

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, January 29, 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

Budget and Finance Federal Select Committee

Supervisors Fewer

Government Audit and Oversight Committee

Supervisors Mar, Brown, Peskin

Land Use and Transportation Committee

Supervisors Peskin, Safai, Haney

Public Safety and Neighborhood Services Committee

Supervisors Mandelman, Stefani, Walton

Rules Committee

Supervisors Ronen, Walton, Mar

Meeting Days

Wednesday

10:00 AM

2nd and 4th Thursday

1:15 PM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, January 29, 2019, with President Norman Yee presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Yee called the meeting to order at 2:03 p.m. On the call of the roll, Supervisors Mandelman and Mar were noted not present. There was a quorum.

Supervisors Mandelman and Mar were noted present at 2:04 p.m.

COMMUNICATIONS

There were no communications.

APPROVAL OF MEETING MINUTES

President Yee inquired whether any Board Member had any corrections to the December 4, 2018, or December 11, 2018, Board Meeting Minutes. There were no corrections.

Supervisor Peskin, seconded by Supervisor Stefani, moved to approve the December 4, 2018, and December 11, 2018, Board Meeting Minutes. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

180938 [Waiver of Banner Fee - Alzheimer's Association - 2018 Walk to End Alzheimer's]

Sponsor: Peskin

Ordinance retroactively waiving the banner fee under the Public Works Code for up to 200 banners that were placed on City-owned utility poles by the Alzheimer's Association, beginning October 10, 2018, and ending November 13, 2018, to publicize the 2018 Walk to End Alzheimer's campaign.

FINALLY PASSED

181081 [Accept and Expend Grant - United States Department of Justice's Office of Violence Against Women - Domestic Violence High Lethality Risk Team - Amendment to the Annual Salary Ordinance - FYs 2018-2019 and 2019-2020 - \$750,000]

Ordinance retroactively authorizing the Department on the Status of Women to accept and expend a grant in the amount of \$750,000 through the United States Department of Justice's Office of Violence Against Women for the Domestic Violence High Risk Program; and amending Ordinance No. 182-18 (Annual Salary Ordinance File No. 180575 for FYs 2018-2019 and 2019-2020) to provide for the addition of one grant-funded part-time Class 1820 Junior Administrative Analyst position (FTE 0.50) for the period of October 1, 2018, through September 30, 2020. (Department on the Status of Women)

FINALLY PASSED

181152 [Authorization for Banners on City-Owned Utility Poles - Waiver of Banner Fee - APA Family Support Services]

Sponsor: Cohen

Ordinance authorizing the installation of up to 34 banners on City-owned utility poles by APA Family Support Services under Public Works Code, Section 184.78, at 1654 Sunnydale Avenue, Hunters View Apartments, at and around 159 West Point Road, Alice Griffith Apartments, at and around 2700 Arelious Walker Drive, Sunnydale-Velasco Apartments, between 1657 and 1583 Sunnydale Avenue, Potrero Terrace and Annex, at and around 1095 Connecticut Street, and along Bayshore Boulevard and Third Street, between January 17, 2019, and July 17, 2019; and waiving the fees for those banners.

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

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

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

PASSED ON FIRST READING

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

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

PASSED ON FIRST READING

181147 [Settlement of Unlitigated Claim - Jeffrey K. Schalk - \$43,719.45]

Resolution approving the settlement of the unlitigated claim filed by Jeffrey K. Schalk against the City and County of San Francisco for \$43,719.45; the claim was filed on May 9, 2018; the claim involves alleged property damages due to sewer flooding. (City Attorney)

ADOPTED

181148 [Settlement of Unlitigated Claim - Veritas-B Mezz 1, LLC - \$2,035,769]

Resolution approving the settlement of the unlitigated claim filed by Veritas-B Mezz 1, LLC, against the City and County of San Francisco for \$2,035,769; the claim was filed on June 12, 2018; the claim involves an alleged overpayment of transfer tax. (City Attorney)

ADOPTED

181181 [Settlement of Unlitigated Claim - CDC San Francisco LLC - \$1,413,017.47]

Resolution approving the settlement of the unlitigated claim filed by CDC San Francisco LLC, against the City and County of San Francisco for \$1,413,017.47 plus statutory interest; the claim was filed on June 15, 2018; the claim involves a refund of property taxes after a reduction in assessed value by the Assessment Appeals Board on January 8, 2018. (City Attorney)

ADOPTED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

181172 [Levying Special Taxes - Special Tax District No. 2018-1 (Central SoMa)]

Sponsor: Haney

Ordinance levying special taxes within City and County of San Francisco Special Tax District No. 2018-1 (Central SoMa).

