Lisa Zonher; spoke to commend outgoing Supervisor Vallie Brown.*

*Kathy Angues; shared concerns regarding service and class cuts at City College of San Francisco.*

*Speaker spoke to commend Supervisor Vallie Brown.*

*Speaker; shared concerns regarding service and class cuts at City College of San Francisco.*

*Leva; spoke on issues of reparations to the African American community.*

*Speaker; spoke on issues of reparations to the African American community.*

*Speaker; spoke to commend Supervisor Vallie Brown.*

*Quenton Sandberg; spoke to commend outgoing Supervisor Vallie Brown.*

*Speaker; spoke to commend Supervisor Vallie Brown.*

*Speaker; shared concerns regarding service and class cuts at City College of San Francisco.*

*Eira Kien; shared concerns regarding service and class cuts at City College of San Francisco.*

*Marcos Cruz; shared concerns regarding service and class cuts at City College of San Francisco.*

*Rick Baum; shared concerns regarding service and class cuts at City College of San Francisco.*

*Marla Knight; shared concerns regarding service and class cuts at City College of San Francisco.*

*Diane Wallis; shared concerns regarding service and class cuts at City College of San Francisco.*

*Jenny Worley; shared concerns regarding service and class cuts at City College of San Francisco.*

*Leslie Simon; shared concerns regarding service and class cuts at City College of San Francisco.*

*Ronald B. Richardson; shared concerns regarding service and class cuts at City College of San Francisco.*

*Michael Adams; shared concerns regarding service and class cuts at City College of San Francisco.*

*Steve Zeltzer; shared concerns regarding service and class cuts at City College of San Francisco.*

*Elizabeth Milos; shared concerns regarding service and class cuts at City College of San Francisco.*

*Rev. A. Walker; spoke on issues of reparations to the African American community.*

*Latoya Pitcher; spoke on issues of reparations to the African American community.*

*Sala-Haquekyah Chandler; spoke on issues of reparations to the African American community.*

*Danny Smith; spoke on issues of reparations to the African American community.*

*Timothy Killilelly; shared concerns regarding service and class cuts at City College of San Francisco.*

*Rodger Scott; shared concerns regarding service and class cuts at City College of San Francisco.*

*Mike Kimball; shared concerns regarding service and class cuts at City College of San Francisco.*

Joyce Bose; shared concerns regarding service and class cuts at City College of San Francisco.

Stephen Brady; shared concerns regarding service and class cuts at City College of San Francisco.

Wynd Kaufmyn; shared concerns regarding service and class cuts at City College of San Francisco.

Tehmina Khan; shared concerns regarding service and class cuts at City College of San Francisco.

Speaker; shared concerns regarding service and class cuts at City College of San Francisco.

Brenda Barros; spoke on issues of reparations to the African American community.

Cheryl Thornton; spoke on issues of reparations to the African American community.

Madeline Mueller; shared concerns regarding service and class cuts at City College of San Francisco.

Speaker; shared concerns regarding service and class cuts at City College of San Francisco.

Speaker; shared concerns regarding service and class cuts at City College of San Francisco.

Matthew Sutter; expressed concerns regarding the plight of taxi medallion holders, and service and class cuts at City College of San Francisco.

Hardip; expressed concerns regarding the plight of taxi medallion holders and their issues with the Municipal Transportation Agency.

Speaker; expressed concerns regarding the plight of taxi medallion holders and their issues with the Municipal Transportation Agency.

Speaker; expressed concerns regarding the plight of taxi medallion holders and their issues with the Municipal Transportation Agency.

Speaker; shared concerns regarding service and class cuts at City College of San Francisco.

Speaker; shared concerns regarding service and class cuts at City College of San Francisco.

Dede Hewitt; spoke on issues of reparations to the African American community.

Ken Tray; shared concerns regarding service and class cuts at City College of San Francisco.

Christa Durran; spoke on staffing concerns in emergency rooms throughout the City.

Julie Molitor; spoke on staffing concerns in emergency rooms throughout the City.

Christa Soleil; spoke on staffing concerns in emergency rooms throughout the City.

Speaker; shared concerns regarding service and class cuts at City College of San Francisco.

Mary Bravewoman; shared concerns regarding service and class cuts at City College of San Francisco.

Mr. Crawford; spoke on issues of reparations to the African American community.

Catherine Roberts; spoke to commend Supervisor Vallie Brown.

Walter Paulson; shared concerns regarding service and class cuts at City College of San Francisco.

Stephen Reitling; expressed support for the resolution supporting House Resolution No. 763 (File No. 191188).

David Massen; expressed support for the resolution supporting House Resolution No. 763 (File No. 191188).

Barbara Jennings; expressed support for the resolution supporting House Resolution No. 763 (File No. 191188).

Gordon Rose; expressed support for the resolution supporting House Resolution No. 763 (File No. 191188).

Evan Edward; expressed support for the resolution supporting House Resolution No. 763 (File No. 191188).

Paul Romer; expressed support for the resolution supporting House Resolution No. 763 (File No. 191188).

Rebecca Sand; expressed support for the resolution supporting House Resolution No. 763 (File No. 191188).

Barbara Wilson; expressed support for the resolution supporting House Resolution No. 763 (File No. 191188).

Alex; expressed support for the resolution supporting House Resolution No. 763 (File No. 191188).

Patricia Wade; shared concerns regarding service and class cuts at City College of San Francisco.

