

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, June 4, 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.

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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, June 4, 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, Mar, Ronen, Stefani, Walton, and Yee were noted present.*

*Supervisors Haney, Mandelman, Peskin, and Safai were noted not present.*

*A quorum was present.*

*President Yee requested a moment of silence to honor the lives of the dedicated municipal workers killed by senseless gun violence in Virginia Beach on Friday, May 31, 2019.*

*Supervisor Peskin was noted present at 2:01 p.m.*

*Supervisors Mandelman and Safai were noted present at 2:02 p.m.*

*Supervisor Haney was noted present at 2:04 p.m.*

## **COMMUNICATIONS**

*There were no communications.*

## **APPROVAL OF MEETING MINUTES**

*President Yee inquired whether any Board Member had any corrections to the April 23, 2019, Board Meeting Minutes, or the April 24, 2019, Special Meeting Minutes at the Budget and Finance Committee Meeting, which constituted a quorum of the Board of Supervisors. There were no corrections requested.*

**Supervisor Fewer, seconded by Supervisor Mandelman, moved to approve the April 23, 2019, Board Meeting Minutes, and the April 24, 2019, Special Meeting Minutes at the Budget and Finance Committee Meeting, which constituted a quorum of the Board of Supervisors. The motion carried by the following vote, following general public comment:**

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

## AGENDA CHANGES

*There were no agenda changes.*

## CONSENT AGENDA

### Recommendations of the Government Audit and Oversight Committee

#### **190402 [Settlement of Lawsuit - Oscar L. Tomasino - \$75,000]**

Ordinance authorizing settlement of the lawsuit filed by Oscar L. Tomasino against the City and County of San Francisco for \$75,000; the lawsuit was filed on March 19, 2018, in San Francisco Superior Court, Case No. CGC-18-565058; entitled Oscar L. Tomasino v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City sidewalk. (City Attorney)

**PASSED ON FIRST READING**

#### **190403 [Partial Settlement of Lawsuit - Victoria Sanchez - \$97,500]**

Ordinance authorizing settlement of the lawsuit filed by Victoria Sanchez against the City and County of San Francisco for \$97,500; 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 plaintiff Victoria Sanchez, by the payment of \$97,500 and excluding the claim by this plaintiff for diminution of value for plaintiff's real property and the claim by plaintiff for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney)

**PASSED ON FIRST READING**

#### **190434 [Settlement of Unlitigated Claim - Franciscan Towers Associates, L.P. - \$25,619.59 Plus Interest]**

Resolution approving the settlement of the unlitigated claim filed by Franciscan Towers Associates, L.P. against the City and County of San Francisco for \$25,619.59 plus statutory interest; the claim was filed on January 23, 2019; the claim involves an alleged overpayment of property taxes. (City Attorney)

**ADOPTED**

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

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

## **Severed from the Consent Agenda**

*Supervisor Mar requested that File No. 190404 be severed so that it may be considered separately.*

### **190404 [Settlement of Lawsuit - San Franciscans for Livable Neighborhoods - \$247,799.50]**

Ordinance authorizing settlement of the lawsuit filed by San Franciscans for Livable Neighborhoods against the City and County of San Francisco for \$247,799.50; the lawsuit was filed on August 4, 2011, in San Francisco Superior Court, Case No. 513077; entitled San Franciscans for Livable Neighborhoods v. City and County of San Francisco; the lawsuit involves a challenge to the environmental impact report prepared in support of, and the approval of, the 2009 Housing Element of the San Francisco General Plan. (City Attorney)

**Supervisor Mar, seconded by Supervisor Peskin, moved that this Ordinance be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:**

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **From the Board**

#### **190568 [Administrative Code - Acquisition of Surveillance Technology]**

**Sponsors: Peskin; Yee, Walton, Ronen, Haney and Safai**

Ordinance amending the Administrative Code to require that City departments acquiring surveillance technology, or entering into agreements to receive information from non-City owned surveillance technology, submit a Board of Supervisors approved Surveillance Technology Policy Ordinance, based on a policy or policies developed by the Committee on Information Technology (COIT), and a Surveillance Impact Report to the Board in connection with any request to appropriate funds for the purchase of such technology or to accept and expend grant funds for such purpose, or otherwise to procure surveillance technology equipment or services; require each City department that owns and operates existing surveillance technology equipment or services to submit to the Board a proposed Surveillance Technology Policy Ordinance governing the use of the surveillance technology; and requiring the Controller, as City Services Auditor, to audit annually the use of surveillance technology equipment or services and the conformity of such use with an approved Surveillance Technology Policy Ordinance and provide an audit report to the Board of Supervisors.

