



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, April 16, 2019 - 2:00 PM

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

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Fewer, Stefani, Mandelman, Ronen, Yee

Budget and Finance Sub-Committee
Supervisors Fewer, Stefani, Mandelman

Government Audit and Oversight Committee
Supervisors Mar, Brown, Peskin

Joint City, School District, and City College Select Committee
Supervisors Haney, Walton, Mar

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

Wednesday
10:00 AM

1st and 3rd Thursday
10:00 AM

To Be Determined

Monday
1:30 PM

2nd and 4th Thursday
10:00 AM

Monday
10:00 AM

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

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AGENDA PACKET: Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B Goodlett Place, Room 244, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Peggy Nevin at (415) 554-5184.

所有常規及特別市參事委員會會議 (Board meetings) 除委員會會議 (Committee meetings) 將予以提供西班牙文, 菲律賓文, 及中文的語言服務, 但須在會議前最少48小時作出請求, 旨在確保服務屆時可予以提供。更多資訊或請求有關服務, 請致電 (415) 554-7719聯絡Linda Wong.

AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Intsik at Tagalog para sa lahat ng mga regular at espesyal na pulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Filipino na maaaring i-request sa pinakmababa na di bababa sa 48 oras bago ang pulong upang matiyak na matutugunan and inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

AGENDA CHANGES

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 through 5

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Fewer, Stefani, Mandelman

1. [190092](#) **[Business and Tax Regulations Code - Credits For Waiver of Homelessness Gross Receipts Tax Refund and Certain Gifts]**

Sponsors: Mayor; Brown

Ordinance amending the Business and Tax Regulations Code to add a credit against a person or combined group's Homelessness Gross Receipts Tax ("Tax") equal to 10% of the portion of a person or combined group's Tax liability for a tax year with respect to which the person or combined group enters into an agreement waiving its right to a refund of its Tax payments associated with any claim that the Homelessness Gross Receipts Tax Ordinance is invalid because it required a two-thirds vote rather than a majority of the electorate to pass; to add a credit against a person's Tax equal to 110% of a person's gift to support the Our City, Our Home Fund; and to authorize the Office of the Treasurer and Tax Collector to accept gifts from persons to support the Our City, Our Home Fund.

(Fiscal Impact)

04/09/2019; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [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.
- (Fiscal Impact)
- 03/19/2019; RE-REFERRED to the Budget and Finance Sub-Committee.
- 04/09/2019; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
3. [190288](#) **[Accept and Expend Grant - Retroactive - Safety and Justice Challenge - Amendment to the Annual Salary Ordinance - FYs 2018-2019 and 2019-2020 - \$2,000,000]**
Sponsor: Ronen
Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$2,000,000 from the John D. and Catherine T. MacArthur Foundation to support San Francisco's participation as an implementation site in the Safety and Justice Challenge; 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 Class 1823 Senior Administrative Analyst position (FTE 1.0) and one grant funded Class 8133 Victim/Witness Investigator (FTE 1.0) at the Office of the District Attorney, one grant funded Class 2930 Behavioral Health Clinician (FTE 1.0) at the Department of Public Health, and one grant funded Class 1823 Senior Administrative Analyst position (FTE 1.0) at the Sheriff's Department for the period of October 1, 2018, through September 30, 2020. (District Attorney)
- 04/09/2019; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Brown, Peskin

4. [190286](#) **[De-Appropriation and Re-Appropriation - Public Utilities Commission Water Enterprise Fund Balance - Payment of Unlitigated Claim of Sambou Makalou - \$124,523.97]**
Sponsor: Mandelman
Ordinance de-appropriating \$124,523.97 from the Wastewater Enterprise Fund Balance and re-appropriating the same amount to the Water Enterprise Fund Balance for the Public Utilities Commission to fund the settlement of the unlitigated claim of Sambou Makalou.
- 04/09/2019; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Peskin, Safai, Haney

5. **190188** **[Planning Code - Amending Landmark Designation - 906 Broadway (Iglesia de Nuestra Señora de Guadalupe/Our Lady of Guadalupe Church)]**

