

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, May 7, 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 (Alt), Commissioners Cook, Collins, Moliga (Alt), Trustees
Randolph, Williams, Selby (Alt)

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

2nd Friday

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, May 7, 2019, with President Norman Yee presiding.

President Yee called the meeting to order at 2:00 p.m.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Supervisors Haney, Mandelman, and Mar were noted not present.

A quorum was present.

COMMUNICATIONS

There were no communications.

Supervisors Haney, Mandelman, and Mar were noted present at 2:02 p.m.

President Yee informed the Board of his recent trip to Washington, D.C. for the Chamber of Commerce event and the principal concerns expressed by other cities and counties, namely homelessness and transportation, which coincides with the issues San Francisco is also experiencing.

APPROVAL OF MEETING MINUTES

President Yee inquired whether any Board Member had any corrections to the April 2, 2019, Board Meeting Minutes. There were no corrections.

Supervisor Fewer, seconded by Supervisor Brown, moved to approve the April 2, 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

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

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

FINALLY PASSED

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

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

FINALLY PASSED

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

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

FINALLY PASSED

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)

FINALLY PASSED

190342 [Settlement of Lawsuit - Alyx Cronin - \$67,000]

Ordinance authorizing settlement of the lawsuit filed by Alyx Cronin against the City and County of San Francisco for \$67,000; the lawsuit was filed on June 8, 2018, in San Francisco Superior Court, Case No. CGC-18-567064; entitled Alyx Cronin v. The City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

FINALLY PASSED

190343 [Settlement of Lawsuit - Timothy Doyle - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Timothy Doyle against the City and County of San Francisco for \$75,000; the lawsuit was filed on December 13, 2016, in San Francisco Superior Court, Case No. CGC-16-555897; entitled Timothy Doyle v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

FINALLY PASSED

190344 [Settlement of Lawsuit - Tyler Francis O'Connor - \$125,000]

Ordinance authorizing settlement of the lawsuit filed by Tyler Francis O'Connor against the City and County of San Francisco for \$125,000; the lawsuit was filed on May 17, 2017, in San Francisco Superior Court, Case No. CGC-17-558989; entitled Tyler Francis O'Connor v. City and County of San Francisco; the lawsuit involves alleged personal injury from vehicle collision. (City Attorney)

FINALLY PASSED

190345 [Settlement of Lawsuit - Fidelia del Carmen May Can, Rosana Guadalupe Gongora May, Luis Rodolfo Gongora May, and Angel de Jesus May - \$140,000]

Ordinance authorizing settlement of the lawsuit filed by Fidelia del Carmen May Can, Rosana Guadalupe Gongora May, Luis Rodolfo Gongora May, and Angel de Jesus May against the City and County of San Francisco for \$140,000; the lawsuit was filed on October 11, 2016, in United States District Court, Case No. 16-cv-05771; entitled Fidelia del Carmen May Can, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violation. (City Attorney)

FINALLY PASSED

Recommendations of the Land Use and Transportation Committee**190112 [Summary Street Vacation - Francisco Street in Connection with Francisco Park Improvements - Interdepartmental Property Transfer]**

Sponsor: Stefani

Ordinance ordering the summary street vacation of the 900 block of Francisco Street, generally bounded by Assessor's Parcel Block No. 0046 to the north, Assessor's Parcel Block No. 0047 to the south, Larkin Street to the west, and Hyde Street to the east, as part of the development of Francisco Park, subject to certain terms and conditions, and approving a conditional interdepartmental transfer of the vacation area from Public Works to the Recreation and Park Department; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein.

FINALLY PASSED

190237 [Plumbing Code - Placement and Minimum Size of Building Traps]**Sponsor: Peskin**

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

FINALLY PASSED**190249 [Development Agreement - SYTS Investments, LLC - 915 Cayuga Avenue]****Sponsor: Safai**

Ordinance approving a Development Agreement between the City and County of San Francisco and SYTS Investments, LLC, for the development project at 915 Cayuga Avenue, with various public benefits including significantly more below market rate units than otherwise required; making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B and 56; and ratifying certain actions taken in connection therewith, as defined herein.