Candace Wohl; expressed support for the resolution supporting House Resolution No. 763 (File



No. 191188).

*Susana Atwood; shared concerns regarding service and class cuts at City College of San Francisco.*

*Kathe Burick; shared concerns regarding service and class cuts at City College of San Francisco.*

*Dr. Amos C. Brown; spoke on issues of reparations to the African American community.*

*Davis; spoke on issues of reparations to the African American community.*

*Nick Casparello; shared concerns regarding service and class cuts at City College of San Francisco.*

*Juheta Kusnir; shared concerns regarding service and class cuts at City College of San Francisco.*

*Lee Ellen Shoemaker; shared concerns regarding service and class cuts at City College of San Francisco.*

*Patricia O'Farrell; shared concerns regarding Tenderloin community and city-wide issues.*

*Speaker; shared concerns regarding service and class cuts at City College of San Francisco.*

*Gloria Berry; shared concerns regarding the shipyard cleanup in District 10.*

*Ken; shared various concerns with the Board.*

## CLOSED SESSION

## CONFERENCE WITH CITY ATTORNEY - Existing Litigation

### **191191 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - December 10, 2019]**

Closed Session for the Board of Supervisors to convene on December 10, 2019, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed, February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public Utilities Commission Case No. I.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; and California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; scheduled pursuant to Motion No. M19-171, approved November 19, 2019. (Clerk of the Board)



**CONVENED IN CLOSED SESSION**

The Board recessed at the hour of 7:37 p.m. to convene in closed session pursuant to Motion No. M19-171 (File No. 191159), approved on November 19, 2019.

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

Persons in attendance: Jon Givner, Anne Pearson, and Theresa Mueller, Deputy City Attorneys (Office of the City Attorney); Barbara Hale, Assistant General Manager-Power Enterprise (Public Utilities Commission); and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).

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

**RECONVENED AS THE BOARD OF SUPERVISORS**

The Board reconvened at the hour of 8:02 p.m.

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

**Supervisor Peskin, seconded by Supervisor Ronen, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of January 14, 2020. The motion carried by the following vote:**

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

*[Elect Not to Disclose]*

*Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.*

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

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

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****191225 [Declaration of Election Results - November 5, 2019 - Consolidated Municipal Election]**

**Sponsor: Yee**

Resolution declaring the results of the Consolidated Municipal Election of November 5, 2019.

**Resolution No. 523-19**

**ADOPTED**

**191214 [Final Map 7970 - 700, 706, and 738 Mission Street, and 86 Third Street]**

Motion approving Final Map 7970, a merger and four lot vertical subdivision, a 146 unit residential condominium project within lot 1, located at 700, 706, and 738 Mission Street, and 86 Third Street, being a merger and subdivision of Assessor's Parcel Block No. 3706, Lot Nos. 093, 275, and 300; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-181**

**APPROVED**

**191215 [Final Map 9047 - 875 California Street]**

Motion approving Final Map 9047, a 44 residential unit condominium project, located at 875 California Street, being a merger and subdivision of Assessor's Parcel Block No. 0256, Lot Nos. 016 and 017; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-182**

**APPROVED**

**191216 [Final Map 9380 - 1849 Chestnut Street]**

Motion approving Final Map 9380, a six residential condominium project, located at 1849 Chestnut Street, being a subdivision of Assessor's Parcel Block No. 0493, Lot No. 025; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-183**

**APPROVED**

**191217 [Final Map 9612 - 4334 Geary Boulevard]**

Motion approving Final Map 9612, a six residential unit and one commercial unit, mixed-use condominium project, located at 4334 Geary Boulevard, being a subdivision of Assessor's Parcel Block No. 1439, Lot No. 021; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-184**

**APPROVED**

**191218 [Final Map 9626 - 950 Tennessee Street]**

Motion approving Final Map 9626, a 100 unit residential condominium project, located at 950 Tennessee Street, being a subdivision of Assessor's Parcel Block No. 4107, Lot No. 001B; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-185**

**APPROVED**

**191219 [Final Map 9811 - 2465 Van Ness Avenue]**

Motion approving Final Map 9811, a 43 unit mixed-use condominium project (two commercial and 41 residential units), located at 2465 Van Ness Avenue, being a merger and resubdivision of Assessor's Parcel Block No. 0546, Lot Nos. 001 and 002; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-186**

**APPROVED**

**191220 [Final Map 9943 - 3324-3330 19th Street]**

Motion approving Final Map 9943, a two lot vertical subdivision condominium project (lot 1 being a four residential unit), located at 3324-3330 19th Street, being a subdivision of Assessor's Parcel Block No. 3590, Lot No. 014; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-187**

**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 Stefani requested that File No. 191228 be severed so that it may be considered separately.*

*Supervisor Safai was noted absent at 7:00 p.m. and for the remainder of the meeting.*

**191228 [Commending Supervisor Vallie Brown]**

**Sponsor: Board of Supervisors**

Resolution commending and honoring Supervisor Vallie Brown for her decades of dedicated service to San Francisco and for her distinguished service as a Member of the San Francisco Board of Supervisors.

**Resolution No. 522-19**

**ADOPTED by the following vote:**

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

Absent: 1 - Safai

Supervisor Mandelman requested that File No. 191188 be severed so that it may be considered separately.