FINALLY PASSED 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

181046 [Planning Code - HOME-SF Project Authorization]

Sponsor: Safai

Ordinance amending the Planning Code to require additional findings for HOME-SF project authorizations; extending the application deadline for projects eligible for the HOME-SF temporary provisions; amending the fee for Affordable Housing Bonus Program projects; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

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

181061 [Planning Code - Conversion of Medical Cannabis Dispensary Uses to Cannabis Retail Uses]

Ordinance amending the Planning Code to allow Medical Cannabis Dispensaries (MCDs) with approvals from the Planning Department for a Medical Cannabis Dispensary Use as of January 5, 2018, to apply to convert to Cannabis Retail Uses under the same conditions as MCDs that held valid final permits from the Department of Public Health as of January 5, 2018; exempting all such converted Cannabis Retail Uses from otherwise applicable Conditional Use Authorization requirements; allowing Equity Program or Equity Incubator Applicants who have MCD applications pending at the Planning Department to apply to convert to Cannabis Retail Uses; exempting such Cannabis Retail Uses from the minimum radius requirements between those establishments and existing Cannabis Retailers and Medical Cannabis Retailers; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making public necessity, convenience, and welfare findings under Planning Code, Section 302. (City Administrator)

FINALLY PASSED by the following vote:

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

Supervisor Safai, seconded by Supervisor Mandelman, moved to rescind the previous vote. The motion passed by the following vote:

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

Supervisor Safai requested this Ordinance be DUPLICATED.

See duplicated File No. 190108.

FINALLY PASSED by the following vote:

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

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

Ordinance amending the Planning Code to allow Medical Cannabis Dispensaries (MCDs) with approvals from the Planning Department for a Medical Cannabis Dispensary Use as of January 5, 2018, to apply to convert to Cannabis Retail Uses under the same conditions as MCDs that held valid final permits from the Department of Public Health as of January 5, 2018; exempting all such converted Cannabis Retail Uses from otherwise applicable Conditional Use Authorization requirements; allowing Equity Program or Equity Incubator Applicants who have MCD applications pending at the Planning Department to apply to convert to Cannabis Retail Uses; exempting such Cannabis Retail Uses from the minimum radius requirements between those establishments and existing Cannabis Retailers and Medical Cannabis Retailers; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making public necessity, convenience, and welfare findings under Planning Code, Section 302. (City Administrator)

Duplicated from File No. 181061.

Supervisor Safai, seconded by Supervisor Ronen, moved that this Ordinance be 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

President Yee requested File Nos. 181111, 181112, and 180474 be called together.

181111 [General Plan Amendment - Downtown Area Plan - 1650, 1660, 1670 and 1680 Mission Street]

Ordinance amending the General Plan to revise Map 1 of the Downtown Area Plan to include 1650, 1660, 1670 and 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, in the C-3-G (Downtown General Commercial District) area; and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 340. (Planning Commission)

FINALLY PASSED by the following vote:

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

181112 [General Plan Amendment - Market and Octavia Area Plan - 1650, 1660, 1670 and 1680 Mission Street]

Ordinance amending the General Plan to revise Map 1 of the Market and Octavia Area Plan to change the designation of 1650, 1660, 1670 and 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, from NC-3 (Moderate Scale Neighborhood Commercial Transit) and P (Public Use District) to C-3-G (Downtown General Commercial District); and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 340. (Planning Commission)

FINALLY PASSED by the following vote:

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

180474 [Planning Code, Zoning Map - Rezoning 1650-1680 Mission Street]

Ordinance amending the Planning Code by revising the Zoning Map to rezone 1650, 1660, and 1670 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, and 008, from their current designation as NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) to C-3-G (Downtown General Commercial), and to rezone 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 009 and 010, from its current designation as P (Public) to C-3-G; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and general welfare under Planning Code, Section 302. (Real Estate Department)

FINALLY PASSED by the following vote:

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

Recommendation of the Rules Committee**180546 [Administrative Code - Harassment Prevention Training for City Employees; Reporting Requirements for City Departments]**

Sponsors: Stefani; Ronen, Yee, Mar and Safai

Ordinance amending the Administrative Code to require City employees to complete harassment prevention training annually; Department of Human Resources (DHR) to post harassment prevention training and complaint information on its website, and the Department on the Status of Women to post on its website reports from DHR and the City Attorney; and recommending that the Civil Service Commission adopt a rule requiring DHR to accept complaints of harassment, discrimination, or retaliation up to one year after the date of the alleged incident.

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

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

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

Supervisor Peskin, seconded by Supervisor Ronen, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Lines 19-20, by adding 'and (ii) the Commission, at a publicly noticed hearing, approves any such Grant Agreement'; and Page 5, Lines 6-7, by adding 'Each such report shall be submitted no later than 30 days following the completion of the quarter that is the subject of the report', and Lines 11-13, by adding 'The reporting requirements provided for under subsection (2)(b) of this ordinance shall expire by operation of law upon submission of the quarterly report covering the quarter ending June 30, 2020.'** 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

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

Sponsors: Mayor; Peskin

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

PASSED ON FIRST READING by the following vote:

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

President Yee requested File Nos. 181063 and 181135 be called together.

181063 [Airport Professional Services Agreement Modification - Bombardier Transportation (Holdings) USA, Inc. - Operation and Maintenance Services for the AirTrain System - Not to Exceed \$135,442,464]

Resolution approving Modification No. 5 to Airport Contract No. 8838, AirTrain Operation and Maintenance, with Bombardier Transportation (Holdings) USA, Inc., extending the contract by four months to commence March 1, 2019, through June 30, 2019, and increasing the contract amount by \$5,143,268 for a new total contract amount not to exceed \$135,442,464 pursuant to Charter, Section 9.118(b). (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

181135 [Airport Professional Services Agreement Modification - Hill International, Inc. - Capital Program Support Services for the Airport Capital Improvement Program - Not to Exceed \$40,000,000]

Resolution approving Modification No. 4 to Contract No. 10401.45, Capital Program Support Services for the Airport Capital Improvement Program, with Hill International, Inc., to extend the term by four years, from June 30, 2019, through November 15, 2023, and to increase the contract by a not to exceed amount of \$40,000,000 pursuant to Charter, Section 9.118(b). (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

President Yee requested File Nos. 181218 and 181219 be called together.

