

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, April 16, 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 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

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

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, April 16, 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.*

## **AGENDA CHANGES**

*There were no agenda changes.*

## **CONSENT AGENDA**

### **Recommendations of the Budget and Finance Sub-Committee**

#### **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)

**FINALLY PASSED**

**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)

**FINALLY PASSED**

**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)

**FINALLY PASSED**

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

**FINALLY PASSED**

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

### **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)

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

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

### **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.

**FINALLY PASSED by the following vote:**

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

**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)

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

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

**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.

**ADOPTED by the following vote:**

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

**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.

**ADOPTED by the following vote:**

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

## **Recommendations of the Budget and Finance Sub-Committee**

### **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.

*PASSED ON FIRST READING by the following vote:*

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

*Supervisor Fewer, seconded by Supervisor Safai, moved to rescind the previous vote. The motion carried by the following vote:*

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

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

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

### **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.

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

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

### **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)

**ADOPTED by the following vote:**

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

President Yee requested File Nos. 190191 and 190204 be called together.

**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)

**ADOPTED by the following vote:**

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

**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)

**ADOPTED by the following vote:**

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

President Yee requested File Nos. 190226, 190227, and 190228 be called together.

**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)

**ADOPTED by the following vote:**

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

**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)

**ADOPTED by the following vote:**

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

**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)

**ADOPTED by the following vote:**

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

**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)

*Privilege of the floor was granted unanimously to Brian Roberts (Department of Technology) who responded to questions raised throughout the discussion.*

**ADOPTED by the following vote:**

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

*President Yee requested File Nos. 190291 and 190292 be called together.*

**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)

*Privilege of the floor was granted unanimously to Joshua Nossiter (Department of Public Health) and Sophia Kittler (Office of Mayor Breed), who responded to questions raised throughout the discussion.*

**ADOPTED by the following vote:**

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

**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)

*Privilege of the floor was granted unanimously to Joshua Nossiter (Department of Public Health) and Sophia Kittler (Office of Mayor Breed), who responded to questions raised throughout the discussion.*

**ADOPTED by the following vote:**

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



President Yee requested File Nos. 190314 and 190315 be called together.

**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.

**ADOPTED by the following vote:**

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

**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)

**ADOPTED by the following vote:**

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

President Yee requested File Nos. 190316 and 190317 be called together.

**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)

**ADOPTED by the following vote:**

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

**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)

**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****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)

**ADOPTED by the following vote:**

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

**Recommendation of the Land Use and Transportation Committee****190230 [Interim Zoning Controls - Conditional Use Authorization for Conversion of Child Care Facilities to Other Uses]****Sponsors: Yee; Mar, Fewer and Ronen**

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.

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

**ADOPTED by the following vote:**

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

## **Recommendations of the Rules Committee**

*Supervisor Walton was noted absent at 2:45 p.m.*

### **190202 [Appointments, Immigrant Rights Commission - Jessie Ruiz Navarro, Haregu Gaime, Ryan Khojasteh, Amro Radwan, Elahe Enssani, and Paul Monge]**

Motion appointing Jessie 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)

**Motion No.** M19-069

**APPROVED** by the following vote:

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

### **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)

**Motion No.** M19-070

**APPROVED** by the following vote:

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

### **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)

**Motion No.** M19-071

**APPROVED** by the following vote:

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

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

Supervisor Yee, seconded by Supervisor Walton, 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.

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

*Supervisor Walton introduced, welcomed, and presented a Certificate of Honor to Jack Jacqua, founder of the Omega Boys, in recognition of his accomplishments and continued community support.*

## SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 190275, 190276, 190277, and 190278 be called together.

Supervisor Walton was noted present at 3:00 p.m.

### **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)

Carolyn Lee (Lubin, Olson, and Niewiadomski, LLP) (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Michael Wright; Stewart Warton; Ms. Williams; Arnold Combs; M. Cohen; Eugene Lynch; spoke in support of the appeal. Justin Horner, Allison Vanderslice, and Joy Navarette (Planning Department); provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Jody Knight (Reuben, Junius, and Rose, LLP) and Maggie Smith (Page and Turnbull, Inc.) (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. President Yee opened public comment for speakers in support of the appeal. There were none. Carolyn Lee (Lubin, Olson, and Niewiadomski, LLP) (Appellant); provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers.

President Yee closed public comment and declared the public hearing heard and filed.

