

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, July 30, 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

Meeting Days

Budget and Finance Committee

Supervisors Fewer, Stefani, Mandelman, Ronen, Yee

Wednesday

1:00 PM

Budget and Finance Sub-Committee

Supervisors Fewer, Stefani, Mandelman

Wednesday

10:00 AM

Government Audit and Oversight Committee

Supervisors Mar, Brown, Peskin

1st and 3rd Thursday

10:00 AM

Joint City, School District, and City College Select Committee

Supervisors Haney, Walton, Mar (Alt), Commissioners Cook, Collins, Moliga (Alt),
Trustees Randolph, Williams, Selby (Alt)

2nd Friday

10:00 AM

Land Use and Transportation Committee

Supervisors Peskin, Safai, Haney

Monday

1:30 PM

Public Safety and Neighborhood Services Committee

Supervisors Mandelman, Stefani, Walton

2nd and 4th Thursday

10:00 AM

Rules Committee

Supervisors Ronen, Walton, Mar

Monday

10:00 AM

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

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, July 30, 2019, with President Norman Yee presiding.

President Yee called the meeting to order at 2:01 p.m.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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

A quorum was present.

COMMUNICATIONS

President Yee requested a moment of silence to honor the young lives stolen, and the victims and families affected, by the horrific mass shooting in another senseless act of violence on Sunday, July 28, 2019, during the Gilroy Garlic Festival.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of a communication from the Office of Supervisor Walton informing the Board that he would be arriving late for today's meeting and requests to be excused until his arrival.

Supervisor Mar was noted present at 2:02 p.m.

Supervisor Mandelman was noted present at 2:04 p.m.

Supervisor Walton Excused from Attendance

Supervisor Safai, seconded by Supervisor Stefani, moved that Supervisor Walton be excused from attending today's meeting until his arrival at 2:15 p.m. The motion carried by the following vote:

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

Excused: 1 - Walton

APPROVAL OF MEETING MINUTES

President Yee inquired whether any Board Member had any corrections to the June 20, 2019, Special Board Meeting Minutes, the June 25, 2019, Regular Board Meeting Minutes, or the June 19, 2019, and June 20, 2019, Special Meeting Minutes of a Budget and Finance Committee, which constituted a quorum of the Board of Supervisors. There were no corrections requested.

Supervisor Fewer, seconded by Supervisor Mandelman, moved to approve the June 20, 2019, Special Board Meeting Minutes, the June 25, 2019, Regular Board Meeting Minutes, and the June 19, 2019, and June 20, 2019, Special Meeting Minutes of a Budget and Finance Committee, which constituted a quorum of the Board of Supervisors. The motion carried by the following vote, following general public comment:

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

Excused: 1 - Walton

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

190463 [Lease of City Property - South End Rowing Club - 500 Jefferson Street - Gross Receipts Rent]

Sponsor: Stefani

Ordinance approving a Lease between the City and County of San Francisco and the South End Rowing Club, a California non-profit corporation, for City property at 500 Jefferson Street, with an annual rent of 10% of all gross receipts that are not derived from the Alcatraz Invitational and 4% of all gross receipts that are derived from the Alcatraz Invitational, for a term of 25 years to commence following Board approval, with an option to extend for 24 years, and general public access requirements; waiving the Administrative Code's market rent determination requirement that otherwise would apply to this Lease; and affirming the Planning Department's determination under the California Environmental Quality Act.

FINALLY PASSED

190464 [Lease of City Property - Golden Gate Yacht Club - 1 Yacht Road - \$85,000 Annual Minimum Rent Guarantee]

Sponsor: Stefani

Ordinance approving a Lease between the City and County of San Francisco and the Golden Gate Yacht Club, a California non-profit corporation, for City property at 1 Yacht Road, with an initial annual rent at the greater of 10% gross receipts or \$85,000 for a term of 18 years to commence following Board approval, and youth programming and general public access requirements; waiving the Administrative Code's market rent determination requirement that otherwise would apply to this Lease; and affirming the Planning Department's determination under the California Environmental Quality Act.

FINALLY PASSED

190656 [Administrative Code - Establish Low Carbon Fuel Standard Credits Sales Fund - Authorizing Agreements to Sell Low Carbon Fuel Standard Credits - Public Utilities Commission]

Sponsor: Mayor

Ordinance delegating authority under Charter, Section 9.118(a), to the General Manager of the Public Utilities Commission to enter into one or more agreements to sell Low Carbon Fuel Standard Credits accrued by the Municipal Transportation Agency when revenue from such an agreement will be \$1,000,000 or more; and amending the Administrative Code to establish a Low Carbon Fuel Standard Credits Sales Fund to receive funds from the credits sales for use in connection with projects that will reduce San Francisco's carbon footprint and/or advance its sustainability goals.

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

190547 [Administrative Code - Office of Racial Equity]

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

Ordinance amending the Administrative Code to create an Office of Racial Equity as a Division of the Human Rights Commission Department, with authority to create a citywide Racial Equity Framework, assist City departments with the development of Racial Equity Action Plans, analyze and report on the impact of ordinances on racial equity, and carry out various other policy and reporting functions regarding racial equity; require City departments to create Racial Equity Action Plans and to provide annual updates on such Plans; require City departments to designate employees as racial equity leaders; and require the Department of Human Resources to produce an annual report concerning racial equity in the City workforce.