181218 [Issuance of General Obligation Bonds - Proposition A, 1992/Proposition C, 2016 - Not to Exceed \$260,684,550]

Sponsors: Mayor; Peskin

Resolution providing for the issuance of not to exceed \$260,684,550 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Proposition A, 1992/Proposition C, 2016); authorizing the issuance and sale of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31; finding that the proposed project is in conformity with the priority policies of Planning Code, Section 101.1(8), and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the issuance and sale of said bonds, as defined herein.
(Fiscal Impact)

ADOPTED by the following vote:

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

181219 [Sale of Taxable General Obligation Bonds - (Social Bonds - Affordable Housing, 2016), Series 2019A - Not to Exceed \$75,000,000]**Sponsors: Mayor; Peskin**

Resolution authorizing the issuance and sale of not to exceed \$75,000,000 aggregate principal amount of City and County of San Francisco Taxable General Obligation Bonds (Social Bonds - Affordable Housing, 2016), Series 2019A; prescribing the form and terms of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; authorizing the sale of said bonds by competitive or negotiated sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of Bond Purchase Contract; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein.

(Fiscal Impact)

ADOPTED by the following vote:

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

President Yee requested File Nos. 181220, 181221, and 181223 be called together.

181220 [Apply for Grant - Balboa Park Housing Partners, L.P. - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - 2340 San Jose Avenue]**Sponsors: Mayor; Safai**

Resolution authorizing the Mayor's Office of Housing and Community Development on behalf of the City and County of San Francisco to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Balboa Park Housing Partners, L.P., a California limited partnership, for the project at 2340 San Jose Avenue; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31.

ADOPTED by the following vote:

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

181221 [Apply for Grant - Turk 500 Associates, L.P. - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - 500 Turk Street Project]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing and Community Development on behalf of the City and County of San Francisco to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Turk 500 Associates, L.P., a California limited partnership, for the project at 500 Turk Street; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31.

ADOPTED by the following vote:

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

181223 [Apply for Grant - Mercy Housing California - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Treasure Island Parcel C3.1]

Sponsor: Mayor

Resolution authorizing the Treasure Island Development Authority ("Authority"), on behalf of the City and County of San Francisco, to execute a grant application, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program, as a joint applicant with Mercy Housing California, a California non-profit public benefit corporation, AC Transit, and/or the San Francisco County Transportation Authority for the affordable housing project at Treasure Island Parcel C3.1; if successful, authorizing the Authority to assume any joint and several liability for completion of the project required under the terms of any grant awarded under the AHSC program; and adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code, Chapter 31.

ADOPTED by the following vote:

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

181224 [Grant Agreement - Tenderloin Housing Clinic - Supportive Housing Services - \$117,285,186]

Sponsor: Mayor

Resolution retroactively approving a grant agreement between the City and County of San Francisco, acting by and through the Department of Homelessness and Supportive Housing, and Tenderloin Housing Clinic for supportive housing services for formerly homeless adults for a term of July 1, 2014, through June 30, 2018, in an amount not to exceed \$74,342,402; retroactively approving the first amendment to increase the agreement amount by \$7,776,065 for a total amount not to exceed \$82,118,467; and approving the second amendment to extend the agreement by two years for a total contract term of July 1, 2014, through June 30, 2020, and to increase the agreement amount by \$35,166,719 for a total amount not to exceed \$117,285,186. (Fiscal Impact)

Privilege of the floor was granted unanimously to Gigi Whitley (Department of Homelessness and Supportive Housing) and Ben Rosenfield, Controller (Office of the City Controller), who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 8 - Brown, Fewer, Haney, Mandelman, Mar, Safai, Stefani, Walton

Noes: 3 - Peskin, Ronen, Yee

181227 [Debt Management Policy and Procedures - Controller's Office of Public Finance]**Sponsor: Mayor**

Resolution approving the Controller's Office of Public Finance debt management policy and procedures to manage the debt issuance process, in accordance with California Government Code, Section 8855; and determining other matters in connection therewith, as defined herein.
(Controller)
(Fiscal Impact)

ADOPTED by the following vote:

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

181231 [Accept and Expend Grant - California Department of Public Health - Core STD Program Management - \$554,425]**Sponsor: Stefani**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase of \$147,023 for a total amount of \$554,425 from California Department of Public Health to participate in a program, entitled "Core STD Program Management," for the period of July 1, 2018, through June 30, 2019. (Public Health Department)

ADOPTED by the following vote:

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

Recommendation of the Land Use and Transportation Committee**180916 [Planning, Administrative Codes - Zoning Controls and Fees in the C-3-R (Downtown Retail) District]****Sponsor: Peskin**

Ordinance amending the Planning Code to change zoning controls for Non-Retail Sales and Service Uses in the C-3-R (Downtown Retail) Zoning District; amending the Planning and Administrative Codes to create the Union Square Park, Recreation, and Open Space Fund and Fee; affirming Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

PASSED ON FIRST READING 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

Supervisor Mar was noted absent at 2:51 p.m.