**HEARD AND FILED**

### **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)

**Motion No. M19-072**

**Supervisor Stefani, seconded by Supervisor Walton, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

### **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)

**Supervisor Stefani, seconded by Supervisor Walton, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**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)

**Supervisor Stefani, seconded by Supervisor Walton, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

**PUBLIC COMMENT**

*Michael Wright; shared concerns regarding proposed new navigation centers.*

*Speaker; shared their reading list recommendations.*

*Ellen Tsang; shared various concerns relating to Department of Building Inspection records.*

*Ryan Grover; shared various concerns regarding a resolution supporting full parity for mental health patients and clinicians at Kaiser Permanente.*

*Eric; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.*

*T. Singh; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.*

*Speaker; expressed concerns regarding the plight of Taxi medallion holders because of transportation network companies.*

*Cindy Martin-Wolfe; shared comments about the death of Jessica Alva.*

*Morning Star Gali (Native Justice Now); shared comments about the death of Jessica Alva.*

*Sarah Alva; shared comments about the death of Jessica Alva.*

*Marlena Alva; shared comments about the death of Jessica Alva.*

*Paloma Flores (Communities United for Restoring Youth Justice Paloma Flores); shared comments about the death of Jessica Alva.*

*April McGill (Red Women Rising); shared comments about the death of Jessica Alva.*

*Daian Costello (Native Justice Now); shared comments about the death of Jessica Alva.*

*Tonya Reyes (Native Justice Now); shared comments about the death of Jessica Alva.*

*Alexandra Ramirez (Native Justice Now); shared comments about the death of Jessica Alva.*

*Jessie Riddle (American Indian Movement); shared comments about the death of Jessica Alva.*

*Beverly Upton (San Francisco Domestic Violence Consortium); shared comments about the death of Jessica Alva.*

*Mr. Hernandez; shared comments about the death of Jessica Alva.*

*Francisco Da Costa; shared comments about the death of Jessica Alva.*

*Michelle Antone; shared comments about the death of Jessica Alva.*

*Bruce Gali (Pitt River Tribe); shared comments about the death of Jessica Alva.*

*Jasmine Harvey; shared comments about the death of Jessica Alva.*

*Desirae Harp (Native Justice Now); shared comments about the death of Jessica Alva.*

*George Galvis (Communities United for Restoring Youth Justice); shared comments about the death of Jessica Alva.*

*Tom Gilberti; shared comments about the death of Jessica Alva, and other various concerns throughout the city.*

*Speaker; shared various concerns relating to securing long-term housing within the city.*

*Speaker; shared comments about the death of Jessica Alva.*

## SPECIAL ORDER 4:00 P.M.

## CLOSED SESSION

## CONFERENCE WITH LABOR NEGOTIATORS

### **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)

*President Yee inquired as to whether any member of the public wished to address the Board regarding the closed session. Michael Wright; spoke on various concerns related to the closed session hearing. The President declared public comment closed.*

#### CONVENED IN CLOSED SESSION

*The Board recessed at the hour of 4:05 p.m. to convene in closed session pursuant to Motion No. M19-061 (File No. 190339), approved on April 2, 2019.*

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

*Persons in attendance: Jon Givner, Deputy City Attorneys (Office of the City Attorney); Carol Isen, Micki Callahan, Director (Department of Human Resources); Lawanna Preston,; and Angela Calvillo, Clerk of the Board, and John Carroll, Acting 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 4:41 p.m.*

**Supervisor Ronen, seconded by Supervisor Fewer, moved that this Closed Session Hearing be HEARD AND FILED. The motion carried by the following vote:**

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

*[Elect Not to Disclose]*

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

**Supervisor Fewer, seconded by Supervisor Mandelman, moved not to disclose the 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

### Items 37 through 40

#### **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.

**ADOPTED**

#### **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)

**Motion No. M19-073**

**APPROVED**

#### **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)

**Motion No. M19-074**

**APPROVED**

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

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

## **Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Fewer requested that File No. 190393 be severed so that it may be considered separately.*

### **190393 [Supporting California State Assembly Bill No. 857 (Chiu and Santiago) - Public Banking Act]**

**Sponsors: Fewer; Walton, Brown, Ronen and Haney**

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.

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

**ADOPTED by the following vote:**

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

## **IMPERATIVE AGENDA**

*There were no imperative agenda items.*

## **LEGISLATION INTRODUCED AT ROLL CALL**

### **Introduced by a Supervisor or the Mayor**

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](http://www.sfbos.org/legislation_introduced).



**Introduced at the Request of a Department**

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

**PROPOSED 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)

04/02/19; RECEIVED FROM DEPARTMENT.

04/16/19; RECEIVED AND ASSIGNED to 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)

04/02/19; RECEIVED FROM DEPARTMENT.

04/16/19; RECEIVED AND ASSIGNED to 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)

04/05/19; RECEIVED FROM DEPARTMENT.

04/16/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190386 [Lease Amendment - Air Sun J.V., a Joint Venture Between Luxottica of America, Inc. 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 (the Lease) between Air Sun J.V., a joint venture between Luxottica of America, Inc. 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 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 current minimum annual guarantee, subject to adjustment in accordance with the terms and conditions of the Lease, effective upon approval by the Board of Supervisors. (Airport Commission)

04/04/19; RECEIVED FROM DEPARTMENT.

04/16/19; RECEIVED AND ASSIGNED to 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)

04/08/19; RECEIVED FROM DEPARTMENT.

04/16/19; RECEIVED AND ASSIGNED to 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)

04/08/19; RECEIVED FROM DEPARTMENT.

04/16/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour 6:06 p.m.*