**FINALLY PASSED by the following vote:**

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

Noes: 1 - Stefani

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

### **190310 [Public Works Code - Waiver of Temporary Street Space Occupancy Permit Fee - Small Business Week Sidewalk Sales]**

**Sponsor: Brown**

Ordinance waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy permits on certain designated City streets on Saturday, May 11, 2019, to promote Small Business Week.

**FINALLY PASSED by the following vote:**

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

## **NEW BUSINESS**

## **Recommendation of the Budget and Finance Committee**

### **190438 [Administrative Code - Affordable Housing Production and Preservation Fund]**

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

Ordinance amending the Administrative Code to establish the Affordable Housing Production and Preservation Fund to receive appropriated excess Education Revenue Augmentation Fund revenues received by the City, for the purpose of funding land acquisition and production of new 100% affordable housing projects; and acquisition and preservation of existing housing to make that housing permanently affordable.

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

**PASSED ON FIRST READING 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**

### **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)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**190456 [Grant Agreement Amendment - Wu Yee Children's Services - Early Care and Education Integrated Services - \$39,559,034]**

Resolution 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 \$7,440,303 for a total amount of \$39,559,034 to commence July 1, 2019, for the total term of July 1, 2017, through June 30, 2020. (Human Services Agency)  
(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. 190484 and 190485 be called together.*

**190484 [Grant Agreement - San Francisco In-Home Supportive Service Public Authority - Provider Benefits and Administration Contract Approval - Not to Exceed \$255,912,584]**

Resolution authorizing the Executive Director of the Human Services Agency to execute a grant agreement between the City and County of San Francisco, by and through its Human Services Agency, and San Francisco In-Home Supportive Services (IHSS) Public Authority for the provision of administration, health, and dental benefits to IHSS independent providers for the period of July 1, 2019, through June 30, 2022, in an amount not to exceed of \$255,912,584. (Human Services Agency)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**190485 [Grant Agreement Amendment - Homebridge - Contract Mode In-Home Supportive Services and Provider Skill Development Training and Supports - Not to Exceed \$90,722,855]**

Resolution approving a first amendment to the grant agreement between the City and County of San Francisco and Homebridge, for the provision of contract mode in-home supportive services and provider skill development training and supports; to increase the amount by \$23,749,925 for a total amount not to exceed \$90,722,855; and to extend the term from June 30, 2019, for a total agreement term of April 1, 2017, through June 30, 2020. (Human Services Agency)  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

**190487 [Participation Agreement - California Mental Health Services Authority - Tech Suite Mental Health Services Act Innovation Program - Not to Exceed \$1,197,821]**

Resolution authorizing the Director of Health to enter into a participation agreement between San Francisco Department of Public Health Behavioral Health Services and the California Mental Health Services Authority, for the Tech Suite Mental Health Services Act Innovation Program for the development of technology-based mental health solutions intended to increase access to mental health support to underserved communities, for an amount not to exceed \$1,197,821 for the term of June 1, 2019, through June 30, 2022. (Public Health Department)

**ADOPTED by the following vote:**

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

**190502 [Real Property Master Lease - JELANI INC. - 1601 Quesada Avenue - \$217,200 Initial Year]****Sponsors: Mayor; Walton**

Resolution approving a master lease of a building consisting of approximately 10,225 square feet located at 1601 Quesada Avenue, with JELANI INC., a California non-profit public benefit corporation as landlord, for an initial ten-year term, to commence following Board approval no later than September 30, 2019, at a base rent of \$18,100 per month (\$217,200 per year), plus two additional terms of ten years each, increased annually by 1%, for use by the Department of Homelessness and Supportive Housing for the purpose of creating transitional housing to serve pregnant women experiencing homelessness in San Francisco; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.; and adopting California Environmental Quality Act findings.  
(Fiscal Impact)

**ADOPTED by the following vote:**

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

## **Recommendations of the Government Audit and Oversight Committee**

### **190392 [Administrative Code - Juvenile Hall Closure]**

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

Ordinance amending the Administrative Code to require the City to close Juvenile Hall by December 31, 2021, expand community-based alternatives to detention, and provide a rehabilitative, non-institutional place or places of detention, in locations approved by the Court, to establish a working group for the development of a Juvenile Hall closure plan, and to establish the Youth Justice Reinvestment Fund to support community-based alternatives to detention and also support the working group; and affirming the Planning Department's determination under the California Environmental Quality Act.