180281 [Liquor License Transfer - 500 Pine Street - CVS Pharmacy]

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Garfield Beach CVS, LLC, doing business as CVS Pharmacy, located at 500 Pine Street (District 3), will not serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control deny the issuance of the license, in accordance with California Business and Professions Code, Section 23958.4. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

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

Supervisor Mar was noted present at 2:53 p.m.

181025 [Liquor License - 1 Grant Avenue - Museum of Ice Cream]

Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises liquor license to 1and8 Inc., doing business as the Museum of Ice Cream, located at 1 Grant Avenue (District 3), will not serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control deny the issuance of the license, in accordance with California Business and Professions Code, Section 23958.4. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

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

181032 [Liquor License - 1345 Howard Street - Tank18]

Resolution determining that the issuance of a Type-20 off-sale beer and wine liquor license to Porky's Palace, LLC, doing business as Tank18, located at 1345 Howard Street (District 6), will not serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control deny the issuance of the license, in accordance with California Business and Professions Code, Section 23958.4. (Public Safety and Neighborhood Services Committee)

Supervisor Haney, seconded by Supervisor Ronen, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by changing the Board's determination to indicate this liquor license 'will serve the public convenience or necessity.' The motion carried by the following vote:

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee
Resolution determining that the issuance of a Type-20 off-sale beer and wine liquor license to Porky's Palace, LLC, doing business as Tank18, located at 1345 Howard Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control deny the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED AS AMENDED by the following vote:

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

181199 [Liquor License Transfer - 858 Rhode Island Street - Chiotras Grocery]

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Elizabeth Holly Bullard, doing business as Chiotras Grocery, located at 858 Rhode Island Street (District 10), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED by the following vote:

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

Recommendations of the Rules Committee**180926 [Administrative Code - Extension of Termination Date - Department of Public Health Managed Care Contracts]**

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

PASSED ON FIRST READING by the following vote:

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

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

Sponsor: Safai

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

PASSED ON FIRST READING by the following vote:

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

190009 [Authorizing Request for Parole Entry to the United States Department of Homeland Security - District Attorney and Sheriff]

Ordinance authorizing the District Attorney and Sheriff to send a Request for Parole Entry to the United States Department of Homeland Security ("DHS") to facilitate parole entry into the United States of a criminal defendant for prosecution in San Francisco and authorizing the District Attorney and Sheriff to notify DHS immediately if the defendant posts bail or is acquitted, or if no probable cause determination is found. (District Attorney)

Supervisor Ronen, seconded by Supervisor Walton, moved that this Ordinance be TABLED. The motion carried by the following vote:

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

Supervisor Stefani Excused from Voting

Supervisor Peskin, seconded by Supervisor Safai, moved that Supervisor Stefani be excused from voting on File No. 181204. The motion carried by the following vote:

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

181204 [Appointment, Mental Health Board - Supervisor Catherine Stefani]

Motion appointing Supervisor Catherine Stefani, term ending January 31, 2021, to the Mental Health Board. (Clerk of the Board)

Motion No. M19-005

APPROVED by the following vote:

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

Supervisor Brown Excused from Voting

Supervisor Safai, seconded by Supervisor Peskin, moved that Supervisor Brown be excused from voting on File No. 181205. The motion carried by the following vote:

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

181205 [Reappointment, Golden Gate Bridge, Highway and Transportation District Board of Directors - Supervisor Vallie Brown]

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

Motion No. M19-006

APPROVED by the following vote:

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

Supervisor Yee Excused from Voting

Supervisor Peskin, seconded by Supervisor Fewer, moved that Supervisor Yee be excused from voting on File No. 181206. The motion carried by the following vote:

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

181206 [Reappointment, Golden Gate Bridge, Highway and Transportation District Board of Directors - Supervisor Norman Yee]

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

Motion No. M19-007

APPROVED by the following vote:

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

Supervisor Ronen Excused from Voting

Supervisor Walton, seconded by Supervisor Brown, moved that Supervisor Ronen be excused from voting on File No. 181207. The motion carried by the following vote:

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

181207 [Reappointment, San Francisco Local Agency Formation Commission - Supervisor Hillary Ronen]

Motion reappointing Supervisor Hillary Ronen, term ending February 4, 2023, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Motion No. M19-008

APPROVED by the following vote:

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

Supervisor Fewer Excused from Voting

Supervisor Brown, seconded by Supervisor Peskin, moved that Supervisor Fewer be excused from voting on File Nos. 181208 and 190046. The motion carried by the following vote:

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

181208 [Reappointment, San Francisco Local Agency Formation Commission - Supervisor Sandra Lee Fewer]

Motion reappointing Supervisor Sandra Lee Fewer, term ending February 4, 2023, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Motion No. M19-009

APPROVED by the following vote:

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

190046 [Reappointment, Golden Gate Bridge, Highway and Transportation District Board of Directors - Supervisor Sandra Lee Fewer]

Motion reappointing Supervisor Sandra Lee Fewer, term ending January 31, 2021, to the Golden Gate Bridge, Highway and Transportation District Board of Directors. (Clerk of the Board)