FINALLY PASSED**190250 [Planning Code, Zoning Map - Cayuga/Alemanly Special Use District]****Sponsor: Safai**

Ordinance amending the Planning Code to establish the Cayuga/Alemanly Special Use District (SUD) for the property located at 915 Cayuga Avenue (Assessor's Parcel Block No. 6954, Lot Nos. 039); amending the Zoning Map to add the Cayuga/Alemanly SUD and to change the height limit on Assessor's Parcel Block No. 6954, Lot No. 039, to 65-X; affirming the Planning Department's California Environmental Quality Act findings; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.

FINALLY PASSED**190251 [Planning Code, Zoning Map - 915 Cayuga Avenue]****Sponsor: Safai**

Ordinance amending the Zoning Map to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 039, from RH-1 (Residential, House District, One-Family) and Excelsior Outer Mission Street Neighborhood Commercial District to Excelsior Outer Mission Street Neighborhood Commercial District; affirming the Planning Department's California Environmental Quality Act findings; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.

FINALLY PASSED

Recommendation of the Rules Committee

190216 [Administrative Code - Mayoral Question-and-Answer Session at the Board of Supervisors]

Sponsor: Mar

Ordinance amending the Administrative Code to authorize the Clerk of the Board of Supervisors to modify deadlines for submission of question topics by Supervisors in advance of the Mayor's appearance at the Board of Supervisors for a question-and-answer session.

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 Rules Committee

190287 [Campaign and Governmental Conduct Code - Public Campaign Financing]

Sponsor: Mar

Ordinance amending the Campaign and Governmental Conduct Code to modify the deadline for participation in the City's public financing program and the operation of individual expenditure ceilings for participating candidates. (Ethics Commission)

(Pursuant to Campaign and Governmental Conduct Code, Section 3.204, this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

President Yee requested File Nos. 190416 and 190420 be called together.

190416 [Appropriation - Certificates of Participation to the General Services Agency to Fund Hall of Justice Relocation Project - \$16,000,000 - FY2018-2019]

Sponsors: Mayor; Haney and Peskin

Ordinance appropriating \$16,000,000 of Certificates of Participation to the General Services Agency to purchase the property located at 814-820 Bryant Street and 470-6th Street; and to fund the Hall of Justice Relocation Project with related demolition, site preparation, and other acquisition costs in FY2018-2019.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

190420 [Acquisition of Real Property - 814-820 Bryant Street and 470-6th Street; \$11,520,000 Certificates of Participation and Commercial Paper Notes - Not to Exceed \$16,000,000]

Sponsors: Mayor; Haney and Peskin

Resolution authorizing the Director of the Real Estate Division to acquire real property located at 814-820 Bryant Street and 470-6th Street, from Wen-Chiao Wayne Lin and Mei-Huei Grace Lin as to an undivided 60% interest, and Tony Chih-Tung Lin and Jenny Chun-Hsing Lin as to an undivided 40% interest, to facilitate the replacement of the Hall of Justice known as the Justice Facilities Improvement Program, for the purchase price of \$11,520,000; authorizing the Controller to cause the execution and delivery of taxable or tax-exempt Certificates of Participation evidencing and representing an aggregate principal amount not to exceed \$16,000,000 to finance the costs of the acquisition of said real property, including demolition and related site preparation costs; authorizing the Controller to cause the issuance from time to time of the City's commercial paper notes in anticipation of the execution and delivery of said Certificates of Participation; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Controller and the Director of Property to execute such documents and take necessary actions in furtherance of this Resolution, as defined herein.

(Fiscal Impact)

ADOPTED by the following vote:

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

181072 [Prevailing Wage Rates - Various Workers Performing Work in Connection with City Contracts or Property]

Resolution fixing prevailing wage rates for 1) workers performing work under City contracts for public work and improvements; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; 6) workers performing moving services under City contracts at facilities owned or leased by the City; 7) workers engaged in exhibit, display, or trade show work at special events on property owned by the City; 8) workers engaged in broadcast services on property owned by the City; 9) workers engaged in loading or unloading into or from a commercial vehicle on City property of materials, goods, or products in connection with a show or special event, or engaged in driving a commercial vehicle into which or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event; 10) workers engaged in security guard services under City contracts or at facilities or on property owned or leased by the City; and 11) motor bus service contracts. (Civil Service Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

President Yee requested File Nos. 190385 and 190386 be called together.

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)
(Fiscal Impact)

ADOPTED by the following vote:

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

190386 [Lease Amendment - Air Sun J.V. - 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 (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)

ADOPTED by the following vote:

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

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 \$8,606,414 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)
(Fiscal Impact)

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**170416 [Administrative Code - Residential Hotel Status Report Requirement]**

Sponsor: Peskin

Ordinance amending the Administrative Code to require the completion of a report of residential hotel status, and disclosure of the report to the buyer or transferee, prior to the sale or transfer of a residential hotel; 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

190427 [Resolution of Intention - Renewal and Expansion - Union Square Business Improvement District]

Sponsor: Peskin

Resolution declaring the intention of the Board of Supervisors to renew and expand a property-based business improvement district known as the "Union Square Business Improvement District" and levy a multi-year assessment on all parcels in the District; approving the management district plan, engineer's report, and proposed boundaries map for the District; ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole, on July 9, 2019, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting, as required by law.

ADOPTED by the following vote:

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

Recommendations of the Public Safety and Neighborhood Services Committee**190164 [Police Code - Acceptance of Cash by Brick-and-Mortar Businesses]**

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

Ordinance amending the Police Code to require, in general, that brick-and-mortar businesses accept payment in cash in connection with the purchase of goods and services other than professional services.

PASSED ON FIRST READING by the following vote:

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

190256 [Supporting California State Assembly Bill No. 392 (Weber and McCarty) - California Act to Save Lives: Incorporating Police Best Practices]**Sponsors: Haney; Mar, Walton, Ronen, Fewer, Brown and Yee**

Resolution supporting California State Assembly Bill No. 392, introduced by Assembly Members Shirley Weber and Kevin McCarty, co-authored by Assembly Members Chris Holden and Mark Stone, and California State Senators Steven Bradford and Holly Mitchell, California Act to Save Lives: incorporating policing best practices that authorizes police officers to use deadly force only when it is necessary to prevent imminent and serious bodily injury or death and to require de-escalation methods whenever possible.

(Supervisor Stefani dissented in committee.)

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

Supervisor Haney, seconded by Supervisor Safai, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Line 19, through Page 4, Line 16, by adding 'WHEREAS, Senate Bill 230, introduced by CA Senator Caballero mandates training standards and requires the Commission on Peace Officer Standards and Training to implement a course or courses of instruction for the regular and periodic training of law enforcement officers in the use of force. The bill would require the commission to develop uniform, minimum guidelines for adoption and promulgation by California law enforcement agencies for the use of force, as specified in Assembly Bill 392; and WHEREAS, San Francisco's crisis intervention and de-escalation training has resulted in a significant reduction in the use of force incidents citywide and is being recognized as the statewide model; and WHEREAS, the provisions of SB 230 would only become operative contingent on the enactment of Assembly Bill 392 of the 2019–20 Regular Session; and WHEREAS, Assembly Bill 392, introduced by Assembly Member Shirley Weber updates the deadly use-of-force standard from "reasonable" to "necessary" and would redefine the circumstances under which a homicide by a peace officer is deemed justifiable to include when the killing is in self-defense or the defense of another, consistent with the existing legal standard for self-defense, or when the killing is necessary to prevent the escape of a fleeing felon whose immediate apprehension is necessary to prevent death or serious injury; and WHEREAS, SB 230 sets forth training requirements which complement the update to the use-of-force standard in AB 392, the two bills complement one another and represent a comprehensive solution to police use of deadly force in California;'. The motion carried by the following vote:

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

ADOPTED AS AMENDED by the following vote:

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

Noes: 1 - Stefani

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

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

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

ASIAN PACIFIC AMERICAN HERITAGE MONTH

President Yee provided opening remarks and historical information regarding the migration of Asians and Pacific Islanders to America. Claudine Cheng, President (APA Heritage Foundation), provided additional information regarding this annual celebration of culture and heritage.