**191188 [Supporting United States House Resolution No. 763 (Deutch) - The Energy and Carbon Dividend Act of 2019]**

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

Resolution supporting United States House Resolution No. 763, authored by United States Representative Theodore E. Deutch, the Energy Innovation and Carbon Dividend Act of 2019, to encourage market-driven innovation of clean energy technologies and market efficiencies which will reduce harmful pollution and leave a healthier, more stable, and more prosperous nation for future generations.

Supervisors Walton, Brown, Peskin, and Haney requested to be added as co-sponsors.

**Resolution No. 540-19**

**ADOPTED by the following vote:**

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

Supervisor Yee requested that File No. 191202 be severed so that it may be considered separately.

**191202 [Authorizing Preparation of Proponent Ballot Arguments and Rebuttal Ballot Arguments - March 3, 2020, Consolidated Presidential Primary Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters for the March 3, 2020, Consolidated Presidential Primary Election. (Clerk of the Board)

Supervisor Yee, seconded by Supervisor Safai, moved that this Motion be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**, by authorizing Mayor London N. Breed to prepare Proponent Ballot Arguments for the Charter Amendment on retiree health benefits for Housing Authority employees (File No. 190945), and the General Obligation Bond for earthquake safety (File No. 190494); authorizing Supervisor Aaron Peskin to prepare the Proponent Ballot Argument for the Initiative Ordinance on vacant commercial properties (File No. 191005); by striking all references to 'Opponent Ballot Arguments'; and making other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee  
Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for submittal to the voters for the March 3, 2020, Consolidated Presidential Primary Election. (Clerk of the Board)

**Motion No. M19-188**

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

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

Supervisor Ronen requested that File No. 191226 be severed so that it may be considered separately.

**191226 [Board of Supervisors Regular Meeting Schedule - 2020]**

Motion establishing the 2020 Board of Supervisors Regular Meeting Schedule pursuant to Board of Supervisors Rules of Order, Sections 4.2, and 4.2.1, by cancelling the Regular Board meetings of January 21, February 18, May 26, and October 13, and November 24; and all Regular Board and Committee meetings during the spring, summer and winter breaks from March 30 through April 3, August 3 through September 7, and December 16, 2020, through January 4, 2021; and further suspending portions of Board Rule 4.2 to effectuate certain dates within the regular meeting schedule to augment the flow of business. (Clerk of the Board)

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

*Supervisor Peskin, seconded by Supervisor Walton, moved to AMEND this Motion to schedule a Special Board of Supervisors Meeting on Monday, November 2, 2020, and cancel the Regular Board of Supervisors Meeting of Tuesday, November 3, 2020. Before the vote was taken, Supervisor Peskin, with the concurrence of Supervisor Walton, moved to rescind this motion.*

**Supervisor Peskin, seconded by Supervisor Ronen, moved that this Motion be CONTINUED to the Board of Supervisors Meeting of December 17, 2019. The motion carried by the following vote:**

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

## IMPERATIVE AGENDA

*[Purely Commendatory Finding]*

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

**Supervisor Peskin, seconded by Supervisor Ronen, ADOPTION of the commendatory finding. The motion carried by the following vote:**

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

Absent: 1 - Safai

*[Brown Act Finding]*

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

**Supervisor Peskin, seconded by Supervisor Ronen, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:**

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

Absent: 1 - Safai

### **191250 [Commending Cobre, Native Sons Building, and One Atmosphere]**

**Sponsors: Peskin; Ronen**

Resolution commending the artist Cobre, the Native Sons Building, and the environmental nonprofit One Atmosphere for coming together to create the mural depicting environmental activist Greta Thunberg and amplifying her call for action against climate change.

*President Yee inquired as to whether any member of the public wished to address the Board relating to the Resolution commending Cobre, the Native Sons Building, and One Atmosphere, as referenced in File No. 191250. There were no speakers. The President declared public comment closed.*

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

**Resolution No. 551-19**

**ADOPTED by the following vote:**

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

Absent: 1 - Safai

## 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

### **191251 [De-Appropriation and Re-Appropriation in Hetch Hetchy Power - \$10,369,224 - Power Asset Acquisition Analysis Project - Public Utilities Commission - FY2019-2020]**

**Sponsor: Mayor**

Ordinance de-appropriating \$10,369,224 of capital projects appropriations and re-appropriating \$10,369,224 in Hetch Hetchy Power for the Power Asset Acquisition Analysis Project of the Public Utilities Commission for FY2019-2020.

(Fiscal Impact)

12/10/19; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

### **191253 [Street Vacation - Millennium Tower 301 Mission Perimeter Pile Upgrade Project]**

**Sponsor: Mayor**

Ordinance ordering the vacation of the sidewalk portion of streets on the south side of Mission Street at the intersection of Mission and Fremont Streets and on the east side of Fremont Street at the same intersection to allow a structural upgrade of the 301 Mission Street high-rise building known as Millennium Tower, subject to certain conditions; rededicating the area subject to the street vacation to public use for street and right-of-way purposes after the City's issuance of an easement for the abovementioned structural upgrade; adopting environmental findings under the California Environmental Quality Act; adopting findings that the vacation and rededication of the street area are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance.

12/10/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/9/2020.

### **191166 [Levying Taxes - Special Tax District No. 2019-1 (Pier 70 Condominiums)]**

**Sponsor: Mayor**

Ordinance levying special taxes within City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums).

12/10/19; ASSIGNED UNDER 30 DAY RULE to Board of Supervisors, expires on 1/9/2020.

### **191172 [Levying Special Taxes - Special Tax District No. 2019-2 (Pier 70 Leased Properties)]**

**Sponsor: Mayor**

Ordinance levying special taxes within City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties).