Motion No. M19-010

APPROVED by the following vote:

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

Supervisor Mar Excused from Voting

Supervisor Ronen, seconded by Supervisor Mandelman, moved that Supervisor Mar be excused from voting on File No. 190066. The motion carried by the following vote:

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

190066 [Appointment, City College Financial Assistance Fund Oversight Committee - Supervisor Gordon Mar]

Motion appointing Supervisor Gordon Mar, for an indefinite term, to the City College Financial Assistance Fund Oversight Committee. (Clerk of the Board)

Motion No. M19-011

APPROVED by the following vote:

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

190033 [Appointments, Graffiti Advisory Board - Mike Petricca, Margeaux Casillas and Gregory Dillon]

Motion appointing Mike Petricca (residency requirement waived) and Margeaux Casillas, terms ending April 10, 2021, and Gregory Dillon, term ending March 11, 2020, to the Graffiti Advisory Board. (Rules Committee)

Motion No. M19-012

APPROVED by the following vote:

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

190037 [Appointment, Eastern Neighborhoods Citizens Advisory Committee - Sarah Souza]

Motion appointing Sarah Souza, term ending October 19, 2019, to the Eastern Neighborhoods Citizens Advisory Committee. (Rules Committee)

Motion No. M19-013

APPROVED by the following vote:

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

190067 [Appointment, Commission on the Aging Advisory Council - Morningstar Vancil]

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

Motion No. M19-014

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 Haney, seconded by Supervisor Mar, 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 Haney introduced, welcomed, and presented a Certificate of Honor to the Bayanihan Equity Center on the occasion of their 20th year anniversary in the South of Market and their many accomplishments providing services to Filipino World War II veterans, low-income seniors, families, people with disabilities, immigrants, LGBTQ, formerly incarcerated, and homeless individuals through case management, counselling, free legal clinics, health services and affordable housing opportunity assistance.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Ann Dorman of the Parkside Library on the occasion of her retirement from the City and County of San Francisco and in recognition of her many accomplishments serving as a librarian to the citizens of San Francisco.

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 180859 and 180860 be called together.

Board of Supervisors Sitting as a Committee of the Whole

180859 [Hearing - Committee of the Whole - Street Vacation for Various Streets - Sunnydale HOPE SF Project - January 15, 2019]

Hearing of the Board of Supervisors to sit as a Committee of the Whole on January 15, 2019, at 3:00 p.m., to hold a public hearing to consider an Ordinance (File No. 180860) ordering the vacation of streets and an easement in the Sunnydale HOPE SF Project site, generally bounded by Assessor's Parcel Block No. 6310 on the north, Velasco Avenue and Assessor's Parcel Block Nos. 6332 and 6331 on the south, Assessor's Parcel Block Nos. 6220 and 6316 on the west, and Hahn Street on the east, and including Sunnydale Avenue, Blythdale Avenue, Brookdale Avenue, and Santos Street, as part of the Sunnydale HOPE SF Project; reserving various easement rights in favor of the City and private property owners; authorizing the City to quitclaim its interest in the vacation areas to the Housing Authority; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, including transmittal of the Ordinance by the Clerk of the Board of Supervisors to the Public Works Director for purposes of recordation of property; scheduled pursuant to Resolution No. 360-18, adopted on October 23, 2018. (Clerk of the Board)

President Yee opened the public hearing and inquired as to whether any individual wished to address the Committee of the Whole relating to the street vacation and easements in the Sunnydale HOPE SF Project site. Francisco Da Costa; spoke in support of the street vacation. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, declared the hearing heard and filed, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

180860 [Street Vacation for Various Streets - Sunnydale HOPE SF Project]**Sponsor: Walton**

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

Supervisor Walton, seconded by Supervisor Fewer, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding reference to certain streetlight, sewer, and wide sewer easements in Blocks 6310, 6311, 6312, 6313, 6414, and 6315 throughout the legislation; on Page 3, Lines 15-21, by adding a new 'public interest, convenience, and necessity' finding; by adding references to the approval of the 'Final Map' and recordation of the 'Quitclaim Deed'; on Page 7, Lines 1-3, by adding reference to the Public Utilities Commission Resolution; on Page 8, Lines 11-16, by adding authority for Public Works and the Director of Property to make nonmaterial changes during finalization and execution; 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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Appointment of President Pro Tempore

At the request of President Yee, Supervisor Fewer assumed the chair at 3:58 p.m. The President resumed the chair at 4:06 p.m.

SPECIAL ORDER 3:00 P.M.**181100 [Hearing - Appeal of Adjustment, Reduction, or Waiver of Development Project Requirements - Residential Childcare Fee - University of San Francisco - Student Residence Hall Project, Lone Mountain Campus - 2500 Turk Street]**

Hearing of persons interested in or objecting to the application of the Residential Child Care Fee per Planning Code, Section 414A, for the Student Residence Hall Project at the University of San Francisco - Lone Mountain Campus located at 2500 Turk Street, Assessor's Parcel Block No. 1107, Lot No. 008. (District 1) (Appellant: Daniel Barsky of Coblentz Patch Duffy and Bass, LLP, on behalf of the University of San Francisco) (Filed October 31, 2018). (Clerk of the Board)