Sponsor: Peskin

Ordinance amending the Landmark Designation for Landmark No. 204, 906 Broadway (Iglesia de Nuestra Señora de Guadalupe/Our Lady of Guadalupe Church), Assessor's Parcel Block No. 0149, Lot No. 009, under Article 10 of the Planning Code, to confirm the exterior features that should be preserved or replaced in kind, and to add interior features to the designation; 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 findings under Planning Code, Section 302. (Historic Preservation Commission)

04/09/2019; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Peskin, Safai, Haney

6. **190142** **[Environment Code - Existing Buildings Energy Performance and Benchmarking]**

Sponsors: Brown; Peskin, Mar and Safai

Ordinance amending the Environment Code to require owners of certain nonresidential and residential buildings to annually measure and disclose energy performance; to require the Department of the Environment to collect and make public summary statistics about the energy performance of such buildings; and affirming the Planning Department's determination under the California Environmental Quality Act.

04/09/2019; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

04/09/2019; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Fewer, Stefani, Mandelman, Ronen, Yee

7. [190309](#) **[Appropriating \$398,561 in Fire Service Fees - De-Appropriation and Re-Appropriation - Expenditures of \$5,750,492 - Supporting Increased Overtime and Professional Services Expenditures - FY2018-2019]**
Sponsor: Mayor
Ordinance appropriating \$398,561 to overtime in the Fire Department, de-appropriating \$5,750,492 from permanent salaries, mandatory fringe benefits, and capital projects, and appropriating \$5,750,492 to overtime and professional services in the Sheriff's Department, and to overtime in the San Francisco Public Utilities Commission, in order to support the Departments' projected increases in overtime as required per Administrative Code, Section 3.17; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for the Sheriff's Department appropriations approval, pursuant to Charter, Section 9.113(c).
- (Pursuant to Charter, Section 9.113(c), this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve such appropriation ordinance for passage.)
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
8. [190252](#) **[Five-Year Information and Communication Technology Plan - FYs 2020-2024]**
Sponsor: Mayor
Resolution adopting the City's five-year information and communication technology plan for FYs 2020-2024 pursuant to Administrative Code, Section 22A.6.
- Question: Shall this Resolution be ADOPTED?**
9. [190313](#) **[Five-Year Financial Plan - FYs 2019-2024]**
Sponsor: Mayor
Resolution adopting the City's Five-Year Financial Plan for FYs 2019-2020 through 2023-2024 pursuant to Charter, Section 9.119.
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Fewer, Stefani, Mandelman

10. [181212](#) **[Administrative, Business and Tax Regulations Codes - Nonprofit Organizations' First-Right-to-Purchase Multi-Family Residential Buildings]**
Sponsors: Fewer; Ronen, Haney, Mar, Walton, Safai, Peskin, Mandelman, Brown, Yee and Stefani
Ordinance amending the Administrative Code to confer upon certain nonprofit organizations a first-right-to-purchase, consisting of both a right of first offer and a right of first refusal, over all multi-family residential buildings (and related construction sites and vacant lots) in the City, for the purpose of creating and preserving rent-restricted affordable rental housing, and to establish related procedures for the selection of such nonprofits, the preservation of rent-restricted affordable housing, and implementation and enforcement; amending the Business and Tax Regulations Code to exempt rent-restricted affordable housing created under this ordinance from increased rates of transfer tax; and affirming the Planning Department's determination under the California Environmental Quality Act.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
11. [190245](#) **[Waiver of Banner Fee - Retroactive - Office of Economic and Workforce Development - Shop & Dine in the 49 Campaign]**
Sponsors: Mayor; Brown
Ordinance retroactively waiving the banner fees under Public Works Code, Section 184.78, for the placement of up to 300 banners per year, for three years, by the Office of Economic and Workforce Development to publicize the City's "Shop & Dine in the 49" campaign, beginning on November 20, 2018; and affirming the Planning Department's determination under the California Environmental Quality Act.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
12. [190105](#) **[Agreement Amendment - Community Awareness and Treatment Services - Behavioral Health Fiscal Intermediary Services - Not to Exceed \$23,186,920]**
Resolution approving Amendment No. 1 to the agreement between Community Awareness and Treatment Services and the Department of Public Health for behavioral health services, to increase the agreement amount by \$14,363,136 for an amount not to exceed \$23,186,920; and to extend the term by three years, from June 30, 2019, for a total agreement term of July 1, 2017, through June 30, 2022. (Public Health Department)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