*Privilege of the floor was granted unanimously to Chief Allen Nance (Juvenile Probation Department) and Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

*Supervisor Safai requested an amendment to modify the wording to the pending amendments proposed by Supervisor Walton, on Page 5, Lines 12-15, by adding 'Additionally, notwithstanding the foregoing, the City may not close Juvenile Hall until the Board of Supervisors has approved by resolution a final plan following the submission of such a plan by the Close of Juvenile Hall Working Group as provided in Section 5.40-6(d).' Supervisor Walton accepted this amendment, and made a motion to approve the entirety of the amendments as a whole.*

**Supervisor Walton, seconded by Supervisor Ronen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 5, Lines 7-15, by adding verbiage to require the Department of Human Resources to provide notice to the unions representing affected employees, and submit certification to the Clerk of the Board that applicable meet-and-confer obligations have been met, and adding verbiage requiring the Working Group report be submitted and accepted by Board Resolution prior to the closure; on Page 14, Line 1, by adding 'request that the Director', on Lines 9-10, by striking 'A final report shall be submitted', and adding 'The Working Group shall submit the final plan', and on Lines 11-13, by adding 'The Plan shall be accompanied by a proposed resolution accepting the plan, and the Board may act by resolution to accept, reject, or modify the plan.'; on Page 15, Line 8, by striking 'fee revenue dedicated to', and adding 'monies appropriated for', and Lines 20-24, by adding a new 'Section 5. Undertaking For The General Welfare .'; and making other clarifying and conforming changes. The motion carried by the following vote:**

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

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

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

Noes: 1 - Stefani



Supervisors Mandelman, Peskin, and Safai were noted absent at 3:50 p.m.

**190468 [Assessment Ballots for City Parcels - North of Market/Tenderloin Community Benefit District]**

**Sponsor: Haney**

Resolution authorizing the Mayor or their designee(s) to cast an assessment ballot in the affirmative for the proposed renewal and expansion of a property and business improvement district to be named the North of Market/Tenderloin Community Benefit District, with respect to certain parcels of real property owned by the City that would be subject to assessment in said District.

**ADOPTED by the following vote:**

Ayes: 8 - Brown, Fewer, Haney, Mar, Ronen, Stefani, Walton, Yee

Absent: 3 - Mandelman, Peskin, Safai

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

**190391 [Administrative Code - Requirements for Mills Act Applications]**

**Sponsor: Peskin**

Ordinance amending the Administrative Code to allow applications for Mills Act contracts for historic properties to be filed concurrently with applications for designation of the same properties; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

Ayes: 8 - Brown, Fewer, Haney, Mar, Ronen, Stefani, Walton, Yee

Absent: 3 - Mandelman, Peskin, Safai

**Recommendations of the Public Safety and Neighborhood Services Committee**

*President Yee requested File Nos. 190304 and 190329 be called together.*

**190304 [Liquor License Transfer - 168-186 Eddy Street - Dalda's Market]**

Resolution determining that the premise-to-premise transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Dalda's Inc., doing business as Dalda's Market, located at 168-186 Eddy Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**ADOPTED by the following vote:**

Ayes: 8 - Brown, Fewer, Haney, Mar, Ronen, Stefani, Walton, Yee

Absent: 3 - Mandelman, Peskin, Safai

**190329 [Liquor License - 55 Taylor Street - Center for New Music]**

Resolution determining that the issuance of a Type-64 special on-sale general theater liquor license to the Center for New Music, Inc., doing business as the Center for New Music, located at 55 Taylor Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**ADOPTED by the following vote:**

Ayes: 8 - Brown, Fewer, Haney, Mar, Ronen, Stefani, Walton, Yee  
Absent: 3 - Mandelman, Peskin, Safai

**Recommendations of the Rules Committee****190496 [Administrative Code - Office of Sexual Harassment and Assault Response and Prevention]**

**Sponsor: Ronen**

Ordinance amending the Administrative Code to change the Office of Sexual Harassment and Assault Response and Prevention ("Office") from a department directly under the Human Rights Commission to a division of the Human Rights Commission Department directly under the Executive Director of the Human Rights Commission; and modifying the appointment process for the Director of the Office.