President Yee opened the public hearing, and Supervisor Fewer provided brief opening remarks and indicated the appellant has withdrawn their appeal. The President then inquired as to whether any individual wished to address the Board. There were no other speakers. President Yee closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

181101 [Denying Appeal for Waiver, Adjustment or Reduction of Residential Child Care Fee - University of San Francisco - Student Residence Hall Project, Lone Mountain Campus - 2500 Turk Street]

Motion denying the appeal seeking a waiver, adjustment or reduction of the Residential Child Care Fee under Planning Code, Section 414A, for the Student Residence Hall Project at the University of San Francisco - Lone Mountain Campus located at 2500 Turk Street, Assessor's Parcel Block No. 1107, Lot No. 008. (Clerk of the Board)

Motion No. M19-004

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

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

181102 [Conditionally Approving Waiver, Adjustment or Reduction of Residential Child Care Fee - University of San Francisco - Student Residence Hall Project, Lone Mountain Campus - 2500 Turk Street]

Motion conditionally approving a waiver, adjustment or reduction of the Residential Child Care Fee under Planning Code, Section 414A, for the Student Residence Hall Project at the University of San Francisco - Lone Mountain Campus, located at 2500 Turk Street, Assessor's Parcel Block No. 1107, Lot No. 008, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

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

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

181103 [Preparation of Findings Related to the Appeal for Waiver, Adjustment or Reduction of Residential Child Care Fee - University of San Francisco - Student Residence Hall Project, Lone Mountain Campus - 2500 Turk Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to approve a waiver, adjustment or reduction of the Residential Child Care Fee under Planning Code, Section 414A, for the Student Residence Hall Project at the University of San Francisco - Lone Mountain Campus located at 2500 Turk Street, Assessor's Parcel Block No. 1107, Lot No. 008. (Clerk of the Board)

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

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

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 181233, 181234, 181235, 181236, 181237, 181238, 181239, and 181240 be called together. During the discussions on these items, privilege of the floor was granted unanimously to Aaron Starr (Planning Department), and Scott Emblidge, Moscone Emblidge & Otis LLP, and Gary Gee (on behalf of the Project Sponsor) who responded to questions raised throughout the discussion.

181233 [Hearing - Appeal of Determination of Exemption From Environmental Review - 3637-3657 Sacramento Street]

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on September 20, 2018, for the proposed project at 3637-3657 Sacramento Street, to demolish the existing buildings and construct a 40 foot tall, four story building with a nine foot tall elevator penthouse and four foot tall parapet; containing approximately 6,500 square feet of retail on the first floor, 10,000 square feet of medical office use on the second floor, and 18 dwelling units (17,100 square feet) on the third and fourth floors. (District 2) (Appellant: Brandon Ponce, Jennifer Kopczynski, Alexander W. Thompson, Marcia E. Herman, Susan Foslien, Jack Kaus, Patrick Richards, John M. Burns, and Douglas Engmann on behalf of California-Locust Block Neighbor's Group Association) (Filed December 7, 2018) (Clerk of the Board)

President Yee opened the public hearing and Supervisor Stefani provided brief opening remarks. The President then inquired as to whether any individual wished to address the Board. Alexander Thompson and Brandon Ponce (Appellant) provided an overview of the appeals, responded to questions raised throughout the discussion, and further requested the Board to approve the appeals. Cynthia Silverstein; Speaker; Robert Friend; Speaker; Steven Edmond; Jennifer Katchnski; Marcia Herman; Linda Eisland; Wendy Weir; Ren Shayne; Sandra Salencheck; Anna Aurora; Hailey Gonzaga; Dr. Eric Gann; Steven Krolak; Susan Fasian; Speaker; Babette Silverberg; Speaker; Speaker; Evelyn Weiser; Will Velasquez; Chuck Walenstern; Stephanie Pang; Daniel Cowhanswer; Ann Marie; Chloe Larry; Patrick Richards; Roger Samonian; Jack House; John Burns; Francisco Da Costa; Jay Ehn; spoke in support of the appeals. Don Lewis and Aaron Starr (Planning Department) provided an overview of the decisions of the Planning Department and responded to questions raised throughout the discussion. Scott Emblidge, Moscone Emblidge & Otis LLP (on behalf of the Project Sponsor), provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decisions of the Planning Department. Corey Smith; Speaker; Speaker (on behalf of Molly Burnett); Speaker (on behalf of Jeff Schlarp); Nathan Kauff; Oliver Mar; spoke in support of the project and in opposition to the appeals. Alexander Thompson (Appellant) provided a rebuttal and further requested the Board to approve the appeals. There were no other speakers. President Yee closed public comment and declared the public hearings heard and filed.