(Fiscal Impact)

FINALLY PASSED

190549 [Business and Tax Regulations Code - Transient Occupancy Tax Exemption Increase]

Sponsor: Peskin

Ordinance amending the Business and Tax Regulations Code to increase the daily transient occupancy tax exemption amount from less than \$40 to less than \$52; to increase the weekly transient occupancy tax exemption amount from less than \$100 to less than \$130; and to require review in the September 2022 through September 2024 timeframe by the Controller of the exemption amounts for the purpose of considering adjustments in the amounts.

(Fiscal Impact)

FINALLY PASSED

190658 [Administrative Code - Ban on City-Funded Travel to and City Contracts Involving States With Restrictive Abortion Laws]

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

Ordinance amending the Administrative Code to prohibit City-funded travel to states that have enacted laws that prohibit abortion prior to the viability of the fetus, and to prohibit City contracting with companies headquartered in states that have enacted such laws, or where work on the contract would be performed in such states.

FINALLY PASSED

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

Ordinance authorizing settlement of petitioner's claim for attorney's fees and costs in 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. 513-077; 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)

FINALLY PASSED

190647 [Settlement of Lawsuit - Fidel Joshua - \$460,000]

Ordinance authorizing settlement of the lawsuit filed by Fidel Joshua against the City and County of San Francisco for \$460,000; the lawsuit was filed on December 9, 2014, in the United States District Court, Northern District of California, Case No. 14-cv-05394-JD; entitled Fidel Joshua v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

190648 [Settlement of Lawsuit - Jerry Jack - \$200,000]

Ordinance authorizing settlement of the lawsuit filed by Jerry Jack against the City and County of San Francisco for \$200,000; the lawsuit was filed on December 9, 2014, in the United States District Court, Northern District of California, Case No. 14-cv-05402-JD; entitled Jerry Jack v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

FINALLY PASSED

190744 [Settlement of Unlitigated Claim - Tilt.com, Inc. - \$50,410.20]

Resolution approving the settlement of the unlitigated claim filed by Tilt.com, Inc. against the City and County of San Francisco for \$50,410.20; the claim was filed on December 6, 2018; the claim involves a refund of gross receipts tax, penalties, and interest. (City Attorney)

ADOPTED

Recommendations of the Land Use and Transportation Committee

180939 [Planning Code, Zoning Map - Oceanview Large Residence Special Use District]

Sponsor: Safai

Ordinance amending the Planning Code and Zoning Map to create the Oceanview Large Residence Special Use District (the area within a perimeter established by Interstate 280, Orizaba Avenue, Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Ocean Avenue, Geneva Avenue, and Interstate 280), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the District; 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.

FINALLY PASSED

190165 [Planning, Administrative Codes - Legitimization Program for Non-Residential Uses at 3150-18th Street]

Sponsors: Ronen; Brown

Ordinance amending the Planning and Administrative Codes to establish a legitimization program for certain Non-Residential Uses at 3150-18th Street (Assessor's Parcel Block No. 3573, Lot No. 106), and to require the Office of Small Business to assist businesses under the program; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

FINALLY PASSED

190248 [Planning Code - Uses in the Upper Market NCT and NCT-3 Zoning Districts]

Sponsor: Mandelman

Ordinance amending the Planning Code to revise the NCT-3 (Moderate-Scale Neighborhood Commercial Transit) District controls to allow Arts Activities, Philanthropic Administrative Services, and Public Facilities as a principal use on all stories and provide that in this District Arts Activities are considered to be active uses; revise the Upper Market Neighborhood Commercial Transit (NCT) District controls to allow Arts Activities and Institutional Uses as a principal use on all the first and second stories, allow Institutional Uses as a principal use on the first and second stories and as a conditional use on the third story and above, and to allow General Entertainment as a principal use on the first and second stories, delete the note for an existing ground-floor bar, and require a health service use on the first story that is not a licensed community or free clinic to comply with formula retail controls; delete the Upper Market NCT District from the requirements for ground floor commercial uses; modify the requirements for liquor stores and bars in the NCT-3 and Upper Market Street NCT Districts, add additional conditional use criteria for liquor stores and require liquor stores to comply with standard location and operating conditions, and add additional uses to the definition of Open Air Sales; delete Philanthropic Administrative Services from the Code as a separately-defined Institutional Use; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

FINALLY PASSED

190459 [Planning Code - Temporary Uses: Intermittent Activities]**Sponsor: Brown**

Ordinance amending the Planning Code to allow operation of a farmers market on the Department of Motor Vehicles Field Office parking lot at 1377 Fell Street by allowing an intermittent activity to be located on a lot with a public facility in specified residential zoning districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

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

Ordinance amending the Public Works Code to modify certain of the requirements for obtaining Personal Wireless Service Facility Site Permits, including the requirements for public notice and adjustment of permit fees; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works)

FINALLY PASSED**190661 [Planning Code - Permitting Polk/Pacific Special Area Design Guidelines]****Sponsor: Peskin**

Ordinance amending the Planning Code to reference the Polk/Pacific Special Area Design Guidelines; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

FINALLY PASSED**190754 [Mission Bay South - Storm Water Pump Station No. 5 Public Infrastructure Improvements]****Sponsors: Mayor; Haney**

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Storm Water Pump Station No. 5, including acquisition facilities located on and under portions of State Trust Parcel 5, adjacent to Terry Francois Boulevard and 16th Street; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; approving an easement agreement for the Pump Station control room; adopting findings 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 the Mission Bay South Redevelopment Plan; adopting a Public Works Order; and authorizing official acts, as defined herein, in connection with this Ordinance.