12/10/19; ASSIGNED UNDER 30 DAY RULE to Board of Supervisors, expires on 1/9/2020.

**191256 [Administrative Code - Naming Second Floor Rotunda in City Hall for Buck Delventhal]**

**Sponsors: Peskin, Yee, Fewer, Haney, Mandelman, Mar, Ronen, Safai, Stefani and Walton**  
Ordinance amending the Administrative Code to name the rotunda on the second floor of City Hall in memory of former Deputy City Attorney Buck Delventhal.

12/10/19; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/9/2020.

**191257 [Planning Code - Jackson Square Special Use District - Exemption from Limitation on Proposed Limited Restaurant Uses]**

**Sponsor: Peskin**

Ordinance amending the Planning Code to allow authorization of a Limited Restaurant use in the Jackson Square Special Use District that does not comply with the current requirements for a Limited Restaurant use if a building permit application furthering the establishment of such use was filed by July 19, 2018; 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.

12/10/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/9/2020.

**191258 [Administrative Code - Hotel Conversion Ordinance]**

**Sponsor: Peskin**

Ordinance repealing Ordinance Nos. 38-17 and 102-19, and reenacting certain provisions by amending the Administrative Code to update the Hotel Conversion Ordinance, including: adding or refining definitions of comparable unit, conversion, and low-income household; revising procedures for permits to convert residential units; harmonizing fees and penalty provisions with the Building Code; eliminating seasonal short-term rentals for residential hotels that have violated provisions of the Hotel Conversion Ordinance in the previous year; authorizing the Department of Building Inspection to issue administrative subpoenas; and affirming the Planning Department's determination under the California Environmental Quality Act.

12/10/19; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/9/2020.

**191259 [Planning Code, Zoning Map - 542-550 Howard Street]**

**Sponsor: Haney**

Ordinance amending the Planning Code and Zoning Map to rezone and reclassify a portion of the 542-550 Howard Street project site (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138), also known as Transbay Parcel F and as shown on Figure 1 of the Transit Center District Plan, specifically to rezone a portion of the project site from the P (Public) District to the C-3-O (SD) Downtown Office Special Development District and to reclassify the height and bulk district designations for a portion of the project site; waiving certain provisions of the Planning Code to allow the project's required inclusionary affordable housing units to be provided off-site within the Transbay Redevelopment Project Area, subject to certain conditions, and to permit the footprint of the portion of the project site dedicated to dwellings to exceed 15,000 square feet; adopting findings 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.

12/10/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/9/2020.



**191260 [Planning Code, Zoning Map - Establishing 12 Named Neighborhood Commercial Districts]****Sponsors: Ronen; Fewer and Walton**

Ordinance amending the Planning Code to establish 1) the Inner Balboa Street Neighborhood Commercial District generally including the properties along Balboa Street between 2nd and 8th Avenues, 2) the Outer Balboa Street Neighborhood Commercial District generally including the properties along Balboa Street between 32nd and 39th Avenues, 3) the Bayview Neighborhood Commercial District generally including the properties along 3rd Street from Yosemite to Jerrold Avenues, 4) the Cortland Avenue Neighborhood Commercial District generally including the properties along Cortland Avenue between Bonview and Folsom Streets, 5) the Geary Boulevard Neighborhood Commercial District generally including the properties along Geary Boulevard between Masonic and 28th Avenues, 6) the Mission Bernal Neighborhood Commercial District generally including the properties along Mission Street between Cesar Chavez and Randall Streets, and 7) the San Bruno Avenue Neighborhood Commercial District generally including the properties along San Bruno Avenue between Hale and Olmstead Streets; amending the Zoning Map to include the new Neighborhood Commercial 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.

12/10/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/9/2020.

**191261 [Appropriation - General Reserve - City College of San Francisco Operating Support - \$2,700,000 - FY2019-2020]****Sponsors: Walton; Mar, Haney, Fewer and Preston**

Ordinance appropriating \$2,700,000 of the General Reserve to support City College of San Francisco class reinstatement, upon condition of an executed agreement for this use in FY2019-2020.

(Fiscal Impact)

12/10/19; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/9/2020.

**191262 [Real Property Acquisition - Highway Offramp Improvements and Real Property - Southwest of Third Street and Meade Avenue]****Sponsor: Walton**

Ordinance authorizing the Director of Property to acquire and accept the State of California's relinquishment of all its right, title, and interest in the sidewalk, roadway, and other right-of-way improvements and real property comprising a portion of State Highway Route 101 located northeast of the Bayshore Boulevard overcrossing and southwest of the intersection of Third Street and Meade Avenue; authorizing the placement of such sidewalk, roadway, and other right-of-way improvements and real property, upon acquisition, under the jurisdiction of Public Works; authorizing additional official City actions required to complete the State's relinquishment of such sidewalk, roadway, and other right-of-way improvements and real property; waiving the required 90-days notice of intention to relinquish set forth in State law; adopting the Planning Department's determination that such acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting the Planning Department's determination under the California Environmental Quality Act.

12/10/19; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/9/2020.

## RESOLUTIONS

### **191252 [Resolution of Intent for Street Vacation - 301 Mission Street Millennium Tower]**

**Sponsor: Mayor**

Resolution declaring the intent of the Board of Supervisors to order the vacation of the sidewalk portion of streets on the south side of Mission Street, at the intersection of Mission and Fremont Streets, and on the east side of Fremont Street at the same intersection to allow a structural upgrade of the 301 Mission Street high-rise building known as Millennium Tower; and setting the Board of Supervisors hearing date, sitting as a Committee of the Whole, for all persons interested in the proposed vacation of said street areas.