HEARD AND FILED

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

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

Supervisor Stefani, seconded by Supervisor Safai, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 5, 2019. The motion carried by the following vote:

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

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

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

Supervisor Stefani, seconded by Supervisor Safai, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 5, 2019. The motion carried by the following vote:

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

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

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

Supervisor Stefani, seconded by Supervisor Safai, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 5, 2019. The motion carried by the following vote:

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

SPECIAL ORDER 3:00 P.M.**181237 [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 3637-3657 Sacramento Street]**

Hearing of persons interested in or objecting to the certification of Conditional Use Authorization pursuant to Planning Code, Sections 121.1, 121.2, 303, and 724, for a proposed project at 3637-3657 Sacramento Street, Assessor's Parcel Block No. 1018, Lot Nos. 012 and 020, issued by the Planning Commission by Motion No. 20336, dated November 8, 2018, to allow a modification from the rear yard requirements of Planning Code, Sections 134 and 136, as part of a project that would demolish three existing buildings and construct a new four-story, 40-foot tall, mixed use building containing residential use (approximately 17,100 gross square feet) with 18 dwelling units (consisting of six one-bedroom units, and 12 two-bedroom units); retail/commercial space (approximately 6,500 gross square feet), medical offices (approximately 10,000 gross square feet), 64 off-street parking spaces (including one car share space) and 35 bicycle parking spaces (approximately 38,700 gross square feet), within the Sacramento Street Neighborhood Commercial District and 40-X Height and Bulk District. (District 2) (Appellant: Rachel Lewis on behalf of California-Locust Block Neighbor's Group Association) (Filed December 7, 2018) (Clerk of the Board)

President Yee opened the public hearing and Supervisor Stefani provided brief opening remarks. The President then inquired as to whether any individual wished to address the Board. Alexander Thompson and Brandon Ponce (Appellant) provided an overview of the appeals, responded to questions raised throughout the discussion, and further requested the Board to approve the appeals. Cynthia Silverstein; Speaker; Robert Friend; Speaker; Steven Edmond; Jennifer Katchnski; Marcia Herman; Linda Eisland; Wendy Weir; Ren Shayne; Sandra Salencheck; Anna Aurora; Hailey Gonzaga; Dr. Eric Gann; Steven Krolak; Susan Fasian; Speaker; Babette Silverberg; Speaker; Speaker; Evelyn Weiser; Will Velasquez; Chuck Walenstern; Stephanie Pang; Daniel Cowhanser; Ann Marie; Chloe Larry; Patrick Richards; Roger Samonian; Jack House; John Burns; Francisco Da Costa; Jay Ehn; spoke in support of the appeals. Don Lewis and Aaron Starr (Planning Department) provided an overview of the decisions of the Planning Department and responded to questions raised throughout the discussion. Scott Emblidge, Moscone Emblidge & Otis LLP (on behalf of the Project Sponsor), provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decisions of the Planning Department. Corey Smith; Speaker; Speaker (on behalf of Molly Burnett); Speaker (on behalf of Jeff Schlarp); Nathan Kauff; Oliver Mar; spoke in support of the project and in opposition to the appeals. Alexander Thompson (Appellant) provided a rebuttal and further requested the Board to approve the appeals. There were no other speakers. President Yee closed public comment and declared the public hearings heard and filed.

HEARD AND FILED

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

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

Supervisor Stefani, seconded by Supervisor Safai, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 5, 2019. The motion carried by the following vote:

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

181239 [Conditionally Disapproving Conditional Use Authorization - 3637-3657 Sacramento Street]

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20336, approving a Conditional Use Authorization identified as Planning Case No. 2007.1347CUA for a proposed project at 3637-3657 Sacramento Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)
(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds of the members of the Board.)

Supervisor Stefani, seconded by Supervisor Safai, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 5, 2019. The motion carried by the following vote:

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

181240 [Preparation of Findings Related to Conditional Use Authorization Appeal - 3637-3657 Sacramento Street]

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization identified as Planning Case No. 2007.1347CUA for a proposed project located at 3637-3657 Sacramento Street. (Clerk of the Board)

Supervisor Stefani, seconded by Supervisor Safai, moved that this Motion be CONTINUED to the Board of Supervisors meeting of February 5, 2019. 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

181179 [Service Agreement - Pacific Gas and Electric Company - CleanPowerSF - Not to Exceed \$20,000,000]

Resolution retroactively approving a service agreement between Pacific Gas and Electric Company and the City and County of San Francisco, for services to CleanPowerSF for a term of ten years, from January 1, 2019, through December 31, 2028, in a total amount not to exceed \$20,000,000. (Public Utilities Commission)
(Fiscal Impact)

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

ADOPTED by the following vote:

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

190057 [Census 2020 - Participation in the United States Census - State of California Outreach Agreement]**Sponsors: Fewer; Ronen**

Resolution supporting the City and County of San Francisco's participation in the United States Census; authorizing the City Administrator to enter into the State of California Outreach Agreement as set forth by the California Complete Count Census 2020 Office; and authorizing the City Administrator to designate the Office of Civic Engagement and Immigrant Affairs to conduct the activities required by the agreement.

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

ADOPTED 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.

President Yee recessed the meeting at 5:42 p.m. and reconvened at 6:00 p.m.

PUBLIC COMMENT

Edward Escobar; expressed concerns regarding the plight of the taxi industry due to transportation network companies.

Marcel Saco; expressed concerns regarding the plight of the taxi industry due to transportation network companies.

Bob Asghari; expressed support of using the ERAF funds for homeless services.

Tom Gilbert; shared concerns regarding tasers, public education, the PG&E bankruptcy, cannabis, transportation network companies, and the lack of housing in San Francisco.

Ben Wooley; expressed support of using the ERA funds for homeless services.