13. [190191](#) **[Lease Agreement - Hudson Group (HG) Retail, LLC, RDJ Enterprises, LLC, and Stewart Manhattan Investments, Inc., a JV dba HG SFO Retailers 2017 JV - Boarding Area C Retail Concession Lease No. 1 - Lease No. 18-0367 - \$1,800,000 Minimum Annual Guarantee]**
Resolution approving the Boarding Area C Retail Concession Lease No. 1 - Lease No.18-0367, between Hudson Group (HG) Retail, LLC, RDJ Enterprises, LLC, and Stewart Manhattan Investments, Inc., a Joint Venture dba HG SFO Retailers 2017 JV, as joint tenants, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and a minimum annual guarantee of \$1,800,000 for the first year of the Lease, to commence upon Board approval. (Airport Commission)
Question: Shall this Resolution be ADOPTED?
14. [190204](#) **[Lease Agreement - The Marshall Retail Group, LLC - Boarding Area C Retail Concession Lease 2 - Lease No.18-0368 - \$600,000 Minimum Annual Guarantee]**
Resolution approving the Boarding Area C Retail Concession Lease 2 - Lease No. 18-0368, between The Marshall Retail Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and a minimum annual guarantee of \$600,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)
Question: Shall this Resolution be ADOPTED?
15. [190226](#) **[Accept and Expend Grant - Retroactive - California Department of Insurance - Workers' Compensation Insurance Fraud Program - \$801,148]**
Sponsor: Stefani
Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$801,148 from the California Department of Insurance for the Workers' Compensation Insurance Fraud Program for the grant period of July 1, 2018, through June 30, 2019. (District Attorney)
Question: Shall this Resolution be ADOPTED?
16. [190227](#) **[Accept and Expend Grant - Retroactive - California Department of Insurance - Automobile Insurance Fraud Program - \$298,336]**
Sponsor: Stefani
Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$298,336 from the California Department of Insurance for the Automobile Insurance Fraud Program for the grant period of July 1, 2018, through June 30, 2019. (District Attorney)
Question: Shall this Resolution be ADOPTED?
17. [190228](#) **[Accept and Expend Grant - Retroactive - California Governor's Office of Emergency Services - Victim Witness Assistance Program - \$1,549,288]**
Sponsor: Stefani
Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$1,549,288 from the California Governor's Office of Emergency Services for the Victim Witness Assistance Program for the grant period of October 1, 2018, through September 30, 2019. (District Attorney)
Question: Shall this Resolution be ADOPTED?

18. [190290](#) **[Accept and Expend In-Kind Gift - Retroactive - City Innovate - Consulting Services - Total Value of Services \$125,000]**
Sponsor: Mayor
Resolution retroactively authorizing the Department of Technology to accept an in-kind gift of consulting services from City Innovate for a five-year term from October 9, 2018, through October 8, 2023, for a total value of \$125,000. (Department of Technology)
Question: Shall this Resolution be ADOPTED?
19. [190291](#) **[Accept and Expend Grant - Retroactive - California Department of Health Care Services - Homeless Mentally Ill Outreach and Treatment Grant - \$3,179,000]**
Sponsors: Mayor; Mandelman and Stefani
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the total amount of \$3,179,000 from the California Department of Health Care Services to participate in a program, entitled "Homeless Mentally Ill Outreach and Treatment," for the period of January 1, 2019, through June 30, 2020, and waiving indirect costs. (Public Health Department)
Question: Shall this Resolution be ADOPTED?
20. [190292](#) **[Accept and Expend Grant - Retroactive - California Department of Public Health - California Perinatal Equity Initiative Grant - \$402,768]**
Sponsors: Mayor; Walton
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the total amount of \$402,768 from the California Department of Public Health to participate in a program, entitled "California Perinatal Equity Initiative," for the period of December 1, 2018, through September 30, 2019, and waiving indirect costs. (Public Health Department)
Question: Shall this Resolution be ADOPTED?
21. [190314](#) **[Multifamily Housing Revenue Bonds - 242 Hahn Street - Sunnydale Block 6 - Not to Exceed \$77,000,000]**
Sponsors: Mayor; Walton
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 \$77,000,000 for Sunnydale Block 6 with a current address of 242 Hahn 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 \$77,000,000; 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.
Question: Shall this Resolution be ADOPTED?

