

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, March 12, 2019 - 2:00 PM

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

### Regular Meeting

NORMAN YEE, PRESIDENT

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

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

Supervisors Fewer, Stefani, Mandelman, Ronen, Yee

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

Supervisors Fewer

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

Supervisors Fewer, Stefani, Mandelman

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

Supervisors Mar, Brown, Peskin

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

Supervisors Peskin, Safai, Haney

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

Supervisors Mandelman, Stefani, Walton

##### **Rules Committee**

Supervisors Ronen, Walton, Mar

#### Meeting Days

Wednesday

1:00 PM

2nd and 4th Thursday

1:15 PM

Wednesday

10:00 AM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

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**Members Present:** Vallie Brown, Sandra Lee Fewer, Matt Haney, Rafael Mandelman, Gordon Mar, Aaron Peskin, Hillary Ronen, Ahsha Safai, Catherine Stefani, Shamann Walton, and Norman Yee

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, March 12, 2019, with President Norman Yee presiding.*

*President Yee called the meeting to order at 2:03 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 communications.*

## **APPROVAL OF MEETING MINUTES**

*President Yee inquired whether any Board Member had any corrections to the February 5, 2019, Board Meeting Minutes, or the February 6, 2019, Special Meeting Minutes at the Budget and Finance Committee Meeting, which constituted a quorum of the Board of Supervisors. There were no corrections.*

**Supervisor Safai, seconded by Supervisor Peskin, moved to approve the February 5, 2019, Board Meeting Minutes, and the February 6, 2019, Special Meeting Minutes at the Budget and Finance Committee Meeting, which constituted a quorum of the Board of Supervisors. 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

### 190271 [Formal Policy Discussions - March 12, 2019]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss the following eligible topics submitted from the Supervisors representing Districts 10 and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

1. When will there be a point person for coordinating all violence prevention services City-wide? (District 10)
2. Condition of African American children in the City and County of San Francisco. (District 11)

*Mayor London Breed addressed the Board of Supervisors regarding the City's response to homelessness, the Mayor's shelter crisis legislation that will be coming to the Board that will help maximize the City's investments to more efficiently deliver shelters and services to get our unhoused neighbors off the streets quickly and with compassion, and the potential shelter locations being identified in the various Districts. Mayor Breed then discussed the above referenced topics submitted by the District 10 and 11 Supervisors.*

*Supervisor Walton began the discussion by asking the following question: When will there be a point person for coordinating all violence prevention services Citywide? Mayor Breed indicated hopefully within the next few weeks to not only coordinate violence prevention, but also propose policies that will make our streets safer. Supervisor Walton then followed up with the following question: Will there be jobs available for youth through the "Opportunities for All" program? Mayor Breed indicated 1,000 of the new slots coming out of "Opportunities for All" will be targeted towards younger people, along with the cadet programs, tech sector jobs, and a number of other opportunities that should be available to our young people. Mayor Breed did not ask any follow-up questions related to this topic.*

*Supervisor Safai began the discussion by asking the following question: How will your budget priorities reflect the needs of the African American community in San Francisco? Mayor Breed indicated investments into the right opportunities to ensure the success of African American children through our budget is essential, and we must hold organizations accountable to do better and make better decisions. Supervisor Safai then followed up with the following question: What will you do to ensure that we retain the African American population here in San Francisco? Mayor Breed indicated we must make more creative policy decisions and make better investments to reach African Americans who have not been historically reached. Mayor Breed did not ask any follow-up questions related to this topic.*

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

**HEARD AND FILED**

## CONSENT AGENDA

### Recommendations of the Budget and Finance Committee

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

**Sponsors: Mayor; Haney and Safai**

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

(Fiscal Impact)

**FINALLY PASSED**

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

**Sponsors: Mayor; Haney and Safai**

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

(Fiscal Impact)

**FINALLY PASSED**

### Recommendation of the Government Audit and Oversight Committee

**181210 [Administrative Code - Our City, Our Home Oversight Committee]**

**Sponsors: Mayor; Brown, Fewer and Haney**

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

**FINALLY PASSED**

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

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

**Sponsor: Ronen**

Ordinance ordering the summary street vacation of portions of Bradford Street, Ogden Avenue, and Crescent Avenue within the perimeter of the Alemany Farmers' Market (Assessor's Parcel Block Nos. 5731, 5732, 5733, 5733A, and 5734), bounded by Alemany Boulevard and Putnam Street; approving jurisdictional transfers of property at the site of the Market from Public Works and the Agricultural Commissioner to the General Services Agency - Real Estate Division; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein.