12/10/19; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

### **191162 [Resolution of Formation - Special Tax District No. 2019-1 (Pier 70 Condominiums)]**

**Sponsor: Mayor**

Resolution of formation of the City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums) and a future annexation area; determining other matters in connection therewith, as defined herein; and making findings under the California Environmental Quality Act.

12/10/19; RECEIVED AND ASSIGNED to Board of Supervisors.

### **191163 [Determining Necessity to Incur Bonded Indebtedness and Other Debt - Special Tax District No. 2019-1 (Pier 70 Condominiums) - Not to Exceed \$1,697,600,000]**

**Sponsor: Mayor**

Resolution determining necessity to incur bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,697,600,000 for the City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums); and determining other matters in connection therewith, as defined herein.

12/10/19; RECEIVED AND ASSIGNED to Board of Supervisors.

### **191254 [Calling Special Election - Special Tax District No. 2019-1 (Pier 70 Condominiums)]**

**Sponsor: Mayor**

Resolution calling a special election in the City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums); and determining other matters in connection therewith, as defined herein.

12/10/19; RECEIVED AND ASSIGNED to Board of Supervisors.

### **191164 [Declaring Results of Special Election - Special Tax District No. 2019-1 (Pier 70 Condominiums)]**

**Sponsor: Mayor**

Resolution declaring the results of the special election; directing recordation of the notice of special tax lien for the City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums); and determining other matters in connection therewith, as defined herein.

12/10/19; RECEIVED AND ASSIGNED to Board of Supervisors.

**191165 [Authorizing and Ratifying Issuance of Bonded Indebtedness and Other Debt - Special Tax District No. 2019-1 (Pier 70 Condominiums) - Not to Exceed \$1,697,600,000]**

**Sponsor: Mayor**

Resolution authorizing and ratifying the issuance and sale of bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,697,600,000 for the City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums); and determining other matters in connection therewith, as defined herein.

12/10/19; RECEIVED AND ASSIGNED to Board of Supervisors.

**191168 [Resolution of Formation - Special Tax District No. 2019-2 (Pier 70 Leased Properties)]**

**Sponsor: Mayor**

Resolution of formation of the City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties) and a future annexation area; determining other matters in connection therewith, as defined herein; and making findings under the California Environmental Quality Act.

12/10/19; RECEIVED AND ASSIGNED to Board of Supervisors.

**191169 [Determining Necessity to Incur Bonded Indebtedness and Other Debt - Special Tax District No. 2019-2 (Pier 70 Leased Properties) - Not to Exceed \$1,841,600,000]**

**Sponsor: Mayor**

Resolution determining necessity to incur bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,841,600,000 for the City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties); and determining other matters in connection therewith, as defined herein.

12/10/19; RECEIVED AND ASSIGNED to Board of Supervisors.

**191255 [Calling Special Election - Special Tax District No. 2019-2 (Pier 70 Leased Properties)]**

**Sponsor: Mayor**

Resolution calling a special election in the City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties); and determining other matters in connection therewith, as defined herein.

12/10/19; RECEIVED AND ASSIGNED to Board of Supervisors.

**191170 [Declaring Results of Special Election - Special Tax District No. 2019-2 (Pier 70 Leased Properties)]**

**Sponsor: Mayor**

Resolution declaring the results of the special election and directing recordation of the notice of special tax lien for the City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties); and determining other matters in connection therewith, as defined herein.

12/10/19; RECEIVED AND ASSIGNED to Board of Supervisors.

**191171 [Authorizing and Ratifying Issuance of Bonded Indebtedness and Other Debt - Special Tax District No. 2019-2 (Pier 70 Leased Properties) - Not to Exceed \$1,841,600,000]**

**Sponsor: Mayor**

Resolution authorizing and ratifying the issuance and sale of bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,841,600,000 for the City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties); and determining other matters in connection therewith, as defined herein.

12/10/19; RECEIVED AND ASSIGNED to Board of Supervisors.

**191263 [Multifamily Housing Revenue Bonds - 1223 Webster Street (Fillmore Marketplace) - Not to Exceed \$24,000,000]**

**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 \$24,000,000 for 1223 Webster 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 \$24,000,000; 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.

12/10/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191264 [Multifamily Housing Revenue Note - Turk 500 Associates, L.P. - Not to Exceed \$53,000,000]**

**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 \$53,000,000 for the purpose of providing financing for the construction of a 108-unit (includes one resident manager unit) multifamily rental housing project known as "555 Larkin/500-520 Turk;" 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 project 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; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

12/10/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191265 [Acquisition of Real Property - Turk 500 Associates, L.P. - 500-520 Turk Street/555 Larkin Street - 100% Affordable Housing - \$0 in Exchange for \$12,250,000 Credit - Ground Lease with Base Rent of \$15,000 - Loan Not to Exceed \$32,400,000]**