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

Ayes: 8 - Brown, Fewer, Haney, Mar, Ronen, Stefani, Walton, Yee  
Absent: 3 - Mandelman, Peskin, Safai

**190410 [Mayoral Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Bivett Brackett]**

Motion approving the Mayor's appointment of Bivett Brackett to the Successor Agency Commission (commonly known as the Commission on Community Investment and Infrastructure), for the unexpired portion of a four-year term ending November 3, 2020. (Clerk of the Board) (Ordinance No. 215-12, Section 6(b), provides that this member shall be appointed by the Mayor and subject to confirmation by the majority of the Board of Supervisors. There is no deadline for confirmation and the appointment is not effective until the Board takes action. Transmittal date: April 12, 2019)

**Motion No. M19-095**

**APPROVED by the following vote:**

Ayes: 8 - Brown, Fewer, Haney, Mar, Ronen, Stefani, Walton, Yee  
Absent: 3 - Mandelman, Peskin, Safai

*Supervisors Mandelman, Peskin, and Safai were noted present at 3:57 p.m.*

**190414 [Appointment, Ethics Commission - Lateef Hasani Gray]**

Motion appointing Lateef Hasani Gray, term ending February 1, 2023, to the Ethics Commission. (Rules Committee)

**Motion No.** M19-096

**APPROVED by the following vote:**

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

**Referred Without Recommendation from the Rules Committee****181042 [Health, Administrative Codes - Housing Conservatorships]**

**Sponsors:** Mayor; Mandelman, Brown, Stefani and Safai

Ordinance amending the Health Code to authorize procedures for the appointment of a conservator for a person incapable of caring for the person's own health and well-being due to a serious mental illness and substance use disorder, and designating the City Attorney to institute judicial proceedings to establish housing conservatorships; and amending the Administrative Code to establish the Housing Conservatorship Working Group to conduct an evaluation of the City's implementation of the housing conservatorship program.

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

**Supervisor Mandelman, seconded by Supervisor Haney, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Lines 3-4, by adding the definition of 'Care Team'; on Page 5, Line 19, through Page 6, Line 2, by adding 'subsection (h)' requiring an evaluation of eligibility for a Housing Conservatorship that provides alternative offers for voluntary treatment; on Page 6, Lines 12-25, by adding a new 'Section 4.134. Maximizing Engagement in Voluntary Treatment.'; on Page 9, Lines 22-23, by adding verbiage to require the Working Group to meet at least once every four months; on Page 10, Line 24, through Page 11, Line 5, by requiring the following additional information be included in the Workgroup Group's evaluation: the number of detentions for evaluations and treatment, and where a detention for evaluation and treatment was performed; on Page 11, Lines 9-12, by adding verbiage requiring the Working Group to submit an annual report to the Mayor and Board of Supervisors; and making other clarifying and conforming changes. The motion carried by the following vote:**

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

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

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

Noes: 1 - Walton

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

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

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

*Supervisor Brown introduced, welcomed, and presented a Certificate of Honor to Robert M. Leon, Executive Director (Haight Ashbury Street Fair), in recognition of his many accomplishments and continued advocacy of the Haight-Ashbury neighborhood.*

*Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Harry Breaux, one of the City's eldest long-term HIV survivors, in recognition of his many efforts and continued advocacy bringing awareness to the HIV epidemic.*

## COMMITTEE REPORTS

### Recommendation of the Land Use and Transportation Committee

#### **190567 [Planning Code - Interim Zoning Moratorium on Change of Nighttime Entertainment Use - One Maritime Plaza Area]**

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

Urgency ordinance approving an interim zoning moratorium for 45 days on changes of nighttime entertainment use in the One Maritime Plaza area bounded by Jackson Street to the north, Sacramento Street to the south, Drumm Street to the west, and Sansome Street to the east; 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.

(Pursuant to California Government Code, Section 65858(a), this matter requires a four-fifths vote of the full membership of the Board of Supervisors (9 votes) for passage.)

**FINALLY PASSED** by the following vote:

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

### Recommendation of the Rules Committee

#### **190453 [Mayoral Appointment, Municipal Transportation Agency Board of Directors - Steve Heminger]**

Motion approving/rejecting the Mayor's nomination for the appointment of Steve Heminger to the Municipal Transportation Agency Board of Directors, for a term ending March 1, 2023. (Clerk of the Board)

(Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing, with no timeframe to confirm specified. Transmittal Date: May 1, 2019.)