**FINALLY PASSED**

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

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

Ordinance amending the Building Code to require vacant or abandoned commercial storefront owners to pay annual registration fees at the time of registration; require annual inspections of registered vacant or abandoned storefronts; update the penalty for violations of the requirement to register vacant or abandoned commercial storefronts; and affirming the Planning Department's determination under the California Environmental Quality Act.

**FINALLY PASSED**

## **Recommendation of the Rules Committee**

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

**Sponsor: Ronen**

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

**FINALLY PASSED**

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

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

## REGULAR AGENDA

### UNFINISHED BUSINESS

#### Recommendation of the Budget and Finance Committee

##### Supervisor Walton Excused from Voting

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

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

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

**Sponsor: Safai**

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

**FINALLY PASSED** by the following vote:

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

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

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

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

**Sponsors: Haney; Peskin and Safai**

Ordinance amending the General Plan to revise Map 1 of the Downtown Area Plan to include 175 Golden Gate Avenue, Assessor's Parcel Block No. 0349, Lot No. 11, in the C-3-G (Downtown General Commercial District) area; and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

**FINALLY PASSED** by the following vote:

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

**180645 [Planning Code, Zoning Map - Rezoning, Preservation Designation - 175 Golden Gate Avenue]****Sponsors: Haney; Peskin and Safai**

Ordinance amending the Planning Code and Zoning Map to rezone the building at 175 Golden Gate Avenue (De Marillac Academy), Assessor's Parcel Block No. 0349, Lot No. 011, from RC-4 (Residential-Commercial, High Density) to C-3-G (Commercial, Downtown General); designating the building for preservation purposes as a Category III, Contributory Building; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**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 Sub-Committee****190109 [Police, Business and Tax Regulations, Transportation Codes - Event-Related Cannabis Permits - Application Fee]****Sponsors: Mandelman; Brown, Haney, Walton, Stefani and Fewer**

Ordinance amending the Police Code to establish procedures for the Office of Cannabis to issue permits authorizing cannabis sales or consumption, or both, in connection with temporary events, and providing a mechanism for the temporary waiver of City laws restricting smoking or cannabis consumption; amending the Business and Tax Regulations Code to establish an application fee for such permits; amending Division I of the Transportation Code to allow for temporary waivers of Article 19L of the Health Code in connection with events approved by Interdepartmental Staff Committee on Traffic and Transportation; and affirming the Planning Department's determination under the California Environmental Quality Act.

*Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) and Eugene Hillsman, Acting Director (Office of Cannabis), who responded to questions raised throughout the discussion.*

*Supervisor Mar, seconded by Supervisor Safai, moved that this Ordinance be AMENDED by limiting permits to cannabis sales only; and by striking authorization to allow cannabis smoking during temporary events, and only allow all other ways to consume cannabis. Before the vote was taken, without object this motion was withdrawn.*

**Supervisor Mar, seconded by Supervisor Safai, moved that this Ordinance be AMENDED by striking the proposed Police Code, Section 1621.5(e), and Section 4 of the Ordinance, to remove the provisions for a temporary waiver on the restriction and prohibition on smoking in event spaces. The motion FAILED by the following vote:**

Ayes: 2 - Mar, Safai

Noes: 9 - Brown, Fewer, Haney, Mandelman, Peskin, Ronen, Stefani, Walton, Yee

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

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

Noes: 2 - Mar, Safai

Supervisors Safai and Walton were noted absent at 3:17 p.m.

President Yee requested File Nos. 190072 and 190073 be called together.

**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) (Fiscal Impact)

**ADOPTED by the following vote:**

Ayes: 9 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Stefani, Yee  
Absent: 2 - Safai, Walton

**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) (Fiscal Impact)

**ADOPTED by the following vote:**

Ayes: 9 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Stefani, Yee  
Absent: 2 - Safai, Walton

**190106 [Agreement Amendment - Conard House - Behavioral Health Services - Not to Exceed \$44,862,764]**

Resolution approving Amendment No. 1 to the agreement between Conard House and the Department of Public Health for behavioral health services, to increase the agreement amount by \$36,323,985 for an amount not to exceed \$44,862,764; and to extend the term by four years from June 30, 2019, for a total agreement term of July 1, 2018, through June 30, 2023. (Public Health Department) (Fiscal Impact)

**ADOPTED by the following vote:**

Ayes: 9 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Stefani, Yee  
Absent: 2 - Safai, Walton



Supervisor Safai was noted present at 3:19 p.m.

President Yee requested File Nos. 190169, 190170, and 190171 be called together.

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

**Sponsors: Mayor; Stefani**

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

**ADOPTED by the following vote:**

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

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

**Sponsor: Mayor**

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

**ADOPTED by the following vote:**

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

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

**Sponsors: Mayor; Brown**

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

**ADOPTED by the following vote:**

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

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

**Sponsor: Mayor**

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

**ADOPTED by the following vote:**

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

Supervisor Walton was noted present at 3:21 p.m.

**190192 [Contract Approval - Retroactive - Dominion Voting Systems, Inc. - Voting System - Not to Exceed \$12,660,000]**

Resolution retroactively approving a contract agreement between the City and County of San Francisco, by and through its Department of Elections, and Dominion Voting Systems, Inc., for the lease of a voting system, a license to use the voting system software, and related maintenance and support services, for four years for a contract term from January 1, 2019, through March 31, 2023, for an amount not to exceed \$8,460,000 and with two one-year options to extend, in a total contract amount not to exceed \$12,660,000. (Elections Department)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**Recommendations of the Rules Committee**

**Supervisor Peskin Excused from Voting**

Supervisor Fewer, seconded by Supervisor Mandelman, moved that Supervisor Peskin be excused from voting on File No. 190177. The motion carried by the following vote:

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

Excused: 1 - Peskin

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

**Sponsor: Stefani**

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

*After the call of the roll began, Supervisor Fewer, seconded by Supervisor Mandelman, moved to rescind the roll call vote to allow additional discussion on this matter. The motion carried without objection.*

**ADOPTED by the following vote:**

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

Excused: 1 - Peskin

**190213 [Appointment, Park, Recreation, and Open Space Advisory Committee - Roisin Isner and Richard Rothman]**

Motion appointing Roisin Isner and Richard Rothman, term ending February 1, 2021, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

**Motion No. M19-048**

**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 Walton, seconded by Supervisor Mandelman, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

*Supervisor Walton introduced, welcomed, and presented a Certificate of Honor to Sasanna Yee, granddaughter of Visitacion Valley resident Yik Oi Huang who fell victim to an unfortunate crime in January 2019, in recognition of her accomplishments and inspiration in creating unity between communities since the incident. Supervisors Yee and Ronen shared in this commendation.*

*Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Karen Lee in recognition of her many accomplishments and determination to fight displacement and organize her fellow tenants to stand up against unfair, no-cause evictions.*

*Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to the In Defense of Prostitute Women's Safety Project for their many accomplishments providing public awareness and education on violence against sex workers, support to those who have been raped and/or sexually assaulted, and increasing all women's safety.*

### **Appointment of President Pro Tempore**

*At the request of President Yee, Supervisor Fewer assumed the chair at 3:11 p.m. The President resumed the chair at 3:16 p.m.*

## COMMITTEE REPORTS

### Recommendation of the Government Audit and Oversight Committee

#### **190163 [Settlement of Lawsuit - 1049 Market Street, LLC - \$2,400,000 Loan - Tenderloin Housing Clinic]**

##### **Sponsors: Mayor; Haney**

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

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

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

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Reuben Goodman; expressed his support of the newly introduced request asking for legislation regarding oversight on the Sheriff's Department.*

*Ace Washington; expressed concerns regarding the outmigration of African Americans from San Francisco.*

*Kimberly Hill-Brown; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Joyce Armstrong; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Teresa Lee; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Speaker; expressed concerns regarding the need for protected bicycle lanes and safety.*

*Aaron Mayfield; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Harriet M. Wood; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Michael Brown, Jr.; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Elizabeth Chilton; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Alexis Gaines; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Elvira Navarro; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Carol Holmes; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Carolyn Damian; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Renita Mason; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Kendra Crawford; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Emilia Amina; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Yolanda Green; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Carolina Penate; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Speaker; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Marshall Johnson; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Speaker; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Cindy Gamez; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Christina Fong; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Claude Joseph; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*David Canham; expressed concerns regarding the Housing Authority, evictions, violations, and possible loss of jobs.*

*Tom Gilbert; shared concerns regarding government lobbying and transparency.*

*Mr. Wright; expressed concerns regarding the Housing Authority, and the seizing of property from the homeless.*

*Francisco Da Costa; expressed concerns regarding the legislative body.*

*Speaker; shared concerns regarding a project developer and construction site.*

## CLOSED SESSION

## CONFERENCE WITH LABOR NEGOTIATORS

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

Closed Session for the Board of Supervisors to convene on March 12, 2019, at 4:00 p.m., with the Mayor's Office and the Department of Human Resources under Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding negotiations with labor unions representing City employees; scheduled pursuant to Motion No. M19-015, approved January 29, 2019. (Clerk of the Board)

#### CONVENED IN CLOSED SESSION

*The Board recessed at the hour of 5:04 p.m. to convene in closed session pursuant to Motion No. M19-015 (File No. 190127), approved on January 29, 2019; continued from February 5, 2019; and continued from March 5, 2019.*

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

*Persons in attendance: Jon Givner, Deputy City Attorney (Office of the City Attorney); Ben Rosenfield, Controller (Office of the City Controller); Micki Callahan, Director, and Carol Isen (Department of Human Resources); and Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).*

*Supervisor Haney was noted absent at 5:31 p.m. and for the remainder of the meeting.*

*Supervisor Safai was noted absent at 5:34 p.m. and for the remainder of the meeting.*

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

#### RECONVENED AS THE BOARD OF SUPERVISORS

*The Board reconvened at the hour of 5:41 p.m.*

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

#### HEARD IN CLOSED SESSION

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

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

Absent: 2 - Haney, Safai

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## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **190255 [Urging the United States Department of Health and Human Services to Rescind New Title X Regulations]**

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

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

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

**ADOPTED**

### **190258 [Lawrence Ferlinghetti Day - March 24, 2019]**

**Sponsors: Peskin; Stefani and Ronen**

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

*Supervisors Stefani and Ronen requested to be added as co-sponsors.*

**ADOPTED**

### **190259 [Urging Walgreens Boots Alliance Inc. to Engage in Good-Faith Negotiations - United Food and Commercial Workers International Union, Local 648, Members]**

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

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

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

**ADOPTED**

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

Motion adopting findings in support of the Board of Supervisors' disapproval of Planning Commission Motion No. 20336 approving a Conditional Use Authorization identified as Planning Case No. 2007.1347CUA for a proposed project at 3637-3657 Sacramento Street, and the Board's approval of a Conditional Use Authorization for the same Planning Case and property with different conditions; and adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

**Motion No. M19-049**

**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. 190229 be severed so that it may be considered separately.*

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

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

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

*Supervisor Safai 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

*Supervisor Mandelman requested that File No. 190257 be severed so that it may be considered separately.*

**190257 [Declaring San Francisco an "Open to All" City]**

**Sponsors: Mandelman; Brown, Walton and Fewer**

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

*Supervisors Brown, Walton, and Fewer 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

**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](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 ORDINANCES

### 190237 [Plumbing Code - Minimum Size of Building Traps]

Ordinance amending the Plumbing Code to add a requirement for the minimum size and placement of the building traps by a sewer or drain; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage. (Building Inspection Commission)

02/27/19; RECEIVED FROM DEPARTMENT.

03/12/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/11/2019.

### 190238 [Settlement of Lawsuit - Peter Dayton - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Peter Dayton against the City and County of San Francisco for \$60,000; the lawsuit was filed on March 15, 2017, in San Francisco Superior Court, Case No. CGC 17-557549; entitled Peter Dayton v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

03/01/19; RECEIVED FROM DEPARTMENT.

03/12/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190239 [Partial Settlement of Lawsuit - Chris Tilton and Blane Bachelor - \$301,000]**

Ordinance authorizing settlement of the lawsuit filed by Chris Tilton and Blane Bachelor against the City and County of San Francisco for \$301,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiffs Chris Tilton and Blane Bachelor, by the payment of \$301,000 and excluding the claim by these plaintiffs for diminution of value for plaintiffs' real property and the claim by plaintiffs for attorney's fees, costs and interest, which will be addressed in later proceedings.

03/01/19; RECEIVED FROM DEPARTMENT.

03/12/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190240 [Settlement of Lawsuit - Hanover Insurance Company a/s/o YWX Holdings, Inc. - \$62,500]**

Ordinance authorizing settlement of the lawsuit filed by Hanover Insurance Company a/s/o YWX Holdings, Inc. against the City and County of San Francisco for \$62,500; the lawsuit was filed on April 30, 2018, in San Francisco Superior Court, Case No. CGC-18-566142; entitled Hanover Insurance Company a/s/o YWX Holdings, Inc. v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage by sewer backup. (City Attorney)

03/01/19; RECEIVED FROM DEPARTMENT.

03/12/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**190241 [Settlement of Unlitigated Claim - Kim Du Truong - \$36,090]**

Resolution approving the settlement of the unlitigated claim filed by Kim Du Truong against the City and County of San Francisco for \$36,090; the claim was filed on July 30, 2018; the claim involves alleged property damage arising from flooding. (City Attorney)

03/01/19; RECEIVED FROM DEPARTMENT.

03/12/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190242 [Agreement Amendment - San Francisco AIDS Foundation - HIV Prevention - City-Wide Syringe Access and Disposal Services - Not to Exceed \$35,608,159]**

Resolution approving Amendment No. 2 to the agreement between the San Francisco AIDS Foundation and the Department of Public Health to provide HIV prevention services through City-wide syringe access and disposal services; to increase the contract amount by \$25,768,672 for a total amount not to exceed \$35,608,159; and to extend the contract by seven years, to commence July 1, 2019, for a total contract term of July 1, 2016, through June 30, 2026. (Public Health Department)

03/04/19; RECEIVED FROM DEPARTMENT.

03/12/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190243 [Apply for, Accept, and Expend Funds - Retroactive - California Secretary of State - Voting System Replacement Activities - \$3,011,500]**

Resolution retroactively authorizing the Department of Elections to apply for, accept, and expend funds allocated by the California Secretary of State in an amount not to exceed \$3,011,500 to fund voting system replacement activities, for the period of July 1, 2018, through June 30, 2021. (Elections Department)

02/25/19; RECEIVED FROM DEPARTMENT.

03/12/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190244 [Accept and Expend Grant -The Workers Lab - Workers Fund - \$150,000]**

Resolution authorizing the Office of the Treasurer & Tax Collector to accept and expend a grant in the amount of \$150,000 from The Workers Lab for designing and piloting a Workers Fund at San Francisco International Airport from May 1, 2019, through June 30, 2020. (Treasurer-Tax Collector)

03/04/19; RECEIVED FROM DEPARTMENT.

03/12/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 5:43 p.m.*