**Sponsor: Mayor**

Resolution 1) approving and authorizing the Director of Property, on behalf of the Mayor's Office of Housing and Community Development ("MOHCD"), to acquire real property, located at 500-520 TurkStreet/555 Larkin Street ("Property") from Turk 500 Associates, L.P. ("Developer") for \$0 in exchange for a \$12,250,000 credit; 2) placing the Property under the jurisdiction of MOHCD for use in constructing affordable housing for San Franciscans; 3) approving and authorizing an Amended and Restated Loan Agreement in an amount not to exceed \$32,400,000 for a minimum loan term of 57 years ("Loan Agreement") to finance the construction of a 100% affordable, 108-unit multifamily rental housing development (plus one staff unit) on the Property for low income households with ancillary commercial space for public benefit or community-serving purposes ("Project"); 4) approving and authorizing an Agreement for Purchase and Sale for acquisition of the Property ("Purchase Agreement") and a Ground Lease back to the Developer for a lease term of 75 years and one 24-year option to extend and an annual base rent of \$15,000 in order to construct the Project ("Ground Lease"); 5) adopting findings that the Purchase Agreement, Loan Agreement and Ground Lease are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and 6) authorizing the Director of Property to execute the Purchase Agreement, Ground Lease, and authorize Director of MOHCD to execute the Loan Agreement, make certain modifications to such agreements, and take certain actions in furtherance of this Resolution, as defined herein.

(Fiscal Impact)

12/10/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191266 [Accept and Expend Grant - Retroactive - California Department of Parks and Recreation Local Assistance Specified Grant - West Portal Playground - \$400,000]**

**Sponsors: Mayor; Yee**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a Local Assistance Specified Grant in the amount of \$400,000 from the California Department of Parks and Recreation for the West Portal Playground Project for the grant period of July 1, 2019, through June 30, 2022.

12/10/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191267 [Accept and Expend Grant - Retroactive - California Department of Parks and Recreation Local Assistance Specified Grant - Merced Heights Park - \$1,329,000]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a Local Assistance Specified Grant in the amount of \$1,370,000 from the California Department of Parks and Recreation to support capital improvements to Merced Heights Park; and enter into an agreement with the California Department of Parks and Recreation for the receipt of \$1,370,000 for the Merced Heights Park for the period of July 1, 2019, through June 30, 2022, pursuant to Charter, Section 9.118(a).

12/10/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191268 [Accept and Expend Grant - Retroactive - California Department of Finance - India Basin 900 Innes Remediation and Park Development Project - \$4,000,000]****Sponsor: Mayor**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant in the amount of \$4,000,000 from the California State Controller's Office for the India Basin 900 Innes Remediation and Park Development Project for the period of July 1, 2019, through December 31, 2020.

12/10/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191269 [Accept and Expend Grant - Retroactive - San Francisco Bay Area Rapid Transit District - Pit Stop Public Toilet Program - \$257,500]****Sponsor: Mayor**

Resolution retroactively authorizing Public Works to accept and expend a grant of up to \$257,500 from the San Francisco Bay Area Rapid Transit District (BART) for the Pit Stop Public Toilet Program for the period of July 1, 2019, through June 30, 2020. (Public Works)  
(Fiscal Impact)

12/10/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191270 [Urging the United States Congress to Pass Legislation Providing and Expanding Family Support Visas]****Sponsors: Fewer; Ronen, Walton, Peskin, Mar, Mandelman, Haney, Stefani, Yee and Preston**

Resolution calling upon the United States Congress to pass legislation providing and expanding family support visas to undocumented or Temporary Protected Status recipient parents of United States citizen children or Deferred Action for Childhood Arrivals eligible children, to allow them and their children to stay and work in the United States with a path to citizenship.

12/10/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**191271 [Urging Zuckerberg San Francisco General Hospital and Trauma Center to Improve Hospital Staff and Standards of Patient Care]****Sponsors: Haney; Walton, Mar, Yee, Ronen, Fewer, Preston, Mandelman, Stefani and Safai**

Resolution urging the Zuckerberg San Francisco General Hospital administration to demonstrate a commitment to patient care by increasing Attending Physicians and Non-Resident Providers to focus on Resident Physician and Nurse wellness.

12/10/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**191027 [Resolution to Establish (Renew) - Noe Valley Community Benefit District]****Sponsor: Mandelman**

Resolution to establish (renew) the property-based business improvement district known as the "Noe Valley Community Benefit District," ordering the levy and collection of assessments against property located in that district for 15 years commencing with FY2020-2021, subject to conditions as specified; and affirming the Planning Department's determination under the California Environmental Quality Act.

12/10/19; RECEIVED AND ASSIGNED to Board of Supervisors.



**191272 [Urging the United States House of Representatives to Adopt the Articles of Impeachment Against Donald J. Trump]****Sponsors: Mandelman; Preston**

Resolution urging the United States House of Representatives to adopt the Articles of Impeachment against Donald J. Trump for the charges of abuse of power and obstruction of Congress.

12/10/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**191273 [Advertising and Vending Kiosk Policy - JC Decaux San Francisco, LLC. - Public Toilets and Public Service Kiosk Agreement]****Sponsor: Peskin**

Resolution approving a policy defining the fair and equitable use of the static and digital public service messaging program and allocating the use of space within the vending kiosks associated with the Revenue Agreement between Public Works and JCDecaux San Francisco, LLC, for an Automatic Public Toilet and Public Service Kiosk Program; and affirming the Planning Department's determination under the California Environmental Quality Act.

12/10/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191274 [Approval of a 90-Day Extension for Planning Commission Review of the Geary-Masonic Special Use District (File No. 191002)]****Sponsor: Stefani**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 191002) amending the Planning Code to modify the Geary-Masonic Special Use District regarding minimum parking requirements, ground floor ceiling heights, and to allow payment of an inclusionary housing fee; 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 convenience, necessity, and welfare under Planning Code, Section 302.