FINALLY PASSED

190755 [Mission Bay South - Parks P2 Parking Lot, P11-11A, P23, and P24 Acceptance]**Sponsors: Mayor; Haney**

Ordinance dedicating Park P2 Parking Lot (a portion of Assessor's Parcel Block No. 8710, Lot No. 2, adjacent to Channel Street), Park P11-11A (east of Mission Bay Drive and Circle), and Parks P23 and P24 (adjacent to Terry Francois Boulevard between 16th Street and Illinois Street), as open public right-of-way in Mission Bay South; accepting an irrevocable offer for the acquisition facilities that comprise the Park improvements; designating said facilities for public open space and park purposes only; accepting the Parks for City maintenance and liability purposes, subject to specified limitations; amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to establish a new official sidewalk width on the north side of Channel Street adjacent to Park P2 Parking Lot; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; adopting a Public Works Order that recommends acceptance of the abovementioned Parks and related actions; and authorizing official acts, as defined herein, in connection with this Ordinance.

FINALLY PASSED**Recommendation of the Public Safety and Neighborhood Services Committee****190479 [Police Code - Clarifying Fair Chance Ordinance - Revising Beyond the Box in College Admissions Ordinance]**

Ordinance amending the Police Code to clarify the content of the notice that employers must post summarizing applicants' and employees' rights under the Fair Chance Ordinance; revise the Beyond the Box in College Admissions Ordinance by changing the enforcing agency from the Office of Labor Standards Enforcement to the Human Rights Commission; adding notice and posting requirements to inform applicants, as defined, of their rights; making penalties payable to applicants; and revising the private right of action requirements. (City Administrator)

FINALLY PASSED**Recommendation of the Rules Committee****190679 [Administrative Code - Administration of Loans and Grants for Affordable Housing]****Sponsor: Mayor**

Ordinance amending the Administrative Code to establish uniform procedures for the administration of City loans and grants for the acquisition, development, construction, rehabilitation, and preservation of affordable housing; authorize the Director of the Mayor's Office of Housing and Community Development (MOHCD) to execute certain loan or grant agreements for affordable housing; and authorize the Director of MOHCD and the Director of Property to acquire certain real property without an appraisal and accept a deed for the purpose of preserving affordable housing.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Walton

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

President Yee requested File Nos. 190619, 190620, 190623, 190624, 190626, 190627, 190628, 190629, 190630, and 190631 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)

FINALLY PASSED by the following vote:

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

Excused: 1 - Walton

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)

FINALLY PASSED by the following vote:

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

Excused: 1 - Walton

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.

FINALLY PASSED by the following vote:

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

Excused: 1 - Walton

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)

FINALLY PASSED by the following vote:

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

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)

FINALLY PASSED by the following vote:

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

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.

FINALLY PASSED by the following vote:

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

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.

FINALLY PASSED by the following vote:

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

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.

FINALLY PASSED by the following vote:

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

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.

FINALLY PASSED by the following vote:

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

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)

FINALLY PASSED by the following vote:

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

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 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.)

FINALLY PASSED by the following vote:

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

Recommendation of the Budget and Finance Sub-Committee**190709 [Health Service System Plans and Contribution Rates - Calendar Year 2020]****Sponsor: Mandelman**

Ordinance approving Health Service System plans and contribution rates for calendar year 2020. (Pursuant to Charter, Section A8.422, this matter shall require a vote of three-fourths (9 votes) of all members of the Board of Supervisors to approve passage of this Ordinance.)

(Fiscal Impact)

FINALLY PASSED by the following vote:

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

Recommendations of the Land Use and Transportation Committee

Supervisor Walton was noted present at 2:15 p.m.

190048 [Planning Code - Building Standards]

Sponsor: Mandelman

Ordinance amending the Planning Code to 1) require building setbacks for buildings fronting on narrow streets, 2) modify front yard requirements in Residential Districts, 3) increase required rear yards in single-family zoning districts by five percent, 4) amend the rear yard requirements for through lots and corner lots in certain districts to permit second buildings where specified conditions are met, 5) allow building height increases to existing stories in existing nonconforming buildings in order to accommodate residential uses, and 6) provide that specified alterations to nonconforming structures for the purpose of creating habitable space or an Accessory Dwelling Unit are not subject to Section 311 review requirements if the specified requirements are met; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1, and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Mandelman, seconded by Supervisor Ronen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Lines 5-6, by adding 'For buildings that submit a development application on or after January 15, 2019,' Lines 9-11, by adding 'For buildings that submitted a development application prior to January 15, 2019, the minimum rear yard depth shall be determined based on the applicable law on the date of submission.'; on Page 16, Lines 16-17, by adding ', except in the Bernal Heights Special Use District'; 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

Supervisor Peskin, seconded by Supervisor Ronen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 16, Line 8, by adding 'RM' to the definition of buildings defined as 'Subject Frontage', and Line 15, by adding 'RM' to those applicable to the controls; 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

Supervisor Yee, seconded by Supervisor Ronen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 9-12, by striking 'and 6) provide that specified alterations to nonconforming structures for the purpose of creating habitable space or an Accessory Dwelling Unit are not subject to Section 311 review requirements if the specified requirements are met'; on Page 17, Lines 22-23, by striking 'and alterations to nonconforming structures permitted by Section 172(a)(1) and 172(a)(2)'; 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