Supervisors then introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Asian Pacific American Heritage Month and their accomplishments, as referenced below:

President Yee recognized Dale Minami, Civil Rights Attorney & Co-Founder (Asian Law Caucus);

Supervisor Fewer recognized Harry Chuck, Filmmaker;

Supervisor Mar recognized Mariana Chow and Albert Chow (Great Wall Hardware);

Supervisor Safai recognized Dori Caminong (Department of Children, Youth and Their Families);

Supervisor Walton recognized Neo Veavea (United Territories of Pacific Islanders Alliance);

Supervisor Ronen recognized Gwen Park, Photographer & Videographer;

Supervisor Mandelman recognized Michelle Meow (The Michelle Meow Show);

Supervisor Haney recognized Judy Young (Vietnamese Youth Development Center);

Supervisor Brown recognized Kiyomi Takeda (Nichi Bei Foundation);

Supervisor Peskin recognized Cathie Lam (Chinatown Community Development Center); and

Supervisor Stefani recognized Rodney Fong (Chamber of Commerce).

SPECIAL ORDER 4:00 P.M.

President Yee requested File Nos. 190349, 190350, 190352, and 190353 be called together.

Supervisors Brown, Haney, and Mar were noted absent at 5:08 p.m.

Board of Supervisors Sitting as a Committee of the Whole

190349 [Hearing - Committee of the Whole - Report of Assessment Costs - Sidewalk Inspection and Repair Program - May 7, 2019]

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to Public Works Code, Sections 706.9, and Administrative Code, Section 80, the costs thereof having been paid for by the City and County out of a revolving fund; scheduled pursuant to Motion No. M19-073, approved on April 16, 2019.
(Clerk of the Board)

President Yee opened the public hearings and inquired as to whether any individual wished to address the Board relating to assessments for the Sidewalk Inspection and Repair Program as referenced in File Nos. 190349 and 190350, and the Accelerated Sidewalk Abatement Program as referenced in File No. 190352 and 190353. Michael Lennon (Public Works) provided an overview of the assessments and responded to questions raised throughout the discussion. Speaker; Speaker; Mr. Wright; Ray Hartz; Speaker; spoke in objection to certain proposed assessments. There were no other speakers. President Yee declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

190350 [Report of Assessment Costs - Sidewalk Inspection and Repair Program]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs through the Sidewalk Inspection and Repair Program, ordered to be performed by said Director pursuant to the provisions of Public Works Code, Section 706.9, and Administrative Code, Section 80, the costs thereof having been paid for out of a revolving fund.
(Public Works)

Michael Lennon (Public Works) indicated there were no resolutions or receipts of payment for the addresses listed on the report of assessments; therefore, no changes to the report were requested.

ADOPTED by the following vote:

Ayes: 8 - Fewer, Mandelman, Peskin, Ronen, Safai, Stefani, Walton, Yee

Absent: 3 - Brown, Haney, Mar

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

190352 [Hearing - Committee of the Whole - Report of Assessment Costs - Accelerated Sidewalk Abatement Program - May 7, 2019]

Hearing to consider objections to 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 by the City and County out of a blight abatement fund; scheduled pursuant to Motion No. M19-074, approved on April 16, 2019. (Clerk of the Board)

President Yee opened the public hearings and inquired as to whether any individual wished to address the Board relating to assessments for the Sidewalk Inspection and Repair Program as referenced in File Nos. 190349 and 190350, and the Accelerated Sidewalk Abatement Program as referenced in File No. 190352 and 190353. Michael Lennon (Public Works) provided an overview of the assessments and responded to questions raised throughout the discussion. Speaker; Speaker; Mr. Wright; Ray Hartz; Speaker; spoke in objection to certain proposed assessments. There were no other speakers. President Yee declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

190353 [Report of Assessment Costs - Accelerated Sidewalk Abatement Program]

Resolution approving 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, ordered to be performed by said Director pursuant to the provisions of Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works)

Michael Lennon (Public Works) indicated there were no resolutions or receipts of payment for the addresses listed on the report of assessments; therefore, no changes to the report were requested.

ADOPTED by the following vote:

Ayes: 8 - Fewer, Mandelman, Peskin, Ronen, Safai, Stefani, Walton, Yee

Absent: 3 - Brown, Haney, Mar

Supervisor Mar was noted present at 5:11 p.m.

Supervisor Haney was noted present at 5:18 p.m.

Supervisor Brown was noted present at 5:33 p.m.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Mr. Wright; shared concerns regarding affordable housing and inconsistencies in project tax credits.

Gloria Allred; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Darius Gall; shared concerns regarding the street name change process in San Francisco.

Paloma Flores; spoke in support of a newly introduced Resolution regarding National Day of Awareness Honoring Missing and Murdered Indigenous Women.

Cindy Guillermo; spoke in support of a newly introduced Resolution regarding National Day of Awareness Honoring Missing and Murdered Indigenous Women.

Tony Rodriguez; spoke in support of having sprinklers installed in Accessory Dwelling Units.

Gotang; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Claudine Cheng; spoke in support of the Resolution regarding Transcontinental Railroad Workers Day (File No. 190461).

Steven Lee; spoke in support of the Resolution regarding Transcontinental Railroad Workers Day (File No. 190461).

Alex Ku; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Ray Hartz; spoke on concerns regarding public comment speaking and violations of the Sunshine Ordinance Task Force Ordinance (see Addendum on Page __).

Alicia Chow; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Alex Zang; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Mashawn; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Speaker; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Speaker; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Kathy Zeng; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Jill Fong; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Julie Cheng; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Speaker; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Carl McBurrow; shared concerns regarding the plight of taxi medallion holders because of transportation network companies.

Speaker; shared concerns regarding the plight of taxi medallion holders because of transportation network companies.

Evelyn Pocas; shared concerns regarding the plight of taxi medallion holders because of transportation network companies.

James Liu; spoke in opposition to the proposal to name the Chinatown Subway Station the "Rose Pak Chinatown Station."

Helena Lee; spoke in opposition to the proposal to name the Central Subway Station the "Rose Pak Chinatown Station."

Speaker; shared concerns regarding the plight of taxi medallion holders because of transportation network companies.

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Speaker; shared concerns regarding the plight of taxi medallion holders because of transportation network companies.

Speaker; spoke in opposition to the proposal to name the Central Subway Station the "Rose Pak Chinatown Station."

Kylene; spoke in opposition to the proposal to name the Central Subway Station the "Rose Pak Chinatown Station."

Chris Christie; spoke in opposition to the proposal to name the Central Subway Station the "Rose Pak Chinatown Station."

Speaker; spoke in opposition to the proposal to name the Central Subway Station the "Rose Pak Chinatown Station."

Wade Cho; spoke in opposition to the proposal to name the Central Subway Station the "Rose Pak Chinatown Station."

Reuben David Goodman; spoke in opposition to the proposal to name the Central Subway Station the "Rose Pak Chinatown Station."

Tom Gilbert; shared concerns regarding the growth of national debt and other international economies.

Mary Chin; spoke in opposition to the proposal to name the Central Subway Station the "Rose Pak Chinatown Station."

Speaker; spoke in opposition to the proposal to name the Central Subway Station the "Rose Pak Chinatown Station."

Otto Dufty; spoke in opposition to the proposal to name the Central Subway Station the "Rose Pak Chinatown Station."

Speaker; spoke in opposition to the proposal to name the Central Subway Station the "Rose Pak Chinatown Station."

Appointment of President Pro Tempore

At the request of President Yee, Supervisor Safai assumed the chair at 5:13 p.m. The President resumed the chair at 5:30 p.m.

Supervisor Peskin was noted absent at 6:24 p.m. and for the remainder of the meeting.

Supervisor Peskin Excused from Attendance

Supervisor Stefani, seconded by Supervisor Ronen, moved that Supervisor Peskin be excused beginning at 6:24 p.m. and for the remainder of the meeting. The motion carried by the following vote:

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

190027 [Final Map 9530 - 595 Mariposa Street]

Motion approving Final Map 9530, a 20 residential unit new condominium project, located at 595 Mariposa Street, being a subdivision of Assessor's Parcel Block No. 3995, Lot No. 022; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M19-087

APPROVED by the following vote:

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

190461 [Transcontinental Chinese Railroad Workers Day - May 10]

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

Resolution commemorating the 150th Anniversary of the completion of the Transcontinental Railroad; honoring the contributions of Chinese railroad workers for their significant contributions; and declaring May 10, 2019, and every May 10 thereafter, as Transcontinental Railroad Workers Day in the City and County of San Francisco.

Supervisors Mar, Walton, Safai, Peskin, Brown, Mandelman, Ronen, Haney, and Stefani requested to be added as co-sponsors.

Supervisor Yee, seconded by Supervisor Ronen, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by clarifying that it is 'Transcontinental Chinese Railroad Workers Day'; and making other clarifying changes regarding the historical facts throughout the legislation. The motion carried by the following vote:

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

Resolution commemorating the 150th Anniversary of the completion of the Transcontinental Railroad; honoring the contributions of Chinese railroad workers for their significant contributions; and declaring May 10, 2019, and every May 10 thereafter, as Transcontinental Chinese Railroad Workers Day in the City and County of San Francisco.

ADOPTED AS AMENDED by the following vote:

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

190470 [Support for Kome Seafood Buffet Workers' Demands to Settle Wage Claims]**Sponsors: Mar; Ronen, Peskin and Fewer**

Resolution supporting Kome Seafood Buffet workers' demands to settle wage claims by paying workers the wages and penalties that are owed to them; supporting laid off workers' demands to have the Right of Refusal to be reemployed with the company; and urging the People of San Francisco to refrain from patronizing Kome Seafood Buffet or Teakee Café until the California Labor Commissioner's citation and case is resolved.

Supervisor Mar, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of May 14, 2019. The motion carried by the following vote:

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

Excused: 1 - Peskin

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 ORDINANCE

190454 [Planning Code - Obstructions in Required Setbacks, Yards, and Usable Open Space]

Ordinance amending the Planning Code to allow, in required setbacks, yards, and usable open space, all projections of an architectural nature if they meet the specified requirements and to allow bay windows that do not meet the specified requirements to apply for a Zoning Administrator waiver; 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 adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302. (Planning Commission)

04/22/19; RECEIVED FROM DEPARTMENT.

05/07/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/6/2019.

PROPOSED RESOLUTIONS

190455 [Real Property Lease Extension - Multiple Ownership - 651 Bryant Street - \$577,920 Annual Base Rent]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to exercise a Lease Extension for the real property located at 651 Bryant Street with William H. Banker, Jr., Successor Trustee of The Banker Trust dated April 20, 1992, Fillmore C. Marks, Trustee of The Fillmore and Barbara Marks 1992 Trust, Fillmore Douglas Marks, William C. Marks, and Bradford F. Marks, tenants in common, collectively as Landlord, for a ten year extension term, commencing on November 1, 2019, through October 31, 2029, for the continued use by the San Francisco Public Utilities Commission at the monthly base rent of \$48,160 for a total annual base rent of \$577,920. (Public Utilities Commission)

04/29/19; RECEIVED FROM DEPARTMENT.

05/07/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

190456 [Grant Agreement Amendment - Retroactive - Wu Yee Children's Services - Early Care and Education Integrated Services - \$42,036,965]

Resolution retroactively approving the first amendment to the grant agreement between the City and County of San Francisco and Wu Yee Children's Services for the provision of Early Care and Education Integrated Services to support the City's implementation of the San Francisco Citywide Plan For Early Care and Education, to increase the amount by \$9,918,234 for a total amount of \$42,036,965 to commence May 1, 2019, for the total term of July 1, 2017, through June 30, 2020. (Human Services Agency)

04/29/19; RECEIVED FROM DEPARTMENT.

05/07/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 6:54 p.m.

ADDENDUM

The following information is provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during General Public Comment, as follows: "Ray Hartz, Director, San Francisco Open Government. David Chiu, President, San Francisco Board of Supervisors, said: 'I don't think we will allow public comment for the next speaker.' SFGTV, I would like this to remain on the screen until I resume speaking. Upton Sinclair said: 'It is difficult to get a man to understand something when his salary depends on his not understanding it.' The Civil Grand Jury, C&C of San Francisco 2010-2001 wrote: 'Because of the Ethics Commission's lack of enforcement, not city employee has been disciplined for failing to adhere to the Sunshine Ordinance. The Commission has allowed some officials to ignore the rulings of the Sunshine Ordinance Task Force.' Next week we'll discuss the more than three dozen Orders of Determination that I hold and what the point of going through that process was and continues to be."