12/10/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## REQUESTS FOR HEARING

**191161 [Hearing - Committee of the Whole - Special Tax District No. 2019-1 (Pier 70 Condominiums) - January 14, 2020]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on January 14, 2020, at 3:00 p.m., to hold a public hearing to consider the following legislation to form Special Tax District No. 2019-1 (Pier 70 Condominiums); a Resolution proposing the formation of the Special Tax District No. 2019-1 (Pier 70 Condominiums) and a future annexation area (File No. 191162); a Resolution determining necessity to incur bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,697,600,000 (File No. 191163); a Resolution calling a special election for the Special Tax District No. 2019-1 (File No. 191254); a Resolution declaring the results of the special election (File No. 191164); a Resolution authorizing and ratifying issuance of bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,697,600,000 (File No. 191165); and an Ordinance levying Special Taxes for the Special Tax District No. 2019-1 (File No. 191166); scheduled pursuant to Resolution No. 500-19, approved on November 27, 2019. (Clerk of the Board)

12/10/19; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**191167 [Hearing - Committee of the Whole - Special Tax District No. 2019-2 (Pier 70 Leased Properties) - January 14, 2020]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on January 14, 2020, at 3:00 p.m., to hold a public hearing to consider the following legislation to form Special Tax District No. 2019-2 (Pier 70 Leased Properties): a Resolution proposing the formation of the Special Tax District No. 2019-2 (Pier 70 Leased Properties) and a future annexation area (File No. 191168); a Resolution determining necessity to incur bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,841,600,000 (File No. 191169); a Resolution calling a special election for the Special Tax District No. 2019-2 (File No. 191255); a Resolution declaring the results of the special election (File No. 191170); a Resolution authorizing and ratifying issuance of bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,841,600,000 (File No. 191171); and an Ordinance levying Special Taxes for the Special Tax District No. 2019-2 (File No. 191172); scheduled pursuant to Resolution No. 502-19, approved on November 27, 2019. (Clerk of the Board)

12/10/19; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**191026 [Hearing - Committee of the Whole - Noe Valley Community Benefit District - January 28, 2020]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on January 28, 2020, at 3:00 p.m., to consider the renewal of a property-based business improvement district known as the Noe Valley Community Benefit District, pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code, Sections 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code, Article 15; scheduled pursuant to Resolution No. 496-19, adopted on November 19, 2019. (Clerk of the Board)

11/19/19; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**Introduced at the Request of a Department**

*Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.*

**PROPOSED ORDINANCES****191203 [Authorizing Agreements - Purchase of Electricity and Related Products and Services for CleanPowerSF - Public Utilities Commission - Waiver of Certain Administrative Code and Environment Code Provisions]**

Ordinance delegating authority under Charter, Section 9.118, to the General Manager of the Public Utilities Commission to enter into agreements with terms in excess of ten years or requiring expenditures of \$10,000,000 or more for power and related products and services required to supply San Francisco's community choice aggregation program, CleanPowerSF, subject to specified conditions; authorizing the use of pro forma agreements for the purchase and sale of power and related products; and authorizing deviations from certain contract requirements in the Administrative Code and the Environment Code. (Public Utilities Commission)

11/26/19; RECEIVED FROM DEPARTMENT.

12/10/19; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/9/2020.



**191204 [Settlement of Lawsuit - PJ Dayacamos - \$57,500]**

Ordinance authorizing settlement of the lawsuit filed by PJ Dayacamos against the City and County of San Francisco for \$57,500; the lawsuit was filed on May 8, 2017, in the United States District Court, Northern District of California, Case No. 3:17-cv-02644-JSC; entitled PJ Dayacamos v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

11/18/19; RECEIVED FROM DEPARTMENT.

12/10/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**191205 [Settlement of Lawsuit - Tureko Straughter and K.R., a minor - \$160,000]**

Ordinance authorizing settlement of the lawsuit filed by Tureko Straughter and K.R., a minor, against the City and County of San Francisco for \$160,000; the lawsuit was filed on August 22, 2018, in the United States District Court, Case No. 18-cv-03651; entitled Tureko Straughter, individually and as the guardian for minor K.R.; and K.R., a minor, by and through his guardian Tureko Straughter; the lawsuit involves alleged civil rights violations. (City Attorney)

11/25/19; RECEIVED FROM DEPARTMENT.

12/10/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**191206 [Settlement of Lawsuit - Scanvinski Jerome Hymes - \$35,000]**

Ordinance authorizing settlement of the lawsuit filed by Scanvinski Jerome Hymes against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 28, 2016, in United States District Court - Northern District of California, Case No. 16-cv-04288 JSC; entitled Scanvinski Jerome Hymes v. Milton Bliss, et al.; the lawsuit involves alleged excessive force and personal injuries by Sheriff's deputies. (City Attorney)

11/25/19; RECEIVED FROM DEPARTMENT.

12/10/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**191207 [Settlement of Lawsuit - Claudia High-Matthews - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Claudia High-Matthews against the City and County of San Francisco for \$40,000; the lawsuit was filed on May 25, 2018, in San Francisco Superior Court, Case No. CGC-18-566804; entitled Claudia High-Matthews v. City and County of San Francisco; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney)

12/02/19; RECEIVED FROM DEPARTMENT.