Ordinance amending the Planning Code to 1) require building setbacks for buildings fronting on narrow streets, 2) modify front yard requirements in Residential Districts, 3) increase required rear yards in single-family zoning districts by five percent, 4) amend the rear yard requirements for through lots and corner lots in certain districts to permit second buildings where specified conditions are met, and 5) allow building height increases to existing stories in existing nonconforming buildings in order to accommodate residential uses; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Walton

Supervisor Fewer, seconded by Supervisor Stefani, moved to rescind the previous 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: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

190731 [Planning Code - Abandonment of Conditional Uses in North Beach Neighborhood Commercial District]

Sponsor: Peskin

Ordinance amending the Planning Code to change, from 18 months to three years, the period of non-use required to deem as discontinued a permitted conditional use in the North Beach Neighborhood Commercial District; 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 public necessity, convenience, and welfare findings under Planning Code, Section 302.

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

190732 [Contract Agreement - Retroactive - Bay Area Rapid Transit District - Administration of Capital Funding - BART/Muni Market Street Entrance Modernization Project - Up to \$45,000,000]

Sponsor: Mayor

Resolution retroactively approving an agreement between the City and County of San Francisco and the San Francisco Bay Area Rapid Transit District (BART) regarding administration of capital funding to fund half of the cost of the BART/Muni Market Street Entrance Modernization Project with proceeds from the sale of General Obligation bonds, in an amount not to exceed \$45,000,000 for an agreement term from February 1, 2018, through December 31, 2025. (Municipal Transportation Agency)
(Fiscal Impact)

ADOPTED by the following vote:

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

190743 [Contract Amendment - Keefe Commissary Network, L.L.C. - Jail Commissary Services - Guaranteed Annual Minimum Income \$590,000]

Resolution authorizing the Sheriff's Department to enter into a Third Amendment to the existing contract between Keefe Commissary Network, L.L.C., and the City and County of San Francisco, acting by and through its Sheriff's Department, for jail commissary services, to extend the contract term by six months beginning September 1, 2019, for a total term of September 1, 2014, through February 28, 2020, with no change to the guaranteed annual minimum income of \$590,000. (Sheriff)

ADOPTED by the following vote:

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

President Yee requested File Nos. 190758 and 190759 be called together.

190758 [Accept and Expend Grant - Alternative Process County Competitive Allocation Funds - California Department of Housing and Community Development - No Place Like Home Grant Program - \$18,250,554]**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to accept and expend the county competitive allocation award in the amount of \$18,250,554, under the California Department of Housing and Community Development No Place Like Home Program, which provides funding for counties to develop multifamily housing specifically for persons with serious mental illness who are homeless, chronically homeless, or at-risk of chronic homelessness, for a term to commence following Board approval.

ADOPTED by the following vote:

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

190759 [Accept and Expend Grant - Noncompetitive Alternative Process County Designation - California Department of Housing and Community Development - No Place Like Home Grant Program - \$9,519,091]**Sponsor: Mayor**

Resolution authorizing and delegating to the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to accept and expend the county noncompetitive allocation award in the amount of \$9,519,091 under the California Department of Housing and Community Development No Place Like Home Program, which provides funding for counties to develop multifamily housing specifically for persons with serious mental illness who are homeless, chronically homeless, or at-risk of chronic homelessness, for a term to commence following Board approval.

ADOPTED by the following vote:

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

190761 [Accept and Expend Grant - California State Senate Bill 1 Local Partnership Program - Sunset and Parkside Streets Pavement Renovation - \$2,340,000]**Sponsors: Mayor; Mar**

Resolution authorizing the acceptance and expenditure of California State Senate Bill 1 Local Partnership Program formulaic funding in the amount of \$2,340,000 for San Francisco Public Works' Sunset and Parkside Streets Pavement Renovation project, for a term to commence following Board approval through June 30, 2023.

(Fiscal Impact)

ADOPTED by the following vote:

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

190763 [Authorizing Expenditures - Gift to Compton's District Transgender, Lesbian, Gay, and Bisexual Stabilization Fund - \$300,000]**Sponsors: Mayor; Haney**

Resolution authorizing the Mayor's Office of Housing and Community Development to expend a gift to Compton's District Transgender, Lesbian, Gay, and Bisexual (TLGB) Stabilization Fund dollars in the amount of \$300,000 to support the City's efforts to recognize and support historic and present-day TLGB communities in the Tenderloin neighborhood, for a term of August 1, 2019, through June 30, 2020.

ADOPTED by the following vote:

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

190765 [Multifamily Housing Revenue Bonds - 401 Avenue of the Palms (Maceo May Apartments) - Not to Exceed \$50,000,000]**Sponsors: Mayor; Haney**

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$50,000,000 for 401 Avenue of the Palms (Parcel C3.2 of the Treasure Island Master Plan) (Maceo May Apartments); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$50,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

ADOPTED by the following vote:

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

190766 [Accept and Expend Grant - California State Water Resources Control Board - Baker Beach Green Street Early Implementation Project - Not to Exceed \$3,759,822] Sponsors: Mayor; Stefani

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in an amount not to exceed \$3,759,822 from the California State Water Resources Control Board for planning, design, and construction of the Sewer System Improvement Program Baker Beach Green Street Early Implementation Project for the period of November 4, 2017, through March 21, 2022. (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

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

190764 [Loan Documents - 937 Clay Street, 305 San Carlos Street, 3198-24th Street, 654 Capp Street - Small Sites Program, Preservation and Seismic Safety Program, Downtown Neighborhoods Preservation Fund - Loans for Affordable Housing - Not to Exceed \$37,493,000]