**Motion No.** M19-097

**APPROVED** 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.*

### Appointment of President Pro Tempore

*At the request of President Yee, Supervisor Peskin assumed the chair at 4:30 p.m. The President resumed the chair at 4:37 p.m.*

## PUBLIC COMMENT

*Mr. Wright; expressed concerns regarding homelessness, mental health services, and the need for affordable housing.*

*Michelle Yen; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Chow Siu; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Wong Chu Mei; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Cecilia Chen; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Serena Teng; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Doria Lew; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Vincent Ko; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Don Bing Jon; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Jenny Chin; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Susan; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Szen Jun; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Namdesh; 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.*

*Nell Soon; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Gigi; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Flynn Win; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*David Po; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Tao Tsho; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

*Joe Bain; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).*

Annie Yee; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Mario Siu; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; spoke on concerns regarding illegal activity in front of a certain convenience store.

Hanna Shomai; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Jenny; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Grace; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Amir Chin; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Sho Chin Lee; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Eddie Lao; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Robert; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Yeu Shin; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Lee; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; shared various thoughts with the Board.

Latrine Vasco; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Yao Ming; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Ramon; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Maggie; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Shu Yen Fong; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Michael Yin; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Jen Yu; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Susanna; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station

(File No. 190615).

Patricia Zheng; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Tilly Chao; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Amro Shen; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

Speaker; spoke in opposition to the Resolution urging the naming of Chinatown Rose Pak Station (File No. 190615).

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

At the request of President Yee, Supervisor Ronen assumed the chair at 6:31 p.m. The President resumed the chair at 6:51 p.m.

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

### **190583 [Supporting California State Senate Bill No. 39 (Hill) - Tobacco Products]**

**Sponsor: Walton**

Resolution supporting California State Senate Bill No. 39, authored by Senator Jerry Hill and co-authored by Senators Steve Glazer and Anthony Portantino, to require tobacco products to be delivered only in a container that is conspicuously labeled as being a tobacco product that requires the signature of a person 21 years of age or older; and require before completing a delivery, a specified entity shall obtain the signature of a person 21 years of age or older upon delivering the product to the recipient's or purchaser's address, as specified.

**ADOPTED**

### **190591 [Designating San Francisco Arts Commission as the State-Local Partner with California Arts Council]**

**Sponsor: Stefani**

Resolution designating the San Francisco Arts Commission as the City and County of San Francisco agency serving as the state-local partner with the California Arts Council from June 30, 2019, through June 29, 2020.

**ADOPTED**

### **190607 [Final Map 8731 - 5M Project Phase One]**

Motion approving phased Final Map 8731, 5M Project, PID 8731 - Phase No. 1, relating to portions of the 5M Project, the merger and vertical subdivision of existing Assessor's Parcel Block No. 3725, Lot Nos. 005, 006, 008, 009, 043 through 047, 077, 097, and 098 resulting in eight lots intended for commercial, open space, and public right-of-way uses, subject to specified conditions; approving a Public Improvement Agreement related to the Final Map; and acknowledging findings pursuant to the General Plan, and eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-098**

**APPROVED**

**190608 [Final Map 9769 - 915 Minna Street]**

Motion approving Final Map 9769, a 49 residential unit condominium project, located at 915 Minna Street, being a subdivision of Assessor's Parcel Block No. 3510, Lot No. 058; and adopting findings pursuant to the General Plan, and the priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No.** M19-099

**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 Ronen requested that File No. 190581 be severed so that it may be considered separately.*

**190581 [Urging Specific Citywide Cooperative Living Opportunities for Mental Health Priorities in the FYs 2019-2020 and 2020-2021 Budgets]**

**Sponsors:** Ronen; Haney and Yee

Resolution urging the Mayor to fund the Cooperative Living Opportunities for Mental Health Program in the FYs 2019-2020 and 2020-2021 budgets, and using excess Education Revenue Augmentation Fund revenues received by the City and County of San Francisco.

**Supervisor Ronen, seconded by Supervisor Peskin, moved that this Resolution be TABLED. The motion carried by the following vote:**

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

*Supervisor Walton requested that File No. 190582 be severed so that it may be considered separately.*

**190582 [Supporting California State Senate Bill No. 38 (Hill) - Flavored Tobacco Products]**

**Sponsor:** Walton

Resolution supporting California State Senate Bill No. 38, authored by Senator Jerry Hill and co-authored by Senators Steve Glazer, Mike McGuire, and Anthony Portantino, to restrict sales of flavored e-cigarettes and all other flavored tobacco products to combat use by youths.

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

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



Supervisor Peskin requested that File No. 190615 be severed so that it may be considered separately.

**190615 [Urging Naming the Central Subway's Chinatown Station the "Chinatown Rose Pak Station"]**

**Sponsor: Peskin**

Resolution urging San Francisco Municipal Transportation Agency to name the Central Subway's Chinatown Station the "Chinatown Rose Pak Station."

**ADOPTED by the following vote:**

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

## IMPERATIVE AGENDA

*There were no imperative agenda items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

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

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

## **Introduced at the Request of a Department**

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

## **PROPOSED ORDINANCES**

### **190594 [Planning Code - Reorganization of Chinatown Mixed Use Districts]**

Ordinance amending the Planning Code to revise the zoning control tables of the Chinatown Mixed Use Districts to make them consistent with those in Articles 2 and 7, to apply the use definitions in Section 102, to set an abandonment period for use size maximums, and to allow General Entertainment and Nighttime Entertainment Uses with conditional use authorization; 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 welfare under Planning Code, Section 302. (Planning Commission)

05/14/19; RECEIVED FROM DEPARTMENT.

06/04/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/4/2019.

### **190595 [Settlement of Lawsuit - Gwendolyn Woods - \$400,000]**

Ordinance authorizing settlement of the lawsuit filed by Gwendolyn Woods against the City and County of San Francisco for \$400,000; the lawsuit was filed on December 11, 2015, in United States District Court, Case No. 15-cv-05666; entitled Gwendolyn Woods v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

05/17/19; RECEIVED FROM DEPARTMENT.

06/04/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **190596 [Settlement of Lawsuit - De'Mario Grant - \$175,000]**

Ordinance authorizing settlement of the lawsuit filed by De'Mario Grant against the City and County of San Francisco for \$175,000; the lawsuit was filed on September 20, 2017, in the United States District Court, Northern Division of California, Case No. 3:17-CV-04869-WHA; entitled De'Mario Grant v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

05/17/19; RECEIVED FROM DEPARTMENT.

06/04/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190597 [Contracting Process - Treasure Island Wastewater Treatment Plant - Waiver of Certain Administrative Code Provisions]**

Ordinance waiving certain provisions in Administrative Code, Sections 6.61 and 6.64, and Chapter 21, as applied to the proposed design and construction of the Treasure Island Wastewater Treatment Plant ("Plant") to authorize the Public Utilities Commission to: procure operation and maintenance services for the Plant and for the associated collection system in one procurement in addition to design and construction services for the Plant under Administrative Code, Section 6.61; waive Administrative Code, Section 21.3 requirements that general services be awarded to the lowest responsible, responsive bidder; waive the Administrative Code, Section 21.9(a)(2), prohibition against having a solicitation for general or professional services be more than ten years, as applicable to the operations and maintenance portion of the contract; waive Administrative Code, Section 6.64, as applicable to procurement of as-needed construction services as applicable to the maintenance portion of the contract; waive Administrative Code, Section 6.61(c)(5), as applicable to procurement of trade packages for construction of the Plant; state that the award of the operations and maintenance contract will be subject to the approval of the Board of Supervisors pursuant to Charter, Section 9.118; and adopt findings under the California Environmental Quality Act. (Public Utilities Commission)

05/24/19; RECEIVED FROM DEPARTMENT.

06/04/19; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 7/4/2019.

**190598 [Public Works Code - Personal Wireless Service Facility Site Permits]**

Ordinance amending the Public Works Code to modify the requirements for obtaining Personal Wireless Service Facility Site Permits; and making environmental findings. (Public Works)

05/24/19; RECEIVED FROM DEPARTMENT.

06/04/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/4/2019.

## PROPOSED RESOLUTIONS

**190599 [Contract Amendment - Manatron, Inc. - Maintenance of Government Revenue Management Software - Not to Exceed \$2,275,548]**

Resolution authorizing the Office of the Treasurer & Tax Collector to amend a service and maintenance contract with Manatron, Inc. for government revenue management software, to extend to a ten-year term with an additional four-year option to extend, increasing the contract amount by \$1,265,607 for a total amount not to exceed \$2,275,548 to commence upon Board of Supervisors and Mayoral approval for the period of July 1, 2014, through June 30, 2024. (Treasurer-Tax Collector)

05/17/19; RECEIVED FROM DEPARTMENT.

06/04/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190600 [Amendment to Memorandum of Understanding - San Francisco Local Agency Formation Commission - Term Extension]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute the fourth amendment to the Memorandum of Understanding with the San Francisco Local Agency Formation Commission, extending the term by one year, for a total agreement term of 12 years through FY2019-2020, with no change to the total amount not to exceed \$2,100,000 pursuant to Charter, Section 9.118. (Public Utilities Commission)

05/17/19; RECEIVED FROM DEPARTMENT.

06/04/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190601 [Mental Health Services Act Annual Update - FY2019-2020]**

Resolution authorizing adoption of the San Francisco Mental Health Services Act Annual Update FY2019-2020. (Public Health Department)

05/20/19; RECEIVED FROM DEPARTMENT.

06/04/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190602 [Grant Agreement Amendment - San Francisco Unified School District - Preschool for All - \$17,956,847]**

Resolution approving the second amendment of the grant between the City and County of San Francisco and the San Francisco Unified School District for the provision of preschool support and staff training, to increase the amount by \$7,979,733 for a total amount of \$17,956,847 and to extend the grant term by two years to commence July 1, 2019, for the total agreement term of July 1, 2016, through June 30, 2021. (Human Services Agency)

05/17/19; RECEIVED FROM DEPARTMENT.

06/04/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190603 [Grant Agreement Amendment - Wu Yee Children's Services - Early Head Start/Head Start Support Services - \$11,786,599]**

Resolution approving the first amendment of the grant between the City and County of San Francisco and Wu Yee Children's Services for the provision of Early Head Start and Head Start support services to support the City's implementation of the San Francisco Citywide Plan For Early Care and Education, to increase the amount by \$4,122,076 for a total amount of \$11,786,599 and extend the grant term by one year to commence July 1, 2019, for the total agreement term of July 1, 2017, through June 30, 2020. (Human Services Agency)

05/17/19; RECEIVED FROM DEPARTMENT.

06/04/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190604 [Agreement Amendment - DXC Technology Services, LLC - County California Welfare Information Network Consortium - \$88,287,848]**

Resolution authorizing the Human Service Agency's to continue its membership in the 18 County California Welfare Information Network (CalWIN) Consortium and approving the Maintenance and Operations Agreement amendment with DXC Technology Services, LLC, and the Welfare Client Data System Consortium Counties for the City's share of the oversight of the DXC Technology contract for CalWIN; and authorizing the Executive Director of the Human Services Agency to expand the expenditure authority from \$82,571,463 to an additional amount of \$5,716,385 for the period from February 1, 2020, through January 31, 2023, for a total project budget of \$88,287,848 for the period of July 1, 1999, through January 31, 2023. (Human Services Agency)

05/21/19; RECEIVED FROM DEPARTMENT.

06/04/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190605 [Master Lease of City Property - Yerba Buena Gardens Conservancy -Yerba Buena Gardens - \$1.00 Annual Base Rent]**

Resolution approving and authorizing the Director of Property to execute a master lease agreement between the City and County of San Francisco, as landlord, and the Yerba Buena Gardens Conservancy, a California nonprofit public benefit corporation, as tenant, for the lease of City-owned real property and improvements, collectively known as Yerba Buena Gardens at an annual base rent of \$1.00 for a total term to commence upon approval from the Board of Supervisors and Mayor, through September 1, 2061; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting California Environmental Quality Act findings. (Real Estate Department)

05/22/19; RECEIVED FROM DEPARTMENT.

06/04/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**190606 [Lease Agreement - Rylo Management, LLC - Terminal 3 Boarding Area F Café Lease - a Small Business Enterprise Set-Aside - Lease No. 19-0054 - \$310,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 3 Boarding Area F Café Lease - a Small Business Enterprise Set-Aside - Lease No. 19-0054, between Rylo Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years to commence upon Board approval, and a minimum annual guarantee of \$310,000 for the first year of the Lease. (Airport Commission)

05/22/19; RECEIVED FROM DEPARTMENT.

06/04/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour 7:30 p.m.*