22. [190315](#) **[Loan Agreement - Sunnydale HOPE SF - Not to Exceed \$28,478,891]**
Sponsors: Mayor; Walton
Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development to execute an Amended and Restated Loan Agreement with Sunnydale Infrastructure LLC, a California limited liability company, for a total loan amount not to exceed \$28,478,891 to finance the first phase of infrastructure improvements and housing development related to the revitalization and master development of up to 1770 units of replacement public housing, affordable housing, and market rate housing, commonly known as the Sunnydale HOPE SF Development ("Sunnydale Project"); and adopting findings that the loan agreement is consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
23. [190316](#) **[Lease Termination Agreement - Tad's, Inc. - 44 Ellis Street]**
Sponsor: Mayor
Resolution authorizing the Municipal Transportation Agency to terminate the lease agreement with Tad's Inc. for retail space located at 44 Ellis Street in the Ellis-O'Farrell Garage. (Municipal Transportation Agency)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
24. [190317](#) **[Lease Agreement - Tad's, Inc. - 44 Ellis Street - Annual Base Rent of \$5,317,024]**
Sponsor: Mayor
Resolution authorizing the Municipal Transportation Agency to execute a retail lease agreement with Tad's, Inc., for approximately 5,368 square feet of retail space at 44 Ellis Street, for a ten-year term, to commence upon approval by the Board of Supervisors, plus two five-year extension options, at a total rent over the initial ten-year term of \$5,317,024. (Municipal Transportation Agency)
- Question: Shall this Resolution be ADOPTED?**

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Brown, Peskin

25. [190207](#) **[CalSAWS Consortium - Creation of a 58-County Joint Powers Authority - Memorandum of Understanding]**
Resolution approving the creation of a 58-county Joint Powers Authority to be known as CalSAWS Consortium, and approving the Memorandum of Understanding between the CalSAWS Consortium and the City and County of San Francisco. (Human Services Agency)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Peskin, Safai, Haney

26. [190230](#) **[Interim Zoning Controls - Conditional Use Authorization for Conversion of Child Care Facilities to Other Uses]**
Sponsors: Yee; Mar and Fewer
Resolution imposing interim zoning controls for 18 months to require a Conditional Use authorization and specified findings for a proposed change of use from a Child Care Facility to another use; 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.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ronen, Walton, Mar

27. [190202](#) **[Appointments, Immigrant Rights Commission - Jessy Ruiz Navarro, Haregu Gaime, Ryan Khojasteh, Amro Radwan, Elahe Enssani, and Paul Monge]**
Motion appointing Jessy Ruiz Navarro, Haregu Gaime (residency requirement waived), Ryan Khojasteh, Amro Radwan (residency requirement waived), and Elahe Enssani, terms ending June 6, 2020, and Paul Monge, term ending June 6, 2021, to the Immigrant Rights Commission. (Rules Committee)
- Question: Shall this Motion be APPROVED?**
28. [190377](#) **[Appointment, Park, Recreation, and Open Space Advisory Committee - leeshea Romero]**
Motion appointing leeshea Romero, term ending February 1, 2020, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)
- Question: Shall this Motion be APPROVED?**
29. [190379](#) **[Appointments, Single Room Occupancy Task Force - Randall Sloan, Suresh Patel, Shanita Gardner, Dion Roberts, Juan Alejandro Garcia, Clifford Gilmore, Angela Chu, Raul Fernandez-Berriozabal, and Jordan Davis]**
Motion appointing Randall Sloan, Suresh Patel, Shanita Gardner (residency requirement waived), Dion Roberts, Juan Alejandro Garcia (residency requirement waived), Clifford Gilmore (residency waiver required), Angela Chu, Raul Fernandez-Berriozabal, and Jordan Davis, for indefinite terms, to the Single Room Occupancy (SRO) Task Force. (Rules Committee)
- Question: Shall this Motion be APPROVED?**

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

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

30. [190275](#) [Hearing - Appeal of Determination of Exemption From Environmental Review - 3620 Buchanan 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 November 7, 2018, for the proposed project at 3620 Buchanan Street, to demolish one of two existing structures on one shared parcel and construct a new four-story, eight-unit residential building with eight bicycle parking spaces and one accessible vehicle parking space. (District 2) (Appellant: Charles R. Olson of Lubin Olson & Niewiadomski LLP, on behalf 1598 Bay Condominium Association) (Filed March 4, 2019) (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

31. [190276](#) [Affirming the Categorical Exemption Determination - 3620 Buchanan Street]

Motion affirming the determination by the Planning Department that the proposed project at 3620 Buchanan Street is categorically exempt from further environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

32. [190277](#) **[Conditionally Reversing the Categorical Exemption Determination - 3620 Buchanan Street]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 3620 Buchanan 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)

Question: Shall this Motion be APPROVED?

