

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, July 16, 2019 - 2:00 PM

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

Regular Meeting

NORMAN YEE, PRESIDENT

VALLIE BROWN, SANDRA LEE FEWER, MATT HANEY, RAFAEL MANDELMAN,
GORDON MAR, AARON PESKIN, HILLARY RONEN, AHSHA SAFAI, CATHERINE STEFANI,
SHAMANN WALTON

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Fewer, Stefani, Mandelman, Ronen, Yee

Budget and Finance Sub-Committee

Supervisors Fewer, Stefani, Mandelman

Government Audit and Oversight Committee

Supervisors Mar, Brown, Peskin

Joint City, School District, and City College Select Committee

Supervisors Haney, Walton, Mar (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, 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, July 16, 2019, with President Norman Yee presiding.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Supervisor Mar was noted not present.

A quorum was present.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of a communication from Supervisor Gordon Mar informing the Board of his absence and requesting to be excused from today's meeting.

Supervisor Mar Excused from Attendance

Supervisor Stefani, seconded by Supervisor Safai, moved that Supervisor Mar be excused from attending today's meeting. The motion carried by the following vote:

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

Excused: 1 - Mar

APPROVAL OF MEETING MINUTES

President Yee inquired whether any Board Member had any corrections to the June 11, 2019, Board Meeting Minutes or the June 13, 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 and the President requested the minutes to be approved as requested.

Supervisor Walton, seconded by Supervisor Brown, moved to approve the June 11, 2019, Board Meeting Minutes and the June 13, 2019, Special Meeting Minutes at the Budget and Finance Committee Meeting, which constituted a quorum of the Board of Supervisors, as requested. The motion carried by the following vote, following general public comment:

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

Excused: 1 - Mar

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

190495 [General Obligation Bond Election - Affordable Housing - Not to Exceed \$600,000,000]

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

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 5, 2019, for the purpose of submitting to San Francisco voters a proposition to incur bonded indebtedness of not-to-exceed \$600,000,000 to finance the construction, development, acquisition, improvement, rehabilitation, preservation, and repair of affordable housing improvements, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants under Administrative Code Chapter 37; providing for the levy and collection of taxes to pay both principal and interest on such Bonds; incorporating the provisions of the Administrative Code relating to the Citizens' General Obligation Bond Oversight Committee's review of Affordable Housing Bond expenditures; setting certain procedures and requirements for the election; adopting findings under the California Environmental Quality Act; and finding that the proposed Bonds are in conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b).

(Pursuant to California Government Code, Sections 43607 and 43608, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve passage of this Ordinance.)

Supervisor Peskin, seconded by Supervisor Brown, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 10, Line 23, through Page 24, Line 2, by adding 'Section 18. Landlords may pass through to residential tenants under the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) 50% of any property tax increase that may result from the issuance of Bonds authorized by this ordinance. The City may enact ordinances authorizing tenants to seek waivers from the pass-through based on financial hardship.'; and making other clarifying and conforming changes. The motion carried by the following vote:

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

Excused: 1 - Mar

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 5, 2019, for the purpose of submitting to San Francisco voters a proposition to incur bonded indebtedness of not to exceed \$600,000,000 to finance the construction, development, acquisition, improvement, rehabilitation, preservation, and repair of affordable housing improvements, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants under Administrative Code, Chapter 37; providing for the levy and collection of taxes to pay both principal and interest on such Bonds; incorporating the provisions of the Administrative Code relating to the Citizens' General Obligation Bond Oversight Committee's review of Affordable Housing Bond expenditures; setting certain procedures and requirements for the election; adopting findings under the California Environmental Quality Act; and finding that the proposed Bonds are in conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b).

(Pursuant to California Government Code, Sections 43607 and 43608, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve passage of this Ordinance.)

Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to a Committee of the Whole hearing at the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

Recommendations of the Government Audit and Oversight Committee

190573 [Administrative Code - Cooperative Living Opportunities for Mental Health Loan Fund and Program]

Sponsors: Ronen; Haney and Safai

Ordinance amending the Administrative Code to establish the Cooperative Living Opportunities for Mental Health Loan Fund and the Cooperative Living Opportunities for Mental Health Program to finance the acquisition of residential properties to be operated as communal housing for people with chronic mental illness and/or substance use disorders; requiring the Mayor's Office of Housing and Community Development and the Department of Public Health ("DPH") to establish policies and procedures to issue loans from the Fund; and authorizing DPH to place eligible clients in properties financed by the Fund, and to provide oversight and monitoring of such properties. (Fiscal Impact)

FINALLY PASSED by the following vote:

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

President Yee requested File Nos. 190513, 190595, 190596, 190645, and 190646 be called together.

190513 [Settlement of Lawsuit - Joseph Alvarado - \$175,000; Related Appropriation - Wastewater Enterprise Fund Balance]

Ordinance authorizing settlement of the lawsuit filed by Joseph Alvarado against the City and County of San Francisco for \$175,000 and appropriating the same amount from the Public Utilities Commission Wastewater Enterprise Fund balance; the lawsuit was filed on September 6, 2018, in San Francisco Superior Court, Case No. CGC-18-569501; entitled Joseph Alvarado v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injuries on a City street; other material term is waiver of Zuckerberg San Francisco General Hospital lien. (City Attorney)

FINALLY PASSED by the following vote:

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

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)

FINALLY PASSED by the following vote:

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

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)

FINALLY PASSED by the following vote:

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

190645 [Settlement of Lawsuit - Emmett Waldrip through Dixie Waldrip - \$125,000]