12/10/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**191208 [Amended Settlement of Unlitigated Claim - United States Environmental Protection Agency - Yosemite Slough Sediment Site - \$821,839; Related Appropriation - Wastewater Enterprise Fund Balance]**

Ordinance approving an amendment to the 2016 settlement of United States Environmental Protection Agency's ("EPA") unlitigated claim against the City and County of San Francisco approved by Resolution No. 350-16; no formal claim has been filed; the amendment resolves EPA's claims against the City to perform additional pre-design technical studies in support of cleanup of the Yosemite Slough Sediment Site; the amendment requires the City to perform two technical studies at an estimated cost of \$821,839; additional material terms of the amended settlement are that the City will contract with a third party environmental consultant to perform the studies, the City will assume responsibility for completion of the work pursuant to the amendment, the City will assume responsibility and indemnify EPA for any stipulated penalties or claims arising in connection with performance of the additional work under the amendment, and the City will reimburse EPA for its future response costs related to the additional work; and appropriating \$821,839 from the Public Utilities Commission Wastewater Enterprise fund balance for payment of the costs. (City Attorney)

11/25/19; RECEIVED FROM DEPARTMENT.

12/10/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**191221 [Settlement of Lawsuit - Peggy Ung - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Peggy Ung against the City and County of San Francisco for \$50,000; the lawsuit was filed on November 8, 2017, in San Francisco Superior Court, Case No. CGC-17-562378; entitled Peggy Ung v. Yong L. Wang, et al.; the lawsuit involves alleged personal injury on a City sidewalk; other material terms of the settlement are that the City, Yong L. Wang, Michelle Wang, and Farmers Insurance Company mutually waive any and all rights they may have against each other for indemnity concerning the lawsuit. (City Attorney)

12/02/19; RECEIVED FROM DEPARTMENT.

12/10/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**191209 [Lease Agreement - Park Café Group, Inc. - Harvey Milk Terminal 1 Boarding Area C Food and Beverage Kiosk Lease, A Small Business Enterprise Set-Aside - \$240,000 Minimum Annual Guarantee]**

Resolution approving the Harvey Milk Terminal 1 Boarding Area C Food and Beverage Kiosk Lease, A Small Business Enterprise Set-Aside, Lease No. 19-0244 between Park Café Group, Inc., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years and a minimum annual guarantee of \$240,000 for the first year of the Lease to commence following Board approval. (Airport Commission)

11/08/19; RECEIVED FROM DEPARTMENT.

12/10/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191210 [Lease Agreement - Sidewalk Juice, SFO, LLC - Terminal 3 Boarding Area F Food and Beverage Kiosk Lease, A Small Business Enterprise Set-Aside - \$136,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 3 Boarding Area F Food and Beverage Kiosk Lease, A Small Business Enterprise Set-Aside, Lease No. 19-0245 between Sidewalk Juice, SFO, LLC, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years and a minimum annual guarantee of \$136,000 for the first year of the Lease to commence following Board approval. (Airport Commission)

11/08/19; RECEIVED FROM DEPARTMENT.

12/10/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191211 [Lease Agreement - Elevate Gourmet Brands-SC Group - Terminal 3 Boarding Area F Gourmet Grab and Go Market Lease - \$250,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 3 Boarding Area F Gourmet Grab and Go Market Lease, Lease No. 19-0247 between Elevate Gourmet Brands-SC Group, a joint venture between Elevate Gourmet Brands, Inc. and Skyview Concessions, Inc., as joint tenants, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years and a minimum annual guarantee of \$250,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

11/08/19; RECEIVED FROM DEPARTMENT.

12/10/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191212 [Professional Services Agreement - CDM Smith, Inc. - Planning, Design, Engineering Support During Construction of Ozonation Facility - Not to Exceed \$15,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a contract with CDM Smith, Inc. for planning and design services, and possibly engineering support during construction, for a proposed Sunol Valley Water Treatment Plant Ozonation project, for an amount not to exceed \$15,000,000 and a term of six years from March 2020 through March 2026, pursuant to Charter, Section 9.118. (Public Utilities Commission) (Fiscal Impact)

11/15/19; RECEIVED FROM DEPARTMENT.

12/10/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191213 [Settlement of Unlitigated Claim - Spotify USA Inc. - \$217,290.29]**

Resolution approving the settlement of the unlitigated claim filed by Spotify USA Inc. against the City and County of San Francisco for \$217,290.29; the claim was filed on July 15, 2019; the claim involves a refund of payroll expense and gross receipts taxes, penalties, and interest (City Attorney)

11/25/19; RECEIVED FROM DEPARTMENT.

12/10/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**191222 [Settlement of Unlitigated Claim - Clinton Bailey - \$49,076.68]**

Resolution approving the settlement of the unlitigated claim filed by Clinton Bailey against the City and County of San Francisco for \$49,076.68; the claim was filed on February 19, 2016; the claim involves an employment dispute. (City Attorney)

12/02/19; RECEIVED FROM DEPARTMENT.

12/10/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Request Granted**

*From: Supervisor Walton*

*To: City Attorney's Office*

*Requesting the City Attorney to draft an ordinance amending Chapter 23 of the City's Administrative Code to provide that all commercial leases of City property, including Port property, with terms of at least 35 years must expressly require that the tenant obtain the City's consent before entering into significant subleases.*

**In Memoriam**

*Mardi Kildebeck - Supervisor Peskin*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 8:08 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 January 28, 2020.*

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Angela Calvillo, Clerk of the Board