33. [190278](#) **[Preparation of Findings to Reverse the Categorical Exemption Determination - 3620 Buchanan Street]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed project at 3620 Buchanan Street is categorically exempt from further environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

34. **ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

35. **PUBLIC COMMENT**

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

SPECIAL ORDER 4:00 P.M.

CLOSED SESSION

(Scheduled pursuant to Motion No. M19-061 (File No. 190339) approved on April 2, 2019.)

CONFERENCE WITH LABOR NEGOTIATORS

36. [190375](#) **[Closed Session - Labor Negotiations - April 16, 2019]**
Closed Session for the Board of Supervisors to convene on April 16, 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; scheduled pursuant to Motion No. M19-061, approved on April 2, 2019. (Clerk of the Board)

Closed Session: The Board of Supervisors shall confer with labor negotiators.

[Elect To Disclose]

Motion that the Board finds it is in the best interest of the public that the Board elect at this time to disclose its closed session deliberations.

[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.

After a closed session, if one occurs, pending approval of above action to disclose, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

Items 37 through 40

37. [190393](#) **[Supporting California State Assembly Bill No. 857 (Chiu and Santiago) - Public Banking Act]**
Sponsors: Fewer; Walton
Resolution supporting California State Assembly Bill No. 857, the "Public Banking Act", authored by Assembly Members David Chiu and Miguel Santiago, to allow local government to apply for a state banking charter to establish a public bank.

04/09/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
38. [190394](#) **[Supporting California State Assembly Bill No. 1605 (Ting, Bloom) - City and County of San Francisco: Crooked Street Reservation and Pricing Program]**
Sponsor: Stefani
Resolution supporting California State Assembly Bill No. 1605, authored by Assembly Members Phil Ting and Richard Bloom, authorizing the City and County of San Francisco by ordinance to conduct a reservation and pricing program for vehicles that use the "Crooked Street" on Lombard Street between Leavenworth Street and Hyde Street.

04/09/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
39. [190348](#) **[Committee of the Whole - Report of Assessment Costs - Sidewalk Inspection and Repair Program - May 7, 2019]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 7, 2019, at 4:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for work done or caused to be done through the Sidewalk Inspection and Repair Program, pursuant to Public Works Code, Section 706.9, and Administrative Code, Chapter 80, the cost thereof having been paid for by the City and County out of a revolving fund. (Clerk of the Board)

04/09/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

40. [190351](#) **[Committee of the Whole - Report of Assessment Costs - Accelerated Sidewalk Abatement Program - May 7, 2019]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 7, 2019, at 4:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered through the Accelerated Sidewalk Abatement Program, to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

04/09/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

41. **IMPERATIVE AGENDA**

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

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**190280****[Annual Fundraising Drive - 2019]**

Resolution designating those agencies qualified to participate in the 2019 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (City Administrator)

04/02/2019; RECEIVED FROM DEPARTMENT.

04/16/2019; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

190384**[Report of Assessment Costs - Blighted Properties]**

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works)

04/02/2019; RECEIVED FROM DEPARTMENT.

04/16/2019; RECEIVED AND ASSIGNED to the Board of Supervisors.

190385**[Airport Professional Services Agreement - Bombardier Transportation (Holdings) USA, Inc - AirTrain Operation and Maintenance Services- Not to Exceed \$219,541,698]**

Resolution approving an award of the Airport Contract No. 50175, AirTrain Operation and Maintenance, between Bombardier Transportation (Holdings) USA, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years to commence on July 1, 2019, through June 30, 2029, with one five-year option to renew, for a total contract amount not to exceed \$219,541,698 pursuant to Charter, Section 9.118(b). (Airport Commission)

04/05/2019; RECEIVED FROM DEPARTMENT.