Sponsors: Mayor; Peskin and Ronen

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development to execute documents relating to loans for the acquisition, rehabilitation, or permanent financing of four project sites pursuant to the Small Sites Program, Preservation and Seismic Safety Program, and Downtown Neighborhoods Preservation Fund, for a total loan amount not to exceed \$37,493,000; confirming the Planning Department's determination under the California Environmental Quality Act; and finding that the project loans are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)

ADOPTED by the following vote:

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

190774 [Real Property Acquisition - 1828 Egbert Avenue - San Francisco Self Storage III, LLC - \$67,300,000]

Sponsor: Walton

Resolution approving and authorizing the Real Estate Division to acquire real property located at 1828 Egbert Avenue, from San Francisco Self Storage III, LLC, dba 1828 Egbert Avenue, LLC, for a purchase price of \$67,300,000 subject to future authorization of Certificates of Participation; placing the real property under the jurisdiction of the Real Estate Division for use of storing evidence and moving property from the Hall of Justice and other locations; adopting findings that the acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, enter into the Leaseback, and make certain modifications and take certain actions in furtherance of the Purchase Agreement and this Resolution, as defined herein. (Real Estate Department)
(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

190214 [Building Code - Fee Waiver for 100% Affordable Housing and Accessory Dwelling Units]

Sponsors: Mayor; Brown and Mar

Ordinance amending the Building Code to waive specified fees for 100% affordable housing projects, as defined herein, and certain accessory dwelling unit projects for an approximately one-year pilot program; and affirming the Planning Department's determination under the California Environmental Quality Act.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

Supervisor Stefani was noted absent at 2:37 p.m.

181012 [Non-Renewal of a Mills Act Historical Property Contract - 690 Market Street]

Sponsor: Peskin

Resolution regarding non-renewal of a Mills Act historical property contract with RCP LLC, the owner of 690 Market Street, The Chronicle Building, Assessor's Parcel Block No. 311, Lot No. 016 (specifically Assessor's Parcel Block No. 311, Lot Nos. 016-069, 73-74, and 78-79) under Chapter 71 of the Administrative Code; notifying the Assessor Recorder's Office of such non-renewal; and authorizing the Planning Director to send notice of the non-renewal of the historical property contract to the owner and record a notice of non-renewal.

ADOPTED by the following vote:

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

190673 [Home Detention Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2019]

Resolution approving the Sheriff's Department's home detention and electronic monitoring program rules and regulations and approving evidence of financial responsibility demonstrated by the program administrator, Sentinel Offender Services, LLC, for the 2019 calendar year. (Sheriff)

ADOPTED by the following vote:

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

Referred Without Recommendation from the Land Use and Transportation Committee

Supervisor Stefani was noted present at 2:39 p.m.

181211 [Health, Planning, and Police Codes - Small Business Permit Streamlining]

Sponsors: Mayor; Brown

Ordinance to streamline small business permitting by, among other things, amending the Health Code to align regulation of restaurant enclosures for outdoor food service and restroom requirements with state standards; amending the Planning Code to clarify that a Type 2 (winegrower) and Type 23 (small beer manufacturer) liquor licenses may be used in conjunction with a Bar or Restaurant use, to amend the definition of a Bar to provide for consistent treatment of Type 64 liquor licenses, to modify Nighttime Entertainment use food service requirements, to reduce the distance measured for Retail Sales and Services uses in neighborhood commercial zoning districts to any neighborhood commercial district, to amend the use limitation provisions for nonconforming uses in RH (Residential, House), RM (Residential Mixed), and RTO (Residential, Transit-Oriented) districts to any neighborhood commercial district, to amend the definition of General Entertainment to include Amusement Game Arcade, to allow mechanical amusement games as a principally permitted use on the first story in the Haight Street Neighborhood Commercial District, to allow General Entertainment uses on higher floors in the Japantown Neighborhood Commercial District, and to allow Limited Restaurant use as an accessory use, and to revise the Upper Market Neighborhood Commercial Transit (NCT) District to allow General Entertainment as a principal use on the first and second stories; amending the Police Code to eliminate certain duplicative inspections and signoffs in connection with Place of Entertainment permits, and amending the definition of Limited Live Performance Locale to remove the requirement for food and beverage service; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

Supervisor Brown, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 8, Line 23, by striking 'Paragraphs (c) and (e) above do not apply to' and adding 'For'; on Page 9, Lines 1-2, by adding 'paragraphs (c) and (e) do not apply, but actual and substantial sales of meals are required during the normal hours of operation', and Lines 3-5, by adding 'This paragraph (g) does not apply to a place located in the Broadway Neighborhood Commercial District, North Beach Neighborhood Commercial District, Pacific Avenue Neighborhood Commercial District, or Polk Street Neighborhood Commercial District.'; on Page 11, Lines 17-18, by adding 'or any of the Restricted Use Subdistricts specified in subsection (3) below', and Lines 21-22, by adding 'or any of the Restricted Use Subdistricts specified in subsection (3) below'; on Page 12, Lines 5-15, by adding the 'Geary Boulevard Formula Retail Pet Supply Store and Formula Retail Eating and Drinking Subdistrict,' the 'North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict,' the 'Lower Polk Street Alcohol Restricted Use District,' the 'Third Street Formula Retail Restricted Use District,' and the 'Mission Street Formula Retail Restaurant Subdistrict' to those subject to Section 186; on Page 17, Lines 1-15, by adding numerous commercial districts, subdistricts, use districts, and transit districts to those subject to Section 710; 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

Ordinance to streamline small business permitting by, among other things, amending the Health Code to align regulation of restaurant enclosures for outdoor food service and restroom requirements with state standards; amending the Planning Code to clarify that Type 2 (winegrower) and Type 23 (small beer manufacturer) liquor licenses may be used in conjunction with a Bar or Restaurant use, to amend the definition of a Bar to provide for consistent treatment of Type 64 liquor licenses, to modify Nighttime Entertainment use food service requirements, to reduce the distance measured for Retail Sales and Services uses in Neighborhood Commercial zoning districts to certain neighborhood commercial districts, to amend the use limitation provisions for nonconforming uses in RH (Residential, House), RM (Residential Mixed), and RTO (Residential, Transit-Oriented) districts to certain neighborhood commercial districts, to amend the definition of General Entertainment to include Amusement Game Arcade, to allow mechanical amusement games as a principally permitted use on the first story in the Haight Street Neighborhood Commercial District, to allow General Entertainment uses on higher floors in the Japantown Neighborhood Commercial District, to allow Limited Restaurant use as an Accessory Use, and to revise the Upper Market Neighborhood Commercial Transit (NCT) District to allow General Entertainment as a principal use on the first and second stories; amending the Police Code to eliminate certain duplicative inspections and signoffs in connection with Place of Entertainment permits, and amending the definition of Limited Live Performance Locale to remove the requirement for food and beverage service; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

190712 [Resolution of Intent to Vacate Streets - Potrero HOPE SF - Phase 2]

Sponsors: Mayor; Walton

Resolution declaring the intention of the Board of Supervisors to order the vacation of streets in the Potrero HOPE SF - Phase 2 site, generally bounded by 25th Street on the north, 26th Street on the south, Wisconsin Street on the west, and Connecticut Street on the east; and setting the 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.

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

190737 [Supporting Assembly Constitutional Amendment No. 6 (McCarty et al.) - Free the Vote Act]

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

Resolution supporting Assembly Constitutional Amendment No. 6, introduced by Assembly Members Kevin McCarty, Rob Bonta, Wendy Carillo, Mike Gipson, Lorena Gonzalez, Ash Kalra, Sydney Kamlager-Dove, Kevin Mullin, Mark Stone, and Shirley Weber, and co-authored by Senator Scott Wiener, to allow automatic restoration of voting rights to those on parole upon completion of a state or federal prison term.

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

ADOPTED by the following vote:

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

190751 [Mayoral Appointment, Board of Appeals - Eduardo Santacana]

Motion approving the Mayoral nomination for the appointment of Eduardo Santacana to the Board of Appeals, for a term ending July 1, 2020. (Clerk of the Board)

(Charter, Section 4.106, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: July 3, 2019.)

Motion No. M19-124

APPROVED by the following vote:

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

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

Supervisor Stefani, seconded by Supervisor Peskin, 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 Stefani introduced, welcomed, and presented a Certificate of Honor to Perry Butler, owner of Perry's Restaurant, on the occasion of the restaurant's 50th Anniversary operating on Union Street and in recognition of his astute business acumen.

COMMITTEE REPORTS

Recommendations of the Rules Committee

190752 [Mayoral Appointment, Treasure Island Development Authority Board of Directors - Ruby Bolaria-Shifrin]

Motion approving the Mayor's nomination for the appointment of Ruby Bolaria-Shifrin to the Treasure Island Development Authority Board of Directors, for a term ending February 26, 2022. (Clerk of the Board)

(Pursuant to the Treasure Island Conversion Act of 1997, appointments of Directors who are not City officers are only effective upon approval by a 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: July 2, 2019.)

Motion No. M19-125

APPROVED by the following vote:

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

190804 [Appointments, Children, Youth and Their Families Oversight and Advisory Committee - Julie Roberts-Phung, Winnie Chen, and Yamini Bhatnagar]

Motion appointing Julie Roberts-Phung, term ending July 1, 2020, and Winnie Chen and Yamini Bhatnagar, terms ending July 1, 2021, to the Children, Youth and Their Families Oversight and Advisory Committee. (Rules Committee)

Motion No. M19-126

APPROVED by the following vote:

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

190805 [Reappointment, Entertainment Commission - Theodora Marie Caminong]

Motion reappointing Theodora Marie Caminong, term ending July 1, 2023, to the Entertainment Commission. (Rules Committee)

Motion No. M19-127

APPROVED by the following vote:

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

Supervisor Mar Excused from Voting

Supervisor Fewer, seconded by Supervisor Peskin, moved that Supervisor Mar be excused from voting on File No. 190822. The motion carried by the following vote:

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

190822 [Appointment, Association of Bay Area Governments Executive Board - Supervisor Gordon Mar]

Motion appointing Supervisor Gordon Mar, term ending June 30, 2021, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

Motion No. M19-128

APPROVED by the following vote:

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

Supervisor Walton Excused from Voting

Supervisor Brown, seconded by Supervisor Ronen, moved that Supervisor Walton be excused from voting on File No. 190823. The motion carried by the following vote:

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

190823 [Appointment, Bay Area Air Quality Management District Board of Directors - Supervisor Shamann Walton]

Motion appointing Supervisor Shamann Walton, term ending February 1, 2021, to the Bay Area Air Quality Management District, Board of Directors. (Clerk of the Board)

Motion No. M19-129

APPROVED by the following vote:

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

Supervisor Mandelman Excused from Voting

Supervisor Fewer, seconded by Supervisor Brown, moved that Supervisor Mandelman be excused from voting on File No. 190825. The motion carried by the following vote:

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

190825 [Reappointment, Association of Bay Area Governments, Executive Board - Supervisor Rafael Mandelman]

Motion reappointing Supervisor Rafael Mandelman, term ending June 30, 2021, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

Motion No. M19-130

APPROVED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

*Michael Wright; shared concerns regarding affordable housing and projects in development.
Speaker; shared various religious concerns.*

Reuben David Goodman; shared various upcoming film events.

Walter Paulson; shared memorabilia and a song regarding the upcoming recess.

Speaker; expressed support of the newly introduced Resolution regarding a Vision Zero on Homicides and Violent Crimes Plan.

Speaker; expressed support of the newly introduced Resolution regarding a Vision Zero on Homicides and Violent Crimes Plan.

Laura Torito; expressed support of the Resolution supporting the VCA Veterinary Specialists (File No. 190817).

Lisa Rogerson; expressed support of the Resolution supporting the VCA Veterinary Specialists (File No. 190817).

Speaker; expressed support of the newly introduced Resolution regarding a Vision Zero on Homicides and Violent Crimes Plan.

Christopher Christianson; expressed support of the Resolution supporting the VCA Veterinary Specialists (File No. 190817).

Speaker; expressed support of the newly introduced Resolution regarding a Vision Zero on Homicides and Violent Crimes Plan.

Jacob Wallace, Jr.; expressed support of the newly introduced Resolution regarding a Vision Zero on Homicides and Violent Crimes Plan.

Keishawn Parish; expressed support of the newly introduced Resolution regarding a Vision Zero on Homicides and Violent Crimes Plan.

Speaker; expressed support of the newly introduced Resolution regarding a Vision Zero on Homicides and Violent Crimes Plan.

Speaker; shared concerns regarding genealogy and entitlement to federal funding.

Tom Gilberty; shared concerns regarding the democratic party, supreme court decisions, global warming, and navigation centers.

Dedria Smith; expressed support of the newly introduced Resolution regarding a Vision Zero on Homicides and Violent Crimes Plan.

Albert Chang; spoke in opposition to the naming of Chinatown Rose Pak Station (see Addendum on page __).

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

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

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

Eva Lee; spoke in opposition to the naming of Chinatown Rose Pak Station (see Addendum on page __).

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

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

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

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

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

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

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

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

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

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

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

Yuen Siu Lau; spoke in opposition to the naming of Chinatown Rose Pak Station (see Addendum on page __).

Kathleen Wells; expressed concerns regarding entitlement to federal funding.

Otto Duffy; shared concerns regarding genealogy and entitlement to federal funding.

Speaker; shared concerns regarding the plight of taxi medallion holders.

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

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

Appointment of President Pro Tempore

At the request of President Yee, Supervisor Walton assumed the chair at 4:38 p.m. The President resumed the chair at 4:43 p.m.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

190821 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - July 30, 2019]

Closed Session for the Board of Supervisors to convene on July 30, 2019, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d) (1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public Utilities Commission Case No. I.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; and California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; scheduled pursuant to Motion No. M19-123, approved July 23, 2019. (Clerk of the Board)

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 5:10 p.m. to convene in closed session pursuant to Motion No. M19-123 (File No. 190801) approved on July 23, 2019.

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

Persons in attendance: Jon Givner, Theresa Mueller, and Suzy Hong, Deputy City Attorneys (Office of the City Attorney); Harlan Kelly, Jr., Director, and Barbara Hale (Public Utilities Commission); Randy Woo; and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).

Matter was heard in closed session, no action was taken, and the hearing was filed.

RECONVENED AS THE BOARD OF SUPERVISORS

The Board reconvened at the hour of 6:01 p.m.

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

HEARD IN CLOSED SESSION

[Elect Not to Disclose]

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

Supervisor Ronen, seconded by Supervisor Mandelman, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

190818 [Congratulating Perry's Restaurant]

Sponsor: Stefani

Resolution congratulating Perry's Restaurant, a beloved San Francisco institution, and its owner Perry Butler on 50 years of operation on Union Street.

ADOPTED

190824 [Approval of a 90-Day Retroactive Extension for Building Inspection Commission Review of Ordinance Regarding Controls on Residential Demolition, Merger, Conversion, and Alteration (File No. 181216)]

Sponsor: Peskin

Resolution retroactively extending by 90 days the prescribed time within which the Building Inspection Commission may render its decision on the proposed 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

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 Mandelman requested that File No. 190816 be severed so that it may be considered separately.

190816 [Supporting California State Assembly Bill No. 1784 (Santiago, Chiu, and Gonzalez) - Secure the VOTE Act]

Sponsors: Mandelman; Fewer

Resolution supporting California State Assembly Bill No. 1784, authored by Assembly Members Miguel Santiago, David Chiu, and Lorena Gonzalez, with principal co-author Senator Scott Wiener, the "Secure the VOTE Act," to authorize the Secretary of State to award up to \$16 million in matching funds, upon appropriation by the Legislature, to counties for the development of open-source paper ballot voting systems.

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

Supervisor Mandelman, seconded by Supervisor Peskin, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 13-14, by adding 'and to allocate the \$16 million in matching funds to implement AB 1784'. The motion carried by the following vote:

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

ADOPTED AS AMENDED by the following vote:

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

Supervisor Ronen requested that File No. 190817 be severed so that it may be considered separately.

**190817 [Supporting the Rights of Workers at VCA San Francisco Veterinary Specialists]
Sponsors: Ronen; Mar, Haney, Peskin, Brown, Mandelman, Walton, Safai, Fewer, Yee and Stefani**

Resolution supporting the rights of workers at VCA San Francisco Veterinary Specialists, San Francisco's largest veterinary hospital.

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

ADOPTED by the following vote:

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

President Yee requested that File No. 190819 be severed so that it may be considered separately.

190819 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments - November 5, 2019, Consolidated Municipal Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters for the November 5, 2019, Consolidated Municipal Election. (Clerk of the Board)

Supervisor Walton, seconded by Supervisor Fewer, moved that this Motion be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, by authorizing the following to prepare ballot arguments for the November 2019 Election: President Yee to write the proponent argument for the Charter Amendment regarding the Disability and Aging Services Commission and Department; Mayor Breed to write the proponent argument for the GO Bond regarding affordable housing; Mayor Breed to write the proponent argument for the Initiative Ordinance regarding the tax on net rider fares; Supervisor Fewer to write the proponent argument for the Initiative Ordinance regarding affordable homes for educators; Supervisor Mar to write the proponent argument for the Initiative Ordinance regarding prohibitions on campaign contributions; and Supervisor Walton to write the opponent argument for the Petition Initiative Ordinance on vapor products; by striking references to all other measures; 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

Motion No. M19-131

APPROVED AS AMENDED 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.

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

190806 [Settlement of Lawsuit - Innsbruck, LP - \$1,557,420 Plus Interest]

Ordinance authorizing settlement of the lawsuit filed by Innsbruck, LP against the City and County of San Francisco for \$1,557,420 plus interest; the lawsuit was filed on May 14, 2018, in San Francisco Superior Court, Case No. CGC-18-566560; entitled Innsbruck, LP v. City and County of San Francisco, et al.; the lawsuit involves a transfer tax refund. (City Attorney)

07/22/19; RECEIVED FROM DEPARTMENT.

07/30/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

190807 [Settlement of Lawsuit - Plaza GB, LP - \$1,294,995 Plus Interest]

Ordinance authorizing settlement of the lawsuit filed by Plaza GB, LP against the City and County of San Francisco for \$1,294,995 plus interest; the lawsuit was filed on May 14, 2018, in San Francisco Superior Court, Case No. CGC-18-566558; entitled Plaza GB, LP v. City and County of San Francisco, et al.; the lawsuit involves a transfer tax refund. (City Attorney)

07/22/19; RECEIVED FROM DEPARTMENT.

07/30/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

190808 [Emergency Declaration - Heating, Ventilation, and Air Conditioning System Failure - Estimated Cost of Repairs Exceeds \$100,000]

Resolution approving the Director of Public Work's declaration of an emergency for the heating, ventilation, and air conditioning system failure of all existing chillers on the rooftop of 1235 Mission Street, a property that is operated by the Human Services Agency, estimated to cost more than \$100,000 to repair, pursuant to Administrative Code, Section 21.15(c). (Public Works)

07/22/19; RECEIVED FROM DEPARTMENT.

07/30/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

190809 [Contract Approval - Bar None Auction - Auctioning Services - \$1,300,000 Anticipated Revenue]

Resolution authorizing the Office of Contract Administration to enter into a contract for auctioning services with Bar None Auction with an anticipated revenue of \$1,300,000 for a term of October 1, 2019, through September 30, 2022. (Office of Contract Administration)

07/22/19; REFERRED TO DEPARTMENT.

07/30/19; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 6:03 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.

Albert Chang submitted the following additional information during General Public Comment, as follows: "My family own this store since 1969, for the past 51 years. We are proud having the 3rd generations customers coming to our store today. Very gratifying to hear people saying that I was here when I was at my kids age with my Dad. Our business depends on tourist trade. Name of a place is very important to the tourists, especially for the 1st timer in SF. Please do not confuse the tourists for the name "Chinatown Station" by add any words such as Rose Pak. Her reputation is bad, she acted illegally to obtain a low-cost housing. We wish This Board would reconsider your decision on this matter. Thank you for your consideration."

Eva Lee submitted the following additional information during General Public Comment, as follows: "1. Three years ago, the Board of Supervisors submission of the Rose Pak's name was rejected. This issue led the MTA to adopt a policy, based on considerable staff research, of naming a public transit stop by geographical location only. Therefore, the Rose Pak name should rejected again based on this policy. 2. The Board of Supervisors adopted "Chinatown-Rose Pak" resolution without community input nor knowledge of above MTA policy. 3. Over 10,000 signatures were collected for the name "Chinatown" stop only, dispelling the notion that this issue is only supported by one segregated group. 4. Rose Pak perjured herself in order to acquire a BMR, thus committing an illegal offense."

Yuen Siu Lau submitted the following additional information during General Public Comment, as follows: "I am residing at 706 Jackson St SF CA 94133. The Bus is my only transportation moving around the city. My family prefer to use the name of Chinatown Station only, SIMPLE and not confusing as by adding Rose Pak to it. Also Rose Pak's name is bad. She acted illegally obtained a low-income housing unit, and we are true low-income family still waiting our turn. We wish This Board would reconsider your decision on this matter. Thank you for your consideration."