Ordinance authorizing settlement of the lawsuit filed by Emmett Waldrip through Dixie Waldrip against the City and County of San Francisco for \$125,000; the lawsuit was filed on October 23, 2017, in San Francisco Superior Court, Case No. CGC-17-562069; entitled Emmett Waldrip, an incompetent, by Dixie Waldrip, his conservator of the estate v. City and County of San Francisco; the lawsuit involves alleged medical negligence. (City Attorney)

FINALLY PASSED by the following vote:

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

190646 [Settlement of Lawsuit - Jarell Washington - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Jarell Washington against the City and County of San Francisco for \$40,000; the lawsuit was filed on January 5, 2016, in San Francisco Superior Court, Case No. CGC-16-549718; entitled Jarell Washington v. City and County of San Francisco; the lawsuit involves an alleged personal injury at San Francisco General Hospital. (City Attorney)

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

President Yee requested File Nos. 190619, 190620, 190623, 190624, 190626, 190627, 190628, 190629, 190630, 190631, 190622, 190632, 190633, 190635, 190636, 190637, and 190638 be called together.

190619 [Budget and Appropriation Ordinance for Departments - FYs 2019-2020 and 2020-2021]

Sponsor: Mayor

Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of June 1, 2019, for the FYs ending June 30, 2020, and June 30, 2021.

(Fiscal Impact)

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

190620 [Annual Salary Ordinance - FYs 2019-2020 and 2020-2021]

Sponsor: Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2020, and June 30, 2021, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

(Fiscal Impact)

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

190623 [Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling]

Sponsor: Mayor

Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2019.

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

190624 [Authorizing Refunding Certificates of Participation, Series 2019-R1 - Multiple Capital Improvement Projects - Not to Exceed \$160,000,000]**Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series from time to time, on a tax-exempt or taxable basis, evidencing and representing an aggregate principal amount of not to exceed \$160,000,000 to refinance certain certificates of participation that financed various capital improvement projects and finance certain additional capital improvements; approving the form of a Third Supplement to Trust Agreement between the City and County of San Francisco and U.S. Bank National Association, as trustee ("Trustee") (including certain indemnities contained therein); approving respective forms of a Third Supplement to Property Lease and a Third Supplement to Project Lease, each between the City and the Trustee for the lease and lease back of all or a portion of certain real property and improvements located at 375 Laguna Honda Boulevard or other property as determined by the Director of Public Finance; approving the form of two separate Escrow Agreements (including certain indemnities contained therein), between the City and U.S. Bank National Association, as escrow agent ("Escrow Agent"); approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Certificates of Participation; approving the form of an official statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith, as defined herein. (Fiscal Impact)

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

190626 [Appropriation - Refunding Certificates of Participation - \$160,000,000 - Deappropriation - Series 2009A and 2009B - \$16,500,000 - Re-Appropriation - Series 2019-R1 - \$176,500,000 - FY2019-2020]**Sponsor: Mayor**

Ordinance appropriating \$160,000,000 of one or more series of Refunding Certificates of Participation proceeds, de-appropriating Series 2009A and 2009B Certificates of Participation of prior reserve funds of \$16,500,000 and re-appropriating Refunding Certificates of Participation Series 2019-R1 of \$176,500,000 and placing these funds on Controller's Reserve pending the sale of the Certificates of Participation for FY2019-2020. (Fiscal Impact)

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

190627 [Fire Code - Fire Department Fee Amendment]**Sponsor: Mayor**

Ordinance amending the Fire Code to increase fees for certain Fire Department services; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

190628 [Park Code - Marina Guest Docking Fees]**Sponsor: Mayor**

Ordinance amending the Park Code to permit the Recreation and Park Department General Manager to set guest docking fees at the Marina Small Craft Harbor by flexible pricing based on certain factors; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

190629 [Park Code - Non-Resident Fees at Certain Specialty Attractions]**Sponsor: Mayor**

Ordinance amending the Park Code to permit the Recreation and Park Department General Manager to set non-resident adult admission fees for the Japanese Tea Garden, the Coit Tower Elevator, the Conservatory Of Flowers, and the San Francisco Botanical Garden by flexible pricing based on certain factors and at certain times; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

190630 [Park Code - Temporary Surcharge - Japanese Tea Garden]**Sponsor: Mayor**

Ordinance amending the Park Code to permit the Recreation and Park Department General Manager to impose a surcharge of \$1 per non-resident adult visitor at the Japanese Tea Garden to fund the restoration of that facility, until such time as the restoration is complete; and affirming the Planning Department's determination under the California Environmental Quality Act.

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

190631 [Administrative Code - Eliminating Fines for Overdue Library Materials]**Sponsors: Mayor; Ronen**

Ordinance amending the Administrative Code to eliminate fines for overdue library books and other materials and equipment, and forgiving outstanding patron debt for overdue fines.
(Fiscal Impact)

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

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

190622 [Office of Community Investment and Infrastructure, Operating as Successor Agency to the San Francisco Redevelopment Agency - FY2019-2020 Budget - Bond Issuance Not to Exceed \$40,714,400]**Sponsor: Mayor**

Resolution approving the FY2019-2020 Budget of the Office of Community Investment and Infrastructure ("OCII"), operating as the Successor Agency to the San Francisco Redevelopment Agency; and approving the issuance of Bonds by OCII in an aggregate principal amount not to exceed \$40,714,400.

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

190632 [Access Line Tax Adjustment - Consumer Price Index of 2019]**Sponsor: Mayor**

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2019, and adjusting the Access Line Tax by the same rate. (Controller)

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

190633 [Proposition J Contract Certification - Specified Contracted-Out Services Previously Approved]**Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by a private contractor for a lower cost than similar work performed by City and County employees, for the following services: budget analyst (Board of Supervisors); citywide custodial services (excluding City Hall), citywide security services, central shops security, convention facilities management (General Services Agency - City Administrator); security services at Building Design and Construction, and Infrastructure Design and Construction (Public Works); mainframe system support (General Services Agency - Technology); security services (Human Services Agency); security services (Homelessness and Supportive Housing); food services for jail inmates (Sheriff); and assembly of vote-by-mail envelopes (Department of Elections). (Controller)

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

190635 [Apply for, Accept, and Expend Grant - California Department of Housing and Community Development - California SB 2 Planning Grant Program - \$625,000]**Sponsor: Mayor**

Resolution authorizing the Planning Department, on behalf of the City and County of San Francisco, to apply for, accept, and expend \$625,000 in SB 2 Planning Grant Program funds from the California Department of Housing and Community Development for citywide planning projects that streamline housing approvals and accelerate housing production, for the period of July 1, 2019, through June 30, 2022.

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

190636 [Accept and Expend Grants - Recurring State Grant Funds - Department of Public Health - FY2019-2020]**Sponsor: Mayor**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2019-2020. (Public Health Department)
(Fiscal Impact; No Budget and Legislative Analyst Report)

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

190637 [Homelessness and Supportive Housing Fund - FYs 2019-2020 and 2020-2021 Expenditure Plans]

Sponsor: Mayor

Resolution approving the FYs 2019-2020 and 2020-2021 Expenditure Plans for the Department of Homelessness and Supportive Housing Fund. (Department of Homelessness and Supportive Housing)

(Fiscal Impact; No Budget and Legislative Analyst Report)

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

190638 [Accept and Expend Grant - Friends of San Francisco Public Library - Annual Grant Award, FY2019-2020 - Up to \$807,820 of In-Kind Gifts, Services, and Cash Monies]

Sponsor: Mayor

Resolution authorizing the San Francisco Public Library to accept and expend a grant in the amount of up to \$807,820 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services in FY2019-2020. (Public Library)

Supervisor Mandelman, seconded by Supervisor Brown, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

190592 [Contract Amendment - Budget and Legislative Analyst Services - Not to Exceed \$17,906,114]

Resolution authorizing the Clerk of the Board to amend the Budget and Legislative Analyst Services contract to enact a 3.2% cost-of-living adjustment (COLA) effective July 1, 2019, and to exercise a final option to extend the term for two years through December 31, 2021, increasing the total contract amount by \$5,016,694 including the estimated future COLA for a total amount not to exceed \$17,906,114 for the period of January 1, 2014, through December 31, 2021. (Clerk of the Board)

(Fiscal Impact; No Budget and Legislative Analyst Report)

ADOPTED by the following vote:

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

Excused: 1 - Mar

Recommendations of the Budget and Finance Sub-Committee

190436 [Authorizing Agreement - Retroactive - California Independent System Operator - Reliability Coordinator Services - Not to Exceed \$3,000,000]

Ordinance retroactively approving an agreement between the San Francisco Public Utilities Commission and the California Independent System Operator for Reliability Coordinator services for an initial term of 18 months from January 7, 2019, through July 6, 2020, with an automatic renewal of the contract term in excess of ten years and a maximum cost not to exceed \$3,000,000; and waiving Administrative Code, Section 21.9(b), regarding automatic renewal of contract term. (Public Utilities Commission)
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

190058 [Revenue Agreement Amendment - Retroactive - JC Decaux San Francisco, LLC - Extending Term to June 30, 2019]

Sponsor: Peskin

Resolution retroactively approving the Sixth Amendment to the Revenue Agreement between Public Works and JC Decaux San Francisco, LLC, for the Automatic Public Toilet and Public Service Kiosk Program extending the contract term by 156 days, changing the termination date from January 25, 2019, to June 30, 2019.

ADOPTED by the following vote:

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

President Yee requested File Nos. 190357, 190358, and 190356 be called together.

190357 [Issuance of General Obligation Bonds (Embarcadero Seawall Earthquake Safety, 2018) - Not to Exceed \$425,000,000]

Sponsors: Mayor; Peskin and Safai

Resolution providing for the issuance of not to exceed \$425,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Embarcadero Seawall Earthquake Safety, 2018); authorizing the issuance and sale of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31; finding that the proposed project is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the issuance and sale of said bonds, as defined herein.
(Fiscal Impact)

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

ADOPTED by the following vote:

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

190358 [Sale of General Obligation Bonds - (Embarcadero Seawall Earthquake Safety, 2018), Series 2019B - Not to Exceed \$50,000,000]**Sponsors: Mayor; Peskin**

Resolution authorizing the issuance and sale of not to exceed \$50,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Embarcadero Seawall Earthquake Safety, 2018) Series 2019B; prescribing the form and terms of such bonds; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein.

(Fiscal Impact)

ADOPTED by the following vote:

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

Excused: 1 - Mar

190356 [Appropriation - General Obligation Bond Proceeds - San Francisco Seawall Earthquake Safety and Disaster Prevention Program - FY2018-2019 - \$50,000,000]**Sponsors: Mayor; Peskin and Safai**

Ordinance appropriating \$50,000,000 of the Series 2019B Embarcadero Seawall Earthquake Safety General Obligation Bond proceeds to the Port of San Francisco in FY2018-2019 for planning, site and geotechnical investigations, risk assessment, alternatives analysis, program development, identification of potential pilot projects, and the San Francisco Waterfront Storm Risk Management Study general investigation with the United States Army Corps of Engineers; and placing these funds on Controller's reserve pending sale of the bonds.

(Fiscal Impact)

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Mar

President Yee requested File Nos. 190514 and 190515 be called together.

190514 [Lease Agreement - China Airlines Limited - Cargo Facility Lease No. 19-0021 - \$1,033,790 Initial Annual Base Rent]

Resolution approving the Cargo Facility Lease No. 19-0021, between China Airlines Limited, and the City and County of San Francisco, acting by and through its Airport Commission, for exclusive use space in Airport Building 648 and adjacent exclusive use ramp space on Plot 10, for an initial term of one year with two one-year options to extend for an initial annual base rent of \$1,033,790 to commence upon approval by the Board of Supervisors. (Airport Commission)

ADOPTED by the following vote:

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

Excused: 1 - Mar

190515 [2011 Airport Lease and Use Agreement - Iberia, Líneas Aéreas de España, S.A. Operadora, Sociedad Unipersonal]

Resolution approving a 2011 Lease and Use Agreement No. 19-0094 between the City and County of San Francisco, acting by and through its Airport Commission, and Iberia, Líneas Aéreas de España, S.A. Operadora, Sociedad Unipersonal (including Iberia when doing business as LEVEL Spain) to conduct flight operations at San Francisco International Airport, to commence on the first day of the month following Board approval through June 30, 2021. (Airport Commission)

ADOPTED by the following vote:

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

190574 [Apply for Grant - California Department of Housing and Community - California Emergency Solutions and Housing Program - Not to Exceed \$1,816,418]**Sponsors: Mayor; Peskin**

Resolution authorizing the Department of Homelessness and Supportive Housing to apply for the California Emergency Solutions and Housing Program from the California Department of Housing and Community, for an amount not to exceed \$1,816,418.

ADOPTED by the following vote:

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

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)

ADOPTED by the following vote:

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

190650 [Contract Amendment - Power Transmission Project - URS Corporation - Total Not to Exceed \$11,500,000]

Resolution approving Amendment No. 4 to San Francisco Public Utilities Commission Agreement No. CS-991, Preliminary Design and Environmental Services, Power Transmission Project, with URS Corporation Americas, to increase the amount by \$4,000,000 for a total not to exceed amount of \$11,500,000 and extend the duration by two years and eight months, for a total duration of 11 years and eight months; and to execute a name change from URS Corporation Americas to URS Corporation. (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

190663 [Agreement Amendment - Transbay Joint Powers Authority - Municipal Transportation Agency - Transbay Transit Center Program Services - No Additional Cost]

Sponsor: Mayor

Resolution approving the Fourth Amendment to Contract No. CS-159 between the Municipal Transportation Agency and the Transbay Joint Powers Authority for Transbay Transit Center Program services pursuant to Charter, Section 9.118, to extend the term of the agreement for a total term of July 21, 2009, through December 31, 2019, and reallocate funding within task budgets at no additional cost. (Municipal Transportation Agency)

ADOPTED by the following vote:

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

Excused: 1 - Mar

190672 [Agreement Amendment - Richmond Area Multi-Services, Inc. - Behavioral Health Services - Not to Exceed \$28,388,060]

Resolution approving Amendment No. 2 to the agreement between Richmond Area Multi-Services, Inc. and the Department of Public Health for behavioral health services through the peer-to-peer programs, to increase the contract amount by \$9,340,596 for a total amount not to exceed \$28,388,060; and to extend the term by one year, from July 1, 2020, for a total agreement term of July 1, 2015, through June 30, 2021. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

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

Excused: 1 - Mar

190733 [Acquisition of Real Property - 1515 South Van Ness Avenue - LMC San Francisco I Holdings LLC - \$19,000,000]

Sponsors: Mayor; Ronen

Resolution approving and authorizing the Director of Property, on behalf of the Mayor's Office of Housing and Community Development, to acquire real property located at 1515 South Van Ness Avenue from LMC San Francisco I Holdings LLC, for purchase at \$19,000,000 inclusive of a deposit in the amount of \$500,000; placing the property under the jurisdiction of the Mayor's Office of Housing and Community Development for use in constructing affordable housing for San Franciscans; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the purchase agreement and this Resolution, as defined herein; assuming a lease and certain service contracts; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact)

ADOPTED by the following vote:

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

Excused: 1 - Mar

190734 [Accept and Expend Grant - Retroactive - Metropolitan Transportation Commission - Affordable Housing Jumpstart Program Grant - \$5,000,000]**Sponsors: Mayor; Ronen**

Resolution retroactively authorizing the Mayor's Office of Housing and Community Development to accept and expend a grant in the amount of \$5,000,000 from the Metropolitan Transportation Commission for the Affordable Housing Jumpstart Grant Program for the anticipated term of July 1, 2019, through June 30, 2029.

(Fiscal Impact)

ADOPTED by the following vote:

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

Excused: 1 - Mar

Recommendations of the Land Use and Transportation Committee**190417 [Environment Code - Checkout Bag Charge; Recyclable or Compostable Pre-Checkout Bags]****Sponsor: Brown**

Ordinance amending the Environment Code to raise the amount stores must charge for checkout bags from 10 cents to 25 cents per bag; to require that pre-checkout bags provided to customers before they reach the point of sale be recyclable or compostable; and affirming the Planning Department's determination under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Mar

190652 [Resolution of Intent - Street and Public Easement Vacation - Mission Rock Project]**Sponsors: Mayor; Haney**

Resolution declaring the intent of the Board of Supervisors to order the street vacation for the entirety of Seawall Lot 337 (located east of Third Street between China Basin Channel and Mission Rock Street, including China Basin Park) and portions of Terry A. Francois Boulevard along with public service easements in connection with the Mission Rock Project; and setting a hearing date for the Board of Supervisors to sit as a Committee of the Whole on September 3, 2019, at 3:00 p.m. for all persons interested in the proposed vacation of said street areas and public service easements.

ADOPTED by the following vote:

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

Excused: 1 - Mar

Recommendations of the Rules Committee

190570 [Charter Amendment - Renaming the Aging and Adult Services Commission, Department of Aging and Adult Services, and Aging and Adult Services Community Living Fund, and Establishing Qualifications for Three Commission Seats]

Sponsors: Yee; Haney, Fewer, Mar and Walton

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to change the name of the Aging and Adult Services Commission to the Disability and Aging Services Commission, and establish qualifications for three of the Commission seats; change the name of the Department of Aging and Adult Services to the Department of Disability and Aging Services; and to change the name of the Aging and Adult Services Community Living Fund to the Disability and Aging Services Community Living Fund; at an election to be held on November 5, 2019.

Supervisor Mandelman, seconded by Supervisor Walton, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

190684 [Administrative Code - Senior Operating Subsidies Program Fund]

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

Ordinance amending the Administrative Code to establish the Senior Operating Subsidies (SOS) Program Fund to be used to lower rents in housing developments occupied by low-income senior citizens.

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Mar

President Yee requested File Nos. 190730, 190586, and 190735 be called together.

190730 [Administrative Code - City College Financial Assistance Fund - Free City College Oversight Committee]

Sponsors: Mar; Safai

Ordinance amending the Administrative Code to modify the San Francisco City College Financial Assistance Fund from which the City provides funding to the San Francisco Community College District, and to modify the membership of the Free City College Oversight Committee that makes recommendations regarding the uses of those funds.

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Mar

190586 [Withdrawing Charter Amendment - Free City College Fund]**Sponsors: Mar; Safai**

Motion withdrawing the Charter Amendment previously ordered submitted by the Board of Supervisors, for the election to be held on November 5, 2019, to establish the Free City College Fund to defray certain costs of City College students, and to require annual appropriations in designated amounts to the Fund (Board File No. 181001).

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

Motion No. M19-113**APPROVED by the following vote:**

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

Excused: 1 - Mar

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

Supervisor Peskin, seconded by Supervisor Fewer, 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: 10 - Brown, Fewer, Haney, Mandelman, Peskin, Ronen, Safai, Stefani, Walton, Yee

Excused: 1 - Mar

Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to Leah Garchik (San Francisco Chronicle) on the occasion of her retirement after 47 years, and in recognition of her many contributions to the newspaper and for paving the way for so many women in this field. Supervisor Brown shared in this commendation.

Supervisor Fewer introduced, welcomed, and presented a Certificate of Honor to Ed Reiskin, Director of Transportation (San Francisco Municipal Transportation Agency), in recognition of his years of service and countless accomplishments in leadership positions throughout the City and County of San Francisco. Supervisors Walton, Brown, Safai, Ronen, Mandelman, Haney, and Yee shared in this commendation.

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 190698, 190699, 190700, and 190701 be called together.

190698 [Hearing - Appeal of Tentative Map Approval - 2146-2150 Union Street]

Hearing of persons interested in or objecting to the decision of Public Works dated June 6, 2019, approving a Tentative Map for a three lot vertical subdivision and a four residential new condominium units project at 2146-2150 Union Street, Assessor's Parcel Block No. 0533, Lot No. 014. (District 2) (Appellants: Ronald Zagoria and Kathryn Zagoria) (Filed June 13, 2019) (Clerk of the Board)

President Yee opened the public hearing, provided introductory remarks regarding the tentative map appeal, and inquired as to whether any individual wished to address the Board. Ronald Zagoria (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Dr. George Susans; spoke in support of the appeal. Bruce Storrs, City and County Surveyor (Public Works), and Aaron Starr (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Barbara Herzig (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Ronald Zagoria (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Yee closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

190699 [Approving Decision of Public Works and Approving Tentative Map - 2146-2150 Union Street]

Motion approving the decision of Public Works and approving the Tentative Map for a three lot vertical subdivision and a four residential new condominium units project at 2146-2150 Union Street, Assessor's Parcel Block No. 0533, Lot No. 014; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Motion No. M19-112

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

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

190700 [Conditionally Disapproving Decision of Public Works and Disapproving Tentative Map - 2146-2150 Union Street]

Motion conditionally disapproving the decision of Public Works and disapproving the Tentative Map for a three lot vertical subdivision and a four residential new condominium units project at 2146-2150 Union Street, Assessor's Parcel Block No. 0533, Lot No. 014, subject to the Board of Supervisors' adoption of written findings in support of the disapproval. (Clerk of the Board)

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

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

190701 [Preparation of Findings Related to the Tentative Map - 2146-2150 Union Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for a three lot vertical subdivision and a four residential new condominium units project at 2146-2150 Union Street, Assessor's Parcel Block No. 0533, Lot No. 014. (Clerk of the Board)

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

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

Excused: 1 - Mar

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 190563 and 190564 be called together.

Board of Supervisors Sitting as a Committee of the Whole**190563 [Hearing - Committee of the Whole - Downtown Community Benefit District - July 16, 2019]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on July 16, 2019, at 3:00 p.m., to consider establishment of a property-based assessment district to be known as the Downtown Community Benefit District, pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code, Sections 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code, Article 15; scheduled pursuant to Resolution No. 237-19; adopted on May 14, 2019. (Clerk of the Board)

President Yee opened the public hearing and Supervisor Peskin provided introductory remarks. The President then inquired as to whether any member of the public wished to address the Committee of the Whole relating to the proposed Downtown Community Benefit District (File Nos. 190563 and 190564). Chris Corgas (Mayor's Office of Economic and Workforce Development) and Marco Li Mandri (New City America, Inc.) provided an overview of the proposed community benefit district and responded to questions raised throughout the discussion. Frank Holland; Rodney Fong (San Francisco Chamber of Commerce); Speaker; Glenn Lure; Gina Eschue; Chris Laura; Missy Harris; Marty Smith; Dee Dee Workman (San Francisco Chamber of Commerce); Diana Roseman; Jake Chang; Lynn Mazzarolli; David Huitt; Jackie Robinson; David Harrison; Michael Wright; spoke in support of the community benefit district. 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

190564 [Resolution to Establish - Downtown Community Benefit District]**Sponsor: Peskin**

Resolution to establish the property-based business improvement district known as the "Downtown Community Benefit District," ordering the levy and collection of assessments against property located in that district for 15 years commencing with FY2019-2020, subject to conditions as specified; and affirming the Planning Department's determination under the California Environmental Quality Act. (Department of Economic and Workforce Development)

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Downtown Community Benefit District was 70.51%, and the returned weighted ballots voting against the Downtown Community Benefit District was 29.49%, further indicating there was no majority protest.

ADOPTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 190565 and 190566 be called together.

Board of Supervisors Sitting as a Committee of the Whole**190565 [Hearing - Committee of the Whole - Renewal and Expansion - Civic Center Community Benefit District - July 16, 2019]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on July 16, 2019, at 3:00 p.m., to consider the renewal and expansion of a property-based business improvement district known as the Civic Center Community Benefit District, pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code, Sections 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code, Article 15; scheduled pursuant to Resolution No. 250-19, adopted on May 21, 2019. (Clerk of the Board)

President Yee opened the public hearing and Supervisor Haney provided introductory remarks. The President then inquired as to whether any member of the public wished to address the Committee of the Whole relating to the proposed Civic Center Community Benefit District (File Nos. 190565 and 190566). Chris Corgas (Mayor's Office of Economic and Workforce Development), Tracy Everwine, Executive Director (Civic Center Community Benefit District), provided an overview of the proposed community benefit district and responded to questions raised throughout the discussion. Andrico Penick, Director (Real Estate Division); Miles Gordon; Tim Greywolf; Mark Shorstein; Ruth Knott; Patrick Mills; Jim Haas; Susan McConkey; Lisa Bollard; George Housley; Justin Stillmock; Dan Slothman; Vryan; Tonia Abande; Michael Rossoff (One United Nations Plaza); Kate; Samila Takhal; David Stewart; Joanne Desmond (IATSE, Local 16); Regina Guggenheim (SHN Theatres); Brenda Saylor; David Harrison; Lynn Mazzaroli; Gary; Tom Gilbert; Janan New; Michael Wright; spoke in support of the community benefit district. Paul Allick (Church of the Advent); Speaker; Donna Venendetti; spoke in opposition to the community benefit district. 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

190566 [Resolution to Establish (Renew and Expand) - Civic Center Community Benefit District]**Sponsors: Mayor; Haney and Brown**

Resolution to establish (renew and expand) the property-based business improvement district known as the "Civic Center Community Benefit District," ordering the levy and collection of assessments against property located in that district for 15 years commencing with FY2019-2020, subject to conditions as specified; and affirming the Planning Department's determination under the California Environmental Quality Act. (Department of Economic and Workforce Development)

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Civic Center Community Benefit District was 93.59%, and the returned weighted ballots voting against the Civic Center Community Benefit District was 6.41%, further indicating there was no majority protest.

Privilege of the floor was granted unanimously to Chris Corgas (Mayor's Office of Economic and Workforce Development) and Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Brown, seconded by Supervisor Haney, moved to AMEND the Management Plan and Engineer's Report to remove two condominium buildings from the assessments of the community benefit district. Before the vote was taken, Supervisor Brown moved to withdraw this motion, which carried without objection.

Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

COMMITTEE REPORTS

Recommendation of the Government Audit and Oversight Committee

190735 [Memorandum of Understanding - Department of Children, Youth, and Their Families - San Francisco Community College District - Funding for Free City College Program]**Sponsors: Mayor; Mar**

Resolution authorizing the Department of Children, Youth, and Their Families to enter into a Memorandum of Understanding with the San Francisco Community College District for the City to provide financial support to the Free City College program for the period between July 1, 2019, and June 30, 2029, subject to the budgetary and fiscal provisions of the Charter.

(Fiscal Impact)

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

ADOPTED by the following vote:

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

Excused: 1 - Mar

Recommendation of the Rules Committee

190569 [Charter Amendment - Homelessness Oversight Commission]

Sponsors: Haney; Walton, Peskin, Ronen and Mar

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to create the Homelessness Oversight Commission ("Commission") to oversee the Department of Homelessness and Supportive Housing ("Department"); to provide that the Commission lacks jurisdiction to approve or disapprove criteria used to ascertain eligibility or priority for programs and services, where such criteria are required as a condition of funding; to provide that the Commission lacks jurisdiction to approve or disapprove contracts executed by the Department during a declared shelter crisis under the authority of an ordinance that waives procurement requirements; and to require the Board of Supervisors to adopt an ordinance amending the Municipal Code to provide that the Commission shall appoint the members of the Local Homeless Coordinating Board and the Shelter Monitoring Committee, and requiring those bodies to advise the Commission, and to require the Our City, Our Home Oversight Committee to advise the Commission and the Health Commission, in lieu of advising the Mayor and the Board of Supervisors, on administration of the Our City, Our Home Fund and on monies appropriated from the Fund; at an election to be held on November 5, 2019.

Supervisor Haney, seconded by Supervisor Ronen, moved that this Charter Amendment be CONTINUED to the Board of Supervisors meeting of July 23, 2019. The motion carried by the following vote:

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

Excused: 1 - Mar

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Patricia Vaughey; shared concerns regarding shared bike programs and the Municipal Transportation Agency.

Speaker; shared concerns regarding the Sheriff's Department's contract for the home detention center.

Michael Wright; shared concerns regarding the fund created for wildfire victims and affordable housing.

Peter Loo; spoke in opposition to the naming of the Chinatown Rose Pak Station (see Addendum on page 552).

Patrick Swiztek; spoke in opposition to the naming of the Chinatown Rose Pak Station (see Addendum on page 552).

Allen Zeng; spoke in opposition to the naming of the Chinatown Rose Pak Station (see Addendum on page 552).

Walter Paulson; shared in song various concerns with the Board.

Speaker; spoke in opposition to the naming of the Chinatown Rose Pak Station.

Jack Shay; spoke in opposition to the naming of the Chinatown Rose Pak Station.

Brent Khoo; spoke in opposition to the naming of the Chinatown Rose Pak Station.

James; spoke in support of the Resolution opposing Assembly Bill No. 68 regarding Accessory Dwelling Units, unless amended (File No. 190726).

Speaker; spoke in support of the Resolution supporting Assembly Bill No. 5 regarding worker status for employees and independent contractors (File No. 190771).

Speaker; spoke in support of the Resolution supporting Assembly Bill No. 5 regarding worker status for employees and independent contractors (File No. 190771).

Peter Cohen; spoke in support of the Resolution opposing Assembly Bill No. 68 regarding Accessory Dwelling Units, unless amended (File No. 190726).

Cecilia Loo; spoke in opposition to the naming of the Chinatown Rose Pak Station.

Tom Gilberty; shared concerns regarding the immigrant detention centers and the need to allow 16 and 17 year olds to vote.

Kathleen Welsh; requested various amounts of money and shared concerns regarding the Federal Reserve.

Speaker; shared their various thoughts and experiences with the Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

190769 [Adopting and Utilizing Person-First Language When Referring to People With a Criminal Record]

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

Resolution recognizing the harmful impacts of the institutionalization of the use of pejorative language to refer to formerly incarcerated people, and urging the City and County of San Francisco to adopt person-first language.

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

ADOPTED

190770 [Approval of a 90-Day Extension for Planning Commission Review of the Jobs Housing Linkage Fee (File No. 190548)]**Sponsor: Haney**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 190548) amending the Planning Code to update the Jobs Housing Linkage Fee; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

ADOPTED**190772 [Approval of a 90-Day Extension for Planning Commission Review of Planning, Building Codes - Controls on Residential Demolition, Merger, Conversion, and Alteration (File No. 181216)]****Sponsor: Peskin**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 181216) amending the Planning Code to increase penalties for violations of the Planning Code and change the administrative enforcement procedure; provide new definitions for Residential Demolitions and Residential Flats, expand definitions of Alteration and Removal, expand definitions of, require additional notice, and impose new conditional use criteria for Residential Demolitions, Mergers, and Conversions; require additional review for changes of use to Child Care Facilities that propose an increase in the exterior dimension of the building; expand definition of change of use for Residential, Neighborhood Commercial (NC) and Neighborhood Commercial Transit (NCT) districts; add new notification requirements; add requirements for replacement structures; and establish definitions, criteria and procedures for approvals of Major Expansions of Existing Residential Buildings in certain residential districts; amending the Building Code to make the definition of Residential Demolition consistent with the Planning Code, and require pre-permit inspections and additional application requirements; 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 convenience, necessity, and welfare under Planning Code, Section 302.

ADOPTED**190773 [Opposing United States Housing & Urban Development Rule Prohibiting Mixed Status Families from Receiving Federal Housing Assistance]****Sponsors: Ronen; Peskin, Walton, Mar, Yee, Haney, Fewer, Safai and Mandelman**

Resolution opposing the United States Department of Housing and Urban Development proposed rule requiring verification of immigration status and disqualifying prohibiting mixed immigration-status families from receiving federal housing assistance.

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

ADOPTED

190776 [Planning Department Report - Interim Zoning Moratorium on Change of Nighttime Entertainment Use - One Maritime Plaza Area]**Sponsor: Peskin**

Motion adopting the Planning Department's report on the interim zoning moratorium 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.

Motion No. M19-114**APPROVED****The foregoing items were acted upon by the following vote:**

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

Excused: 1 - Mar

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Peskin requested that File Nos. 190726 and 190748 be severed so that they may be considered separately.

190726 [Opposing California Assembly Bill No. 68 (Ting) - Accessory Dwelling Units - Unless Amended]**Sponsor: Peskin**

Resolution opposing California State Assembly Bill No. 68, authored by Assembly Member Phil Ting, unless amended, to provide jurisdictional deference to the City and County of San Francisco and other early adopters of permissive Accessory Dwelling Unit regulations.

Supervisor Peskin, seconded by Supervisor Ronen, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 4, by changing 'provide jurisdictional deference to' to 'allow', and Lines 5-7, by adding 'to ensure the enforceability of San Francisco's just cause eviction protections and to continue subjecting Accessory Dwelling Units to rent control'; on Page 2, Line 3-7, by adding 'WHEREAS, A core innovative component of San Francisco's Citywide Accessory Dwelling Unit Program is the ability to impose certain standards on Accessory Dwelling Units that are subject to administrative waiver in consideration of subjecting the proposed Accessory Dwelling Unit(s) to rent control via so-called "Costa Hawkins Regulatory Agreements"; and', and Lines 17-25, by adding 'WHEREAS, Specifically, AB 68 would undermine the "just cause" eviction provisions of San Francisco's Rent Code, Administrative Code Chapter 37, by providing that an Accessory Dwelling Unit must be approved within 60 days even if it causes the partial or full eviction of tenants from the project site; and WHEREAS, AB 68 would impose rigid standards on local jurisdictions and impair the ability of jurisdictions like San Francisco, which have demonstrated leadership and ongoing innovation in the provision of this important infill housing; and'; on Page 3, Line 2, by changing 'should' to 'need', Lines 6-10, by adding 'and WHEREAS, San Francisco continues to take steps to liberalize the construction of Accessory Dwelling Units, expedite their approval, and facilitate their financing, while ensuring that existing tenants are protected and that Accessory Dwelling Units are subject to rent control', and Lines 16-19, by adding 'FURTHER RESOLVED, That, specifically, AB 68 should be amended to allow San Francisco to apply waivable standards to Accessory Dwelling Units in order to subject them to rent control, and to ensure that San Francisco's rigorous just cause eviction protections remain enforceable; and'. The motion carried by the following vote:

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

Excused: 1 - Mar

Resolution opposing California State Assembly Bill No. 68, authored by Assembly Member Phil Ting, unless amended, to allow the City and County of San Francisco and other early adopters of permissive Accessory Dwelling Unit regulations to ensure the enforceability of San Francisco's just cause eviction protections and to continue subjecting Accessory Dwelling Units to rent control.

ADOPTED AS AMENDED by the following vote:

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

190748 [Final Map 9837 - Treasure Island]

Motion approving phased Final Transfer Map No. 9837, portions of Treasure Island, a 98 lot subdivision, being a merger and re-subdivision of parcels N1.1.R1, N1.1.R2, N1.1.R4, N1.1.R6, N2.2, N3.1, N4, SPT1.3, STT1.4, STT1.5, STT1.6, STT1.7, STT1.8 and a portion of parcels N1.1.R3, N1.1.R5 and N3.2 as shown on Record of Survey No. 9035, together with Lot Nos. 17 and 21 of Final Map No. 9235, Assessor's Parcel Block No. 1939, Lot Nos. 029, 030, 031, 032, 033, 034, 041, 042, 047, 048, 049, 050, 051, 077, 079, 080, 097, and 101, for financing and conveyancing purposes, subject to specific conditions; and acknowledging findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M19-115

APPROVED by the following vote:

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

Supervisor Mandelman requested that File No. 190771 be severed so that it may be considered separately.

190771 [Supporting California State Assembly Bill No. 5 (Gonzalez) - Worker Status: Employees and Independent Contractors]

Sponsors: Mandelman; Peskin, Mar, Walton, Haney, Brown, Safai, Yee, Ronen and Fewer
Resolution supporting California State Assembly Bill No. 5, authored by Assembly Member Lorena Gonzalez, to codify and expand the California Supreme Court's decision in Dynamex Operations West, Inc. v. Superior Court of Los Angeles (2018), establishing a presumption that a worker is an employee for purposes of wages and benefits.

Supervisors Ronen and Fewer requested to be added as co-sponsors.

ADOPTED by the following vote:

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

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.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 6:17 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.

Peter Loo submitted the following additional information during General Public Comment, as follows: "In the last two months, volunteer citizens have been going to the streets and ask people to sign a petition against naming the Central Subway station at Chinatown after Rose Pak. As of July 15, 2019, we have collected a total of 10,328 qualified signatures. Among them, 25% came from district 3, a total of 2,600 signatures. Districts 6 and 11 each has about 14%, or 1500 signatures. We have sent you an online copy, which include 900 pages. Most signees provided their home addresses and most of them provided their phone# too. So you can verify them yourselves. None of these volunteers was paid. They did it by themselves, motivated by themselves. So please listen to the voice of the people. Stop this senseless naming and let city go back its normal business and stop wasting resource on this matter."

Patrick Swiztek submitted the following additional information during General Public Comment, as follows: "Different from how it may be perceived by some people at San Francisco City Hall, Falun Gong has been well supported at the Federal level, especially US Congress. Congress passed 4 resolutions in the last 20 years. H.R. 218 in 1999, H.R. 188 in 2002, H.R. 304 and H.R. 343 in 2016, to call for Chinese government to stop the persecution against Falun Gong. Congresswoman Nancy Pelosi spoke out against the persecution as early as 2000. Congresswoman Jackie Speier, Anna Eshoo, Zoe Lofgren and Congressman Mark DeSaulnier in Bay Area not only voted for these resolutions but also co-sponsored them. The cold treatment that Falun Gong receives at SF City Hall is precisely due to the false information that Rose Pak spread about Falun Gong. She muted the voice of Falun Gong and poisoned the minds of people with lies."

Allen Zeng submitted the following additional information during General Public Comment, as follows: "I want to share with board of supervisors the answer that I know to the following question: why there was no public outcry against renaming the former 'James Alley' in Chinatown to 'Rose Pak's Way' while we have such an outcry today against the subway station naming after Rose Pak. The reason is that the alley renaming was done on April 12, 2016 in just one week. There was no pre-announcement, no public hearing and no news report. Nobody got a chance to voice their objection. Now people found out this naming due to media's coverage. So they have a chance to speak out. Should Board of Supervisors keeps pushing the naming, many Chinatown citizens feel now obligated to start an effort to revoke the Rose Pak's Way."