04/16/2019; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

190386**[Lease Amendment - Air Sun JV, a Joint Venture Between Sunglass Hut Trading, LLC and Corliss Stone-Littles, LLC - Terminal 3 Concourse Specialty Store Lease No. 09-0176 - Term Extension]**

Resolution approving Amendment No. 1 to Terminal 3 Concourse Specialty Store Lease No. 09-0176 between Air Sun JV, a joint venture between Sunglass Hut Trading, LLC and Corliss Stone-Littles, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for an extension of the term to commence upon approval by the Board of Supervisors through December 31, 2020, with a condition that the Airport Director, at their sole and absolute discretion, may terminate earlier by providing six months' advance written notice, with no change to the minimum annual guarantee. (Airport Commission)

04/04/2019; RECEIVED FROM DEPARTMENT.

04/16/2019; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

190387**[Real Property Lease Amendment - PPF Paramount One Market Plaza Owner, L.P., One Market Street - \$185,709 Initial Year]**

Resolution authorizing and approving the Second Amendment to Lease between PPF Paramount One Market Plaza Owner, L.P., as landlord, and the City and County of San Francisco, as tenant, extending the Lease until May 31, 2020, plus two, five-year options, for a portion of the roof and equipment room at One Market Street, for use by the Department of Technology and the Municipal Transportation Agency, at an initial annual rent of \$185,709, or the monthly base rent of \$15,475.75, with 3% annual adjustments thereafter, and two five-year options, to commence on June 1, 2019. (Department of Technology)

04/08/2019; RECEIVED FROM DEPARTMENT.

04/16/2019; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

190388**[Contract Amendment - HealthRIGHT 360 - Fiscal Intermediary Check-Writing Services - Not to Exceed \$100,947,391]**

Resolution approving Amendment No. 4 to the agreement between HealthRIGHT 360 and the Department of Public Health for fiscal intermediary check-writing services, to increase the agreement amount by \$17,048,037 for an amount not to exceed \$100,947,391; and to extend the term by 18 months, from June 30, 2019, for a total agreement term of December 31, 2013, through December 31, 2020. (Public Health Department)

04/08/2019; RECEIVED FROM DEPARTMENT.

04/16/2019; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

190378 **[Petitions and Communications]**

Petitions and Communications received from April 1, 2019, through April 8, 2019, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 16, 2019.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor, pursuant to Charter, Section 3.100(18), making the following appointment: Copy: Each Supervisor. (1)

 Mary Hao - Health Service Board - term ending May 15, 2023

From the Planning Department, pursuant to Ordinance No. 53-15, submitting the Housing Balance Report No. 8, January 1, 2009 - December 31, 2018. Copy: Each Supervisor. (2)

From the Office of the Controller, submitting the Annual Overtime Report, Fiscal Year 2017-2018. Copy: Each Supervisor. (3)

From the Office of Labor Standards Enforcement, pursuant to Police Code, Section 4909(f), submitting the report on enforcement of the Fair Chance Ordinance. Copy: Each Supervisor. (4)

From Richard Drury, Lozeau Drury LLP, regarding Outside Lands CEQA Appeal. File No. 190198. Copy: Each Supervisor. (5)

From Arnold Cohn, regarding CEQA Appeal for 3620 Buchanan Street. File No. 190275. Copy: Each Supervisor. (6)

From Lydia B. Zaverukha, regarding Arnautoff murals at George Washington High School. Copy: Each Supervisor. (7)

From concerned citizens, regarding the proposed Navigation Center in District 6. 52 Letters. Copy: Each Supervisor. (8)

From David H. Blackwell of Allen Matkins Leck Gamble Mallory & Natsis LLP, on behalf of the Bay Area Housing Advocacy Coalition, regarding inclusionary housing fee. Copy: Each Supervisor. (9)

From concerned citizens, regarding California State Senate Bill No. 50 (Wiener). 45 Letters. File No. 190319. Copy: Each Supervisor. (10)

From Jim Pugh, regarding a Conditional Use Authorization for 1052-1060 Folsom Street and 190-194 Russ Street. File No. 190097. Copy: Each Supervisor. (11)

From concerned citizens, regarding SRO Taskforce appointments. 23 Letters. File No. 190379. Copy: Each Supervisor. (12)

ADJOURNMENT