Supergirl of San Francisco; condemned violence and hate and shared her desire to invoke hope.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

181058 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - January 29, 2019]

Closed Session for the Board of Supervisors to convene on November 13, 2018, for the purpose of conferring with, or receiving advice from, the City Attorney, under California Government Code, Section 54956.9(a), and Administrative Code, Section 67.10(d)(1), regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: 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; and Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; scheduled pursuant to Motion No. M18-151, approved October 30, 2018. (Clerk of the Board)

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 7:30 p.m. to convene in closed session pursuant to Motion No. M18-151 (File No. 181038), approved on October 30, 2018.

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

Persons in attendance: Jon Givner, Theresa Mueller, and Theresa Cho, Deputy City Attorneys (Office of the City Attorney); Harlan Kelly, Jr., General Manager, Juliet Ellis, Assistant General Manager-External Affairs, and Barbara Hale, Assistant General Manager-Power Enterprise (Public Utilities Commission); and Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).

Supervisor Ronen was noted absent at 8:12 p.m. and for the remainder of the meeting.

Supervisor Peskin, seconded by Supervisor Safai, moved that this Closed Session be HEARD AND FILED. The motion carried by the following vote:

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

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

RECONVENED AS THE BOARD OF SUPERVISORS

The Board reconvened at the hour of 8:26 p.m.

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

[Elect Not to Disclose]

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

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

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

Absent: 1 - Ronen

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

181230 [Use Agreement - Out of the Frying Pan Productions - Development of Fire Department Documentary Series]

Sponsor: Peskin

Resolution authorizing the Fire Department to enter into a Use Agreement with Out of the Frying Pan Productions to develop and produce a documentary series about food, cooking, and firehouse culture at the San Francisco Fire Department.

ADOPTED

190083 [Closed Session - Labor Negotiations - February 5, 2019]

Motion that the Board of Supervisors convene in closed session on February 5, 2019, at 4:00 p.m., pursuant to California Government Code, Section 54957.6, and San Francisco Administrative Code, Section 67.10(e), to confer with the Mayor's Office and the Department of Human Resources regarding negotiations with labor unions representing City employees. (Clerk of the Board)

Motion No. M19-015

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 Yee requested that File No. 190063 be severed so that it may be considered separately.

190063 [Supporting California State Senate Bill No. 127 (Wiener) - Complete Streets for Active Living]

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

Resolution supporting California State Senate Bill No. 127 (SB127), Complete Streets for Active Living, authored by Senator Scott Wiener, which prioritizes safety and accessibility improvements on Caltrans roads and State Highway Account funds explicitly for pedestrian and bicycle improvements, with performance measures, community engagement and reporting requirements.

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

ADOPTED by the following vote:

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

Supervisor Peskin requested that File No. 190076 be severed so that it may be considered separately.

190076 [City Position Regarding Liability for Utility Wildfire Costs]

Sponsors: Peskin; Fewer, Ronen and Brown

Resolution establishing the City's position regarding liability for utility wildfire costs and urging California legislators and regulators to protect California consumers by ensuring that investor-owned utilities are held responsible for the consequences of their actions.

Supervisor Brown requested to be added as a co-sponsor.

Supervisor Peskin, seconded by Supervisor Walton, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 1, by striking 'Recent reports suggest that', striking 'will soon file', and adding 'has filed', and Line 2, by striking 'still'. The motion carried by the following vote:

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

ADOPTED AS AMENDED by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

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

PROPOSED RESOLUTIONS

190070 [Grant Agreement Amendment - San Francisco Marin Food Bank - Food Assistance Program - Not to Exceed \$11,528,114]

Resolution approving Amendment No. 2, authorizing the Executive Director of the Human Services Agency to execute an amendment to the Grant Agreement between the City and County of San Francisco, by and through its Human Services Agency, and the non-profit San Francisco Marin Food Bank to provide the Food Assistance Program to older adults and adults with disabilities for the total agreement term of July 1, 2017, to June 30, 2022, by increasing the agreement amount by \$1,225,831 with a contingent amount of \$1,048,010 for a total not to exceed amount of \$11,528,114. (Human Services Agency)

01/11/19; RECEIVED FROM DEPARTMENT.

01/29/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

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

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

01/14/19; RECEIVED FROM DEPARTMENT.

01/29/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

190072 [Real Property Lease Extension - SFP2 1360 Mission St., LLC - 1360 Mission Street - \$321,300 Initial Annual Base Rent]

Resolution approving Amendment No. 1, authorizing the Director of Real Estate to extend a Lease of real property located at 1360 Mission Street with SFP2 1360 Mission St., LLC, as landlord, for a total term of May 11, 2011, through September 21, 2020, with one extension option from September 22, 2020, through September 21, 2021, at the monthly base rent of \$26,397 for an initial annual base rent of \$321,300 with a 3% annual increase. (Public Health Department)

01/18/19; RECEIVED FROM DEPARTMENT.

01/29/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

190073 [Real Property Lease - William J. Piedmonte - 729 Filbert Street - \$531,216 Annual Base Rent]

Resolution authorizing the Director of Real Estate to enter into a Lease of real property located at 729 Filbert Street with William J. Piedmonte, as landlord, for a five-year term to commence upon approval by the Board of Supervisors, at the monthly base rent of \$44,268 for a total annual base rent of \$531,216. (Public Health Department)

01/18/19; RECEIVED FROM DEPARTMENT.

01/29/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 8:28 p.m.