

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, October 8, 2019 - 2:00 PM

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

### Regular Meeting

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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

##### **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

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd Friday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

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

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, October 8, 2019, with President Norman Yee presiding.*

*President Yee called the meeting to order at 2:03 p.m.*

## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

*Supervisors Haney and Walton were 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 communications from Supervisors Matt Haney and Shamann Walton, dated October 7, 2019, informing the Board of their absences and requesting to be excused from today's meeting.*

### **Supervisors Haney and Walton Excused from Attendance**

**Supervisor Safai, seconded by Supervisor Mandelman, moved that Supervisor Haney and Walton be excused from attending today's meeting. The motion carried by the following vote:**

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 2 - Haney, Walton

## **APPROVAL OF MEETING MINUTES**

*President Yee inquired whether any Board Member had any corrections to the September 3, 2019, Regular Board Meeting Minutes. There were no corrections requested.*

**Supervisor Mandelman, seconded by Supervisor Mar, moved to approve the September 3, 2019, Regular Board Meeting Minutes. The motion carried by the following vote, following general public comment:**

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 2 - Haney, Walton

## **AGENDA CHANGES**

*There were no agenda changes.*

## SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

*There were no questions submitted from the eligible Supervisors representing Districts 9, 10, and 11. Mayor London N. Breed addressed the Board of Supervisors regarding mental health, including the state of San Francisco's crisis, recent negative news coverage, the programs and services the Department of Public Health continues to provide, newly identified concerns and solutions by the Director of Public Health, and how the Board and Mayor can work together to bring change. Following public comment this matter was filed. No further action was taken.*

## CONSENT AGENDA

### Recommendations of the Government Audit and Oversight Committee

#### **190778 [Settlement of Unlitigated Claim - Farmers Insurance Exchange - \$300,472 - Appropriation - Water Enterprise Fund Balance]**

Ordinance approving the settlement of the unlitigated claim filed by Farmers Insurance Exchange against the City and County of San Francisco for \$300,472; the claim was filed on September 7, 2018; the claim involves alleged property damage arising from a water main break; and appropriating \$300,472 from the San Francisco Public Utilities Commission Water Enterprise fund balance for payment of settlement. (City Attorney)

**Ordinance No. 230-19**

**FINALLY PASSED**

#### **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)

**Ordinance No. 231-19**

**FINALLY PASSED**

#### **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)

**Ordinance No. 232-19**

**FINALLY PASSED**

**190870 [Settlement of Lawsuit - Yvonne Marie Ellis - \$33,000]**

Ordinance authorizing settlement of the lawsuit filed by Yvonne Marie Ellis against the City and County of San Francisco for \$33,000; the lawsuit was filed on June 6, 2018, in San Francisco Superior Court, Case No. CGC-18-567012; entitled Yvonne Marie Ellis v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City street. (City Attorney)

**Ordinance No. 233-19**

**FINALLY PASSED**

**190871 [Settlement of Lawsuit - Michael Pannone - \$30,000]**

Ordinance authorizing settlement of the lawsuit filed by Michael Pannone against the City and County of San Francisco for \$30,000; the lawsuit was filed on October 5, 2017, in San Francisco Superior Court, Case No. CGC-17-561728; entitled Michael Pannone v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

**Ordinance No. 234-19**

**FINALLY PASSED**

**190872 [Settlement of Lawsuit - Katharine Savin - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Katharine Savin against the City and County of San Francisco for \$40,000; the lawsuit was filed on October 4, 2016, in United States District Court, Northern District of California, Case No. 16-cv-05627-JST, entitled Katharine Savin v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

**Ordinance No. 235-19**

**FINALLY PASSED**

**190873 [Settlement of Lawsuit - The Roman Catholic Archbishop of San Francisco, et al. - City to Receive \$913,970 from U.S. Pipe & Foundry Company]**

Ordinance authorizing settlement of the lawsuit filed by The Roman Catholic Archbishop of San Francisco, et al. against the City and County of San Francisco for payment of \$913,970 by U.S. Pipe & Foundry Company to the City; the lawsuit was filed on April 11, 2013, in United States District, Case No. 13-cv-2220 MEJ; entitled The Roman Catholic Archbishop of San Francisco, et al. v. City and County of San Francisco, et al.; the lawsuit involves dangerous condition of public property and inverse condemnation. (City Attorney)

**Ordinance No. 236-19**

**FINALLY PASSED**

**190874 [Settlement of Unlitigated Claim - Property & Casualty Company of Hartford - \$73,273 - Appropriation - Water Enterprise Fund Balance]**

Ordinance approving the settlement of the unlitigated claim filed by Property & Casualty Insurance Company of Hartford against the City and County of San Francisco for \$73,273; the claim was filed on August 30, 2018; the claim involves alleged property damage arising from a water main break; and appropriating \$73,273 from the San Francisco Public Utilities Commission Water Enterprise fund balance for payment of settlement. (City Attorney)

**Ordinance No. 237-19**

**FINALLY PASSED**

**190875 [Settlement of Lawsuit - Kai Kopp - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Kai Kopp against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 28, 2016, in San Francisco Superior Court Case No. CGC-16-551183; entitled Kai Kopp v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury in a City park. (City Attorney)

**Ordinance No. 238-19**

**FINALLY PASSED**

**190876 [Settlement of Lawsuit - Abuon Mayen - \$225,000 - Appropriation - Water Enterprise Fund Balance]**

Ordinance authorizing settlement of the lawsuit filed by Abuon Mayen against the City and County of San Francisco for \$225,000; the lawsuit was filed on March 6, 2018, in San Francisco Superior Court, Case No. CGC-18-566751; entitled Abuon Mayen v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision; and appropriating \$225,000 from the San Francisco Public Utilities Commission Water Enterprise fund balance for payment of settlement. (City Attorney)

**Ordinance No. 239-19**

**FINALLY PASSED**

**Recommendation of the Land Use and Transportation Committee****180637 [Acacia Street - Dedication as Public Right-of-Way and Acceptance of Sidewalk and Roadway Improvements for Maintenance and Liability]**

Ordinance accepting Acacia Street and the irrevocable offer of improvements on Acacia Street for City maintenance and liability, subject to specified limitations; dedicating Acacia Street and improvements thereon to public use, declaring this area as shown on official Public Works drawings as open public right-of-way, and designating it for street and roadway purposes; establishing official sidewalk widths, public right-of-way widths, and street grades for Acacia Street; accepting two Public Works Orders making recommendations and certifications related to the Acacia Street improvements; authorizing official acts in connection with this Ordinance, as defined herein; adopting the Planning Department's determinations 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. (Public Works)

**Ordinance No. 241-19**

**FINALLY PASSED**

## **Recommendation of the Rules Committee**

### **190497 [Administrative Code - Mental Health Board/Behavioral Health Commission]**

**Sponsors: Stefani; Mandelman**

Ordinance amending the Administrative Code to change the name of the Mental Health Board to the Behavioral Health Commission; to include in the definition of a "consumer" one who receives substance use services; and to permit a consumer who is an employee in a behavioral health public or private agency and who does not have any interest, influence, or authority over any financial or contractual matter concerning the employer, to be appointed to the Commission.

**Ordinance No. 240-19**

**FINALLY PASSED**

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

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 2 - Haney, Walton

## **REGULAR AGENDA**

## **NEW BUSINESS**

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

*President Yee requested File Nos. 190879 and 190880 be called together.*

### **190879 [Grant of Easement and Acceptance of Quitclaim - Pacific Gas & Electric Company - Airport West-of-Bayshore Property - Replacement of Natural Gas Pipeline - \$0]**

Resolution approving an Easement Agreement and Quitclaim of Easement between the City and County of San Francisco, acting by and through its Airport Commission, and Pacific Gas & Electric Company, for the exchange of easement areas at San Francisco International Airport's West-of-Bayshore property, for \$0, to accommodate the replacement of a natural gas pipeline; authorizing the Airport Director and the Director of Property to execute documents, make certain modifications, and take actions in furtherance of this Resolution, as defined herein; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting California Environmental Quality Act findings. (Airport Commission)

**Resolution No. 440-19**

**ADOPTED by the following vote:**

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 2 - Haney, Walton

**190880 [2011 Airport Lease and Use Agreement - El Al Israel Airlines Limited - Estimated Rent \$1,300,879.46]**

Resolution approving a 2011 Lease and Use Agreement between the City and County of San Francisco, acting by and through its Airport Commission, and El Al Israel Airlines Limited, a corporation in Israel, to conduct flight operations at San Francisco International Airport, effective the first day of the month following full approval by the City and expiring on June 30, 2021, with an estimated rent of \$1,300,879.46 for Exclusive Use Space rent, plus Joint Use Space rent and landing fees. (Airport Commission)

**Resolution No.** 441-19

**ADOPTED by the following vote:**

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 2 - Haney, Walton

**190906 [Amended and Restatement of Lease - Java House Restaurant - \$4,000 Monthly Base Rent]**

**Sponsor:** Haney

Resolution approving the Amended and Restatement of Lease No. L-14100 between the Port Commission and Java House, LLC, a California limited liability company, for the Java House Restaurant located at Pier 40½ at the Embarcadero and Townsend Street, increasing the monthly base rent from \$3,314 to \$4,000 including a conditional tenant option to extend for ten years, with no change to the initial length of term through August 31, 2023. (Port)

**Resolution No.** 442-19

**ADOPTED by the following vote:**

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 2 - Haney, Walton

**190921 [Contract - Retroactive - Sentinel Offenders Services, LLC - Home Detention and Electronic Monitoring Services - \$3,400,000]**

Resolution retroactively approving the Sheriff Department's contract with Sentinel Offenders Services, LLC to administer a Home Detention and Electronic Monitoring Program, for a term of three years from August 1, 2019, through July 31, 2022, with two one-year options to renew, for a total contract amount of \$3,400,000. (Sheriff)  
(Fiscal Impact)

**Resolution No.** 443-19

**ADOPTED by the following vote:**

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 2 - Haney, Walton

**190950 [Issuance of Bonds - California Municipal Finance Authority - HealthRIGHT 360 - Not to Exceed \$65,000,000]****Sponsor: Brown**

Resolution approving in accordance with Internal Revenue Code of 1986, Section 147(f), as amended, the issuance of revenue bonds or a loan by the California Municipal Finance Authority in one or more series pursuant to a plan of financing and in an aggregate issue price not to exceed \$65,000,000 ("Bonds") to refinance all or a portion of certain outstanding debt obligations that originally financed and refinanced the acquisition, construction, improvement, equipping and furnishing of facilities located at 890 Hayes Street, 815 Buena Vista West, 214 Haight Street, 1563 Mission Street, 1735 Mission Street, and 154 Coleridge Street within the City and County of San Francisco ("City"), owned and managed by HealthRIGHT 360, a California nonprofit public benefit corporation, in connection with the provision of residential treatment services in the City; finance additional improvements to and equipping and maintenance of such facilities; pay capitalized interest on the Bonds; fund a reserve fund for the Bonds; and pay certain expenses incurred in connection with the issuance of the Bonds. (Controller)

**Resolution No. 444-19****ADOPTED by the following vote:**

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee  
Excused: 2 - Haney, Walton

**Recommendations of the Land Use and Transportation Committee****190644 [Planning Code - Landmark Designation - 2031 Bush Street (aka the Kinmon Gakuen Building)]****Sponsors: Brown; Peskin**

Ordinance amending the Planning Code to designate 2031 Bush Street (aka the Kinmon Gakuen Building), Assessor's Parcel Block No. 0676, Lot No. 027, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience and welfare findings under Planning Code, Section 302. (Historic Preservation Commission)

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

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee  
Excused: 2 - Haney, Walton

**190793 [Environment, Police Codes - Electric Vehicle Charging in Commercial Parking]****Sponsors: Mayor; Peskin, Mandelman, Safai, Brown and Ronen**

Ordinance amending the Environment Code to require commercial parking lots and garages with more than 100 parking spaces to install electric vehicle charging equipment; amending the Police Code to add compliance with the new requirement as a condition of existing as well as future permits for commercial parking lots and garages; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

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

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee  
Excused: 2 - Haney, Walton



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

*President Yee requested File Nos. 190830 and 190831 be called together.*

### **190830 [Liquor License Transfer - 399 Geary Street - CVS]**

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Garfield Beach CVS, LLC, doing business as CVS Pharmacy, located at 399 Geary Street (District 3), will not serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control deny the issuance of the license, in accordance with California Business and Professions Code, Section 23958.4. (Public Safety and Neighborhood Services Committee)

**Resolution No. 438-19**

**ADOPTED by the following vote:**

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee  
Excused: 2 - Haney, Walton

### **190831 [Liquor Licenses - 1169 Market Street - Whole Foods Market]**

Resolution determining that the premise-to-premise transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license, and the issuance of a Type-86 instructional tasting license to Whole Foods Market California, Inc., doing business as Whole Foods Market located at 1169 Market Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

**Resolution No. 439-19**

**ADOPTED by the following vote:**

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee  
Excused: 2 - Haney, Walton

## **Recommendations of the Rules Committee**

### **181215 [Administrative, Planning Codes - South of Market Community Advisory Committee]**

**Sponsor: Haney**

Ordinance amending the Administrative and Planning Codes to establish the South of Market Community Planning Advisory Committee to advise City officials and agencies on implementation of the Central SoMa Plan, Western SoMa Area Plan, and East SoMa Area Plan; to revise the membership and duties of the SOMA Community Stabilization Fund Community Advisory Committee and the Eastern Neighborhoods Citizens Advisory Committee; 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 under Planning Code, Section 302.

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

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee  
Excused: 2 - Haney, Walton

**190068 [Appointments, Cannabis Oversight Committee - Ali Jamalian, Aaron Flynn, Doug Bloch, Leah "Nina Parks" Weitz, Jesse Stout, Theresa Foglio, and Sara Payan]**

Motion appointing Ali Jamalian, Aaron Flynn, Doug Bloch (residency requirement waived), Leah "Nina Parks" Weitz (residency requirement waived), Jesse Stout, Theresa Foglio (residency requirement waived), Sara Payan (residency requirement waived), terms ending December 3, 2020, to the Cannabis Oversight Committee. (Rules Committee)

**Motion No. M19-142**

**APPROVED by the following vote:**

Ayes: 8 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani

Noes: 1 - Yee

Excused: 2 - Haney, Walton

**190990 [Appointments, Children and Families First Commission - Joan Miller, Linda Asato, Suzanne Giraud, and Lynn Merz]**

Motion appointing Joan Miller, indefinite term, and Linda Asato, Suzanne Giraud, and Lynn Merz (residency requirement waived), terms ending April 29, 2023, to the Children and Families First Commission. (Rules Committee)

**Motion No. M19-143**

**APPROVED by the following vote:**

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 2 - Haney, Walton

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

**Supervisor Brown, seconded by Supervisor Stefani, 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: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 2 - Haney, Walton

*Supervisor Brown introduced, welcomed, and presented a Certificate of Honor to Maurice Dotson (Recology) in recognition of his heroic actions that helped solve a string of burglaries on the westside of San Francisco over the summer.*

*Supervisor Stefani introduced, welcomed, and presented a Certificate of Honor to Bertina Cannizzaro in recognition of her advocacy for the Italian American community in San Francisco, including the Madonna del Lume society.*

*Supervisor Peskin and President Yee introduced, welcomed, and presented a Certificate of Honor to Sandy Gartzman (Rent Board) on the occasion of her retirement from the City and County of San Francisco, and in recognition of her tireless work creating programs, policies, and regulations that made the Rent Board accessible to the people of San Francisco. Supervisor Fewer shared in this commendation.*

*Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Polly Marshall (Rent Board) in recognition of her over 35 years of service on the Rent Board and advocacy for tenants' rights in San Francisco.*

*President Yee introduced, welcomed, and presented a Certificate of Honor to San Francisco Hep B Free, Bay Area - accepted by Caryl Ito, Stuart Fong, Sharon Lai, Francis Tsang, and Richard So - on the occasion of their 12th Annual "Be A Hero" Awards Dinner and Gala, and in recognition of their accomplishments bringing awareness to the disease.*

*President Yee acknowledged former Supervisor Jake McGoldrick who was in attendance during today's meeting.*

**SPECIAL ORDER 3:00 P.M.**

*President Yee requested File Nos. 190890, 190891, 190892, and 190893 be called together.*

**190890 [Hearing - Appeal of Determination of Community Plan Evaluation - 344-14th Street]**

Hearing of persons interested in or objecting to a Community Plan Evaluation by the Planning Department under the California Environmental Quality Act issued on May 30, 2019, for the proposed project at 344-14th Street, approved on July 25, 2019, proposing new construction of a seven-story, 78-foot tall, mixed use residential building (measuring approximately 84,630 square feet) with 5,890 square feet of ground floor retail use and 60 dwelling units, consisting of four studio units, 17 one-bedroom units, 14 two-bedroom/one-bathroom units, and 25 two-bedroom/two-bathroom units which would utilize the state density bonus law and invoke waivers from the development standards for: rear yard (Planning Code, Section 134), usable open space (Planning Code, Section 135), and height (Planning Code, Section 260), located at Lot No. 013 in Assessor's Parcel Block No. 3532, within the Urban Mixed Use (UMU) Zoning District and a 58-X Height and Bulk District. (District 9) (Appellant: Larisa Pedroncelli and Kelly Hill, on behalf of Our Mission No Eviction) (Filed August 26, 2019) (Clerk of the Board)

*President Yee opened the public hearing and inquired as to whether any individual wished to address the Board. Supervisor Ronen provided opening remarks and background information on the project and appeal. Larisa Pedroncelli and Kelly Hill (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Francisco Da Costa; Joel Montenegro; Francesca Granhold; Maria Chavez; Speaker; Speaker; Speaker; Roberto Hernandez; Speaker; spoke in support of the appeal. Sherrie George and Lisa Gibson (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. John Kevlin, Reuben, Junius & Rose, LLP (on behalf of the 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. Craig Shields (Rockridge Geotechnical) presented additional information and answered questions raised throughout the discussions. Speaker; spoke in support of the project and in opposition to the appeal. Larisa Pedroncelli and Kelly Hill (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**

**190891 [Affirming the Community Plan Evaluation - 344-14th Street]**

Motion affirming the determination by the Planning Department that a proposed project at 344-14th Street is exempt from further environmental review under a Community Plan Evaluation. (Clerk of the Board)

**Motion No. M19-144**

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

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee  
Excused: 2 - Haney, Walton

**190892 [Conditionally Reversing the Community Plan Evaluation - 344-14th Street]**

Motion conditionally reversing the determination by the Planning Department that the proposed project at 344-14th Street is exempt from further environmental review under a Community Plan Evaluation, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

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

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 2 - Haney, Walton

**190893 [Preparation of Findings to Reverse the Community Plan Evaluation - 344-14th Street]**

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Evaluation determination by the Planning Department that a proposed project at 344-14th Street is exempt from further environmental review under a Community Plan Evaluation. (Clerk of the Board)

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

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 2 - Haney, Walton

## COMMITTEE REPORTS

### Recommendation of the Rules Committee

**190899 [Administrative Code - Compliance with Right to Return for Temporarily Displaced Tenants]**

**Sponsors: Peskin; Brown, Walton and Mandelman**

Ordinance amending the Administrative Code to clarify that temporary evictions for capital improvements are intