

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, March 19, 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.

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, March 19, 2019, with President Norman Yee presiding.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

A quorum was present.

COMMUNICATIONS

There were no communications.

President Yee asked for a moment of silence to honor the victims, and the families whose lives were forever changed, at the hands of an armed terrorist in Christchurch, New Zealand last Friday, March 15, 2019.

APPROVAL OF MEETING MINUTES

President Yee inquired whether any Board Member had any corrections to the February 12, 2019, Board Meeting Minutes. There were no corrections.

Supervisor Peskin, seconded by Supervisor Safai, moved to approve the February 12, 2019, 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 Government Audit and Oversight Committee

190101 [Settlement of Lawsuit - Satinder Singh - \$425,000]

Ordinance authorizing settlement of the lawsuit filed by Satinder Singh against the City and County of San Francisco for \$425,000; the lawsuit was filed on January 23, 2014, in San Francisco Superior Court, Case No. CGC-14-536941; entitled Satinder Singh v. Xuong Lu, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

PASSED ON FIRST READING

190102 [Settlement of Lawsuit - Brandon Simpson - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Brandon Simpson against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 11, 2017, in the United States District Court, Northern District of California, Case No. 17-CV-00133 KAW; entitled Brandon Simpson v. City and County of San Francisco, et al.; the lawsuit involves alleged damages stemming from civil rights violations; other material terms of the settlement are that Mr. Simpson's court ordered criminal restitution will be paid from the settlement proceeds. (City Attorney)

PASSED ON FIRST READING

190137 [Settlement of Lawsuit - Logan Rachel Ury - \$80,000]

Ordinance authorizing settlement of the lawsuit filed by Logan Rachel Ury against the City and County of San Francisco for \$80,000; the lawsuit was filed on February 14, 2017, in San Francisco Superior Court, Case No. CGC-17-557062; entitled Logan Rachel Ury v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury in Golden Gate Park. (City Attorney)

PASSED ON FIRST READING

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.

FINALLY PASSED**190189 [Settlement of Lawsuit - Jamal Rashid Trulove - \$13,100,000]**

Ordinance authorizing settlement of the lawsuit filed by Jamal Rashid Trulove against the City and County of San Francisco for \$13,100,000; the lawsuit was filed on January 7, 2016, in United States District Court, Case No. 16-cv-00050; entitled Jamal Rashid Trulove v. Maureen D'Amico et al.; the lawsuit involves alleged unlawful prosecution and incarceration. (City Attorney)

PASSED ON FIRST READING**190138 [Settlement of Unlitigated Claim - Antrea Investments & Trading LLC - \$41,163.13]**

Resolution approving the settlement of the unlitigated claim filed by Antrea Investments & Trading LLC against the City and County of San Francisco for \$41,163.13; the claim was filed on September 21, 2018; the claim involves alleged property damage arising from a six-inch water main break. (City Attorney)

ADOPTED**190190 [Settlement of Unlitigated Claim - One Nob Hill Associates, LLC - \$65,250]**

Resolution approving the settlement of the unlitigated claim filed by One Nob Hill Associates, LLC against the City and County of San Francisco for \$65,250; the claim was filed on February 28, 2018; the claim involves an alleged overpayment of real property transfer tax. (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

Recommendation 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.

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

190139 [Real Property Lease Extension - Prologis, L.P. - 1740 Cesar Chavez Street - \$419,760 Initial Annual Base Rent]

Resolution authorizing the Director of Real Estate to exercise a Lease Extension for the real property located at 1740 Cesar Chavez Street with Prologis, L.P., as Landlord, for a five-year term to commence on April 1, 2019, through March 31, 2024, and a five-year option to extend at the monthly base rent of \$34,980 for a total initial annual base rent of \$419,760 with a 3% annual increase. (Human Resources Department)
(Fiscal Impact)

ADOPTED by the following vote:

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

190166 [Lease of City Property - La Cocina, Inc. - 101 Hyde Street - Annual Base Rent \$12,000]**Sponsors: Mayor; Haney**

Resolution authorizing the Director of Property to execute a commercial lease between the City and County of San Francisco and La Cocina, Inc., for the lease of City-owned property located at 101 Hyde Street for a term to commence upon full execution of the lease through December 31, 2025, for an annual base rent of \$12,000 plus percentage rent of net income and a \$1,465,000 allowance for tenant improvements; adopting California Environmental Quality Act findings; and making findings that the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

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

190167 [Accept and Expend Gift - San Francisco Foundation - 101 Hyde Street - \$1,000,000]**Sponsors: Mayor; Haney**

Resolution authorizing the Mayor's Office of Housing and Community Development to accept and expend a gift of \$1,000,000 from the San Francisco Foundation to the Neighborhood Development Special Revenue Fund; and approving the City's use of those funds for the interim activation of City property located at 101 Hyde Street.

ADOPTED by the following vote:

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

190168 [Accept and Expend Grant - Retroactive - San Francisco Bay Area Rapid Transit District - Pit Stop Public Toilet Program - \$225,000]**Sponsor: Mayor**

Resolution retroactively authorizing Public Works to accept and expend a grant in an amount up to \$225,000 from the San Francisco Bay Area Rapid Transit District (BART) for the Pit Stop Public Toilet Program for the period of July 1, 2018, through June 30, 2019. (Public Works)
(Fiscal Impact)

ADOPTED by the following vote:

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

190193 [Termination of Lease - Orchard Supply Company, LLC - 900 El Camino Real, Millbrae - \$1,304,915]

Resolution approving the terms and conditions of, and authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to execute a Termination of Lease between the City and County of San Francisco, through its Public Utilities Commission, as Landlord, and Orchard Supply Company, LLC, as Tenant, for a portion of SFPUC Parcel 29, representing approximately 4.438 acres of land in Millbrae, California at a ground rental rate of approximately \$1,304,915 per year over the remaining five-year term of the Lease, with a termination date of April 30, 2019. (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

190217 [Accept and Expend Grant - Retroactive - Association of Bay Area Governments - Bay Area Regional Network - Energy Efficiency Program Implementation - \$2,948,331]

Sponsors: Mayor; Brown

Resolution retroactively authorizing the Department of the Environment to accept and expend grant funds from the Association of Bay Area Governments in the amount of \$2,948,331 to perform energy efficiency program implementation, as part of the Bay Area Regional Energy Network Program, an energy efficiency program, for the term of January 1, 2019, to December 31, 2019.

ADOPTED by the following vote:

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

190219 [Accept and Expend Grant - Bay-Peninsula Regional Planning Unit - North Valley Consortium Workforce Development Board - Tech Sector Apprenticeship System Design - \$176,532]

Sponsors: Mayor; Walton

Resolution authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$176,532 from the Bay-Peninsula Regional Planning Unit's fiscal agent, the North Valley Consortium (NOVA) Workforce Board, to develop a regional tech sector apprenticeship network and a strategy for a Bay Area apprenticeship model within one or more occupations within the tech sector, for the period of April 1, 2019, through September 30, 2020. (Department of Economic and Workforce Development)

ADOPTED by the following vote:

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

190220 [Accept and Expend Grant - California State Senate Bill 1 Local Partnership Program - Alemany Boulevard Pavement Renovation - \$1,750,000]

Sponsors: Mayor; Safai

Resolution authorizing the acceptance and expenditure of California State Senate Bill 1 Local Partnership Program formulaic funding in the amount of \$1,750,000 for San Francisco Public Works' Alemany Boulevard Pavement Renovation project. (Fiscal Impact)

ADOPTED by the following vote:

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

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

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$35,000,000 for 385-387 Eddy Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$35,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

Supervisor Haney 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

President Yee requested File Nos. 190260 and 190261 be called together.

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

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

ADOPTED by the following vote:

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

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

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

ADOPTED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee**190054 [Housing Preferences - Annual Reporting - July 1, 2016, through June 30, 2018]****Sponsor: Mayor**

Resolution receiving and approving the Mayor's Office of Housing and Community Development's annual report on participation in the Residential Certificate of Preference, Displaced Tenant Housing Preference, Neighborhood Resident Housing Preference, and other affordable housing preference programs for all new construction projects within the City and County of San Francisco marketed between July 1, 2016, and June 30, 2018, as required by Administrative Code, Chapter 47.4.

ADOPTED by the following vote:

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

Recommendations of the Land Use and Transportation Committee**171194 [Building Code - Installation of Solar Energy Systems]****Sponsor: Peskin**

Ordinance amending the Building Code to enact an expedited and streamlined permit process for solar energy systems; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk to forward this Ordinance to the California Building Standards Commission upon final passage.

PASSED ON FIRST READING by the following vote:

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

181154 [Planning Code - Inclusionary Housing Fee]**Sponsor: Peskin**

Ordinance amending the Planning Code to require all projects using the State Density Bonus law, regardless of environmental evaluation application date, to pay the inclusionary fee on any additional units or square footage allowed by the state law; 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 convenience, necessity, and welfare under Planning Code, Section 302. (Pursuant to Charter, Section 4.105, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve the Ordinance for passage.)

Supervisor Peskin, seconded by Supervisor Ronen, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of April 2, 2019. The motion carried by the following vote:

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

190045 [Building, Business and Tax Regulations Codes - Temporary Homeless Shelter Provisions During Shelter Crisis]**Sponsors: Mayor; Brown, Walton, Haney, Mandelman and Stefani**

Ordinance amending the Building Code to adopt standards for constructing homeless shelters, and to create an alternative approval procedure for homeless shelters, during a shelter crisis, pursuant to California Government Code, Section 8698.4; amending the Business and Tax Regulations Code to provide for an expedited permit appeals process for homeless shelters during a shelter crisis; 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 and the California Department of Housing and Community Development upon final passage.

PASSED ON FIRST READING by the following vote:

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

190047 [Administrative, Planning Codes - Streamlined Contracting for Homeless Services and Siting for Homeless Shelters]**Sponsors: Mayor; Brown, Walton, Haney, Mandelman and Stefani**

Ordinance amending the Administrative Code and Planning Code to streamline contracting for homeless shelters, and siting of homeless shelters by, among other things, authorizing the Department of Homelessness and Supportive Housing (HSH) to enter into and amend contracts without requiring competitive bidding for professional and other services relating to sites and programs for people experiencing homelessness (Projects Addressing Homelessness); authorizing Public Works to enter into and amend contracts without adhering to the Environment Code or to provisions relating to competitive bidding, equal benefits, local business enterprise utilization, and other requirements, for construction work and professional and other services relating to Projects Addressing Homelessness; permitting Homeless Shelters in PDR (Production Distribution Repair) and SALI (Service/Arts/Light Industrial) Districts; authorizing HSH to operate Navigation Centers for more than two years; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

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

190136 [Various Department of Building Inspection Codes - Technical Corrections to Existing Code]

Ordinance amending various sections of the Building, Existing Building, Plumbing, Electrical, and Housing Codes to correct or clarify existing Code language, re-enact a longstanding permit requirement for fences with the finding required by the California Health and Safety Code, and add enforcement provisions for the Building Facade Inspection and Maintenance Program; affirming the Planning Department's determination under the California Environmental Quality Act; adopting a finding under the California Health and Safety Code; and directing the Clerk to forward this Ordinance to the California Building Standards Commission upon final passage. (Building Inspection Commission)

PASSED ON FIRST READING by the following vote:

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

190215 [Mission Bay South - Mission Bay Park P5 Acceptance and Naming Mission Bay Dog Park]

Sponsor: Haney

Ordinance dedicating property under City jurisdiction and located on a portion of State Trust Parcel 2, commonly known as Mission Bay Park P5, adjacent to El Dorado Street North and El Dorado Street South between Channel Street and Long Bridge Street, as open public right-of-way in Mission Bay South; naming the new park "Mission Bay Dog Park;" accepting an irrevocable offer for the acquisition facilities that comprise the park improvements; designating said facilities for public open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations, as defined herein; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; approving a Public Works Order; and authorizing official acts in connection with this Ordinance, as defined herein.

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Public Safety and Neighborhood Services Committee**190135 [Liquor License - 1168 Folsom Street - Decant SF]**

Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises liquor license to Decant SF, LLC, doing business as Decant SF, located at 1168 Folsom 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 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

190143 [Administrative Code - Harvey Milk Terminal Signage at San Francisco International Airport]

Sponsors: Ronen; Mandelman, Mar and Haney

Ordinance amending the Administrative Code to set the minimum size of lettering for exterior and interior signage for the Harvey Milk Terminal, Terminal 1 of the San Francisco International Airport.

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

Angela Calvillo, Clerk of the Board, informed the Board that the Budget and Legislative Analyst determined the amendments accepted during the Rules Committee meeting will require fiscal impact review, pursuant to Administrative Code, Section 2.6-3; therefore, this matter must be re-referred back to a fiscal committee for an additional hearing.

Supervisor Ronen, seconded by Supervisor Walton, moved that this Ordinance be RE-REFERRED to the Budget and Finance Sub-Committee. The motion carried by the following vote:

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

Supervisor Mar Excused from Voting

Supervisor Fewer, seconded by Supervisor Brown, moved that Supervisor Mar be excused from voting on File No. 190246. The motion carried by the following vote:

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

Excused: 1 - Mar

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

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

Motion No. M19-050

APPROVED by the following vote:

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

Excused: 1 - Mar

Supervisor Walton Excused from Voting

Supervisor Safai, seconded by Supervisor Ronen, moved that Supervisor Walton be excused from voting on File No. 190247. The motion carried by the following vote:

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

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

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

Motion No. M19-051

APPROVED by the following vote:

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

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

Supervisor Walton, seconded by Supervisor Safai, 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

WOMEN'S HISTORY MONTH

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Women's History Month, their accomplishments, and their continued community support as referenced below:

Supervisor Yee recognized Lisa Spinali (Chair, San Francisco Court Appointed Special Advocates);

Supervisor Walton recognized Shirley Jones (President, Bayview Hunter's Point Foundation for Community Improvement);

Supervisor Stefani recognized Rita Semel (Executive Vice Chair, San Francisco Interfaith Council);

Supervisor Safai recognized Patricia Lee (Deputy Public Defender, Public Defender's Office);

Supervisor Ronen recognized Giuliana "Huli" Milanese (Board of Directors, Jobs with Justice San Francisco);

Supervisor Peskin recognized Sara Aminzadeh (Commission, California Coastal Commission);

Supervisor Mar recognized Jackie Fielder (Indigenous Women's Divestment Delegate, Mazaska Talks);

Supervisor Mandelman recognized Dr. Karyn Skultety (Executive Director, Openhouse);

Supervisor Fewer recognized Sarah Wan (Executive Director, Community Youth Center); and

Supervisor Brown recognized Mattie Scott (Executive Director, Healing for Our Families and Our Nation).

Supervisor Haney requested to recognize his honoree at a following Board meeting.

COMMITTEE REPORTS

Recommendation of the Rules Committee

190233 [Mayoral Appointment, Retirement Board - Scott Heldfond]

Sponsors: Peskin; Ronen

Motion approving the Mayor's appointment of Scott Heldfond to the Retirement Board for the unexpired portion of a five-year term ending February 20, 2024. (Rules Committee)
(Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date: February 22, 2019)

Scott Heldfond, succeeding Wendy Paskin-Jordan, term expired on February 20, 2019, for the unexpired portion of a five-year term ending February 20, 2024.

Motion No. M19-052

APPROVED by the following vote:

Ayes: 9 - Brown, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton

Noes: 2 - Fewer, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Reuben Goodman; shared concerns regarding excessive use of force by the Sheriff's Department.
Ace Washington; shared concerns regarding the lack of merchants in the Fillmore District.
Peter Warfield, shared concerns regarding the San Francisco Public Library and the fines and fees they impose.
Wallace Lee; expressed opposition to the navigation center being proposed for Seawall 330.
Speaker; expressed opposition to the navigation center being proposed for Seawall 330.
William Glasgow; expressed opposition to the navigation center being proposed for Seawall 330.
Jean Lyons; expressed opposition to the navigation center being proposed for Seawall 330.
Christy Scrivano; expressed opposition to the navigation center being proposed for Seawall 330.
Speaker; expressed opposition to the navigation center being proposed for Seawall 330.
Sara Lee; expressed support of the newly introduced Resolution to stop the massive deportation of rehabilitated, formerly incarcerated Southeast Asian nationals.
Borie Aye; expressed support of the newly introduced Resolution to stop the massive deportation of rehabilitated, formerly incarcerated Southeast Asian nationals.
Speaker; expressed opposition to the navigation center being proposed for Seawall 330.
Judy Dundy; expressed opposition to the navigation center being proposed for Seawall 330.
Josh Klipp; shared concerns regarding climate change and the need for more trees.
Roger Downey; expressed opposition to the navigation center being proposed for Seawall 330.
Maria Papadopoulos; expressed opposition to the navigation center being proposed for Seawall 330.
Garrett Hall; expressed opposition to the navigation center being proposed for Seawall 330.
Shawna Heffernan; expressed support of the Resolution supporting US House Resolution No. 1384, the Medicare For All Act (File No. 190295).
Karen Devin; expressed support of the Resolution supporting US House Resolution No. 1384, the Medicare For All Act (File No. 190295).
John Hatchner; expressed opposition to the navigation center being proposed for Seawall 330.
Marcus Da Cunha; expressed opposition to the navigation center being proposed for Seawall 330.
Speaker; expressed opposition to the navigation center being proposed for Seawall 330.
Robert Rossi; expressed opposition to the navigation center being proposed for Seawall 330.
Jennifer Garcia; expressed concerns regarding the Walgreens union negotiations.
Tom Gilberty; shared concerns regarding navigation centers, and high speed rail.

Appointment of President Pro Tempore

At the request of President Yee, Supervisor Walton assumed the chair at 5:28 p.m. The President resumed the chair at 5:32 p.m.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

190185 [Closed Session - Existing Litigation - American Beverage Association, California Retailers Association, and California State Outdoor Advertising Association - March 19, 2019]

Closed Session for the Board of Supervisors to convene on March 19, 2019, 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 defendant and appellee, American Beverage Association, California Retailers Association, and California State Outdoor Advertising Association v. City and County of San Francisco, Ninth Circuit Court of Appeals Case Nos. 16-16072 and 16-16073, filed in the United States District Court for the Northern District of California on July 24, 2015; scheduled pursuant to Motion No. M19-032, approved February 12, 2019. (Clerk of the Board)

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 5:52 p.m. to convene in closed session pursuant to Motion No. M19-032 (File No. 190160), approved on February 12, 2019, and continued from February 26, 2019.

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

Persons in attendance: Jon Givner, Neha Gupta, and Jeremy Goldman, Deputy City Attorneys (Office of the City Attorney); and Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).

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

RECONVENED AS THE BOARD OF SUPERVISORS

The Board reconvened at the hour of 7:12 p.m.

The following Supervisors were noted present: Supervisors Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, 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 Peskin, seconded by Supervisor Safai, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

190295 [Supporting United States House Resolution No. 1384 (Jayapal) - The Medicare For All Act]

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

Resolution supporting United States House Resolution No. 1384, authored by United States Representative Pramila Jayapal, The Medicare For All Act, and reaffirming the Board of Supervisors' support for a single-payer universal health care system.

ADOPTED

190296 [Urging Installation of Battery Energy Storage Systems by C-10 Electrical Contractor License-Holders]

Sponsors: Peskin; Safai, Ronen and Mar

Resolution urging the Contractors State Licensing Board to ensure that battery energy storage systems are installed by valid C-10 Electrical Contractor License-holders.

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

ADOPTED

190297 [Approval of a 90-Day Extension for Planning Commission Review of District 11 Large Residence Special Use District (File No. 180939)]

Sponsor: Safai

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 180939) amending the Planning Code and Zoning Map to create the District 11 large residence Special Use District (the area within a perimeter established by Interstate 280, Orizaba Avenue, Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Ocean Avenue, southern border of Balboa Park, San Jose Avenue, Havelock Street, Interstate 280, Stoneybrook Avenue, Cambridge Street, Stoneyford Avenue, Gladstone Drive, Sunglow Lane, Silver Avenue, Madison Street, Burrows Street, Mansfield Street, western boundary of John McLaren Park, La Grande Avenue, western boundary of John McLaren Park, Geneva Avenue, Linda Vista Steps, Lapham Way, Robinson Drive, and the southern boundary of San Francisco) to promote and enhance neighborhood character and affordability by requiring conditional use authorization for large residential developments in the District; affirming the Planning Department's California Environmental Quality Act determination; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

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

190223 [Supporting an Irish Famine Memorial]**Sponsors: Mar; Haney, Peskin, Yee, Safai, Mandelman, Ronen, Fewer and Stefani**

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

Supervisor Stefani 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 Stefani requested that File No. 190298 be severed so that it may be considered separately.

190298 [Urging the State to Increase Funding - Supporting California Assembly Bill No. 1603 (Wicks) - California Violence Intervention and Prevention Grant Program]**Sponsors: Stefani; Mar and Walton**

Resolution urging the state to increase funding to the California Violence Intervention and Prevention Program (CalVIP) from \$9,000,000 annually to \$39,000,000 and supporting California Assembly Bill No. 1603, authored by Assembly Member Buffy Wicks, which provides structural fixes to CalVIP.

Supervisors Mar and Walton 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.

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

190281 [Settlement of Lawsuit - Max Luster - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Max Luster against the City and County of San Francisco for \$75,000; the lawsuit was filed on August 29, 2017, in San Francisco Superior Court, Case No. CGC-17-561008; entitled Max Luster v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

03/08/19; RECEIVED FROM DEPARTMENT.

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

PROPOSED RESOLUTIONS

190282 [California Constitution Appropriations Limit - FY2018-2019 - \$4,443,944,710]

Resolution establishing the appropriations limit of \$4,443,944,710 for FY2018-2019, pursuant to California Constitution, Article XIII B. (Controller)

03/05/19; RECEIVED FROM DEPARTMENT.

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

190283 [Grant Agreement and Subsequent Amendments - Retroactive - Meals on Wheels of San Francisco - Nutrition Programs Services - Not to Exceed \$26,227,568]

Resolution retroactively approving a grant agreement, authorizing the Executive Director of the Human Services Agency to execute a grant agreement between the City and County of San Francisco, by and through its Human Services Agency, and the non-profit Meals on Wheels of San Francisco for the provision of Nutrition Programs services to older adults and adults with disabilities for the period of July 1, 2017, through June 30, 2020, in an amount not to exceed \$21,600,737; retroactively approving Amendment No. 1 to increase the grant agreement amount by \$709,688 for a total not to exceed amount of \$22,310,425; retroactively approving Amendment No. 2 to increase the grant agreement amount by \$826,393 for a total not to exceed amount of \$23,136,818; and retroactively approving Amendment No. 3 to increase the agreement amount by \$3,090,750 for a total not to exceed amount of \$26,227,568 each amendment with no change to the length of term. (Human Services Agency)

03/11/19; RECEIVED FROM DEPARTMENT.

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

ADJOURNMENT

There being no further business, the Board adjourned at the hour 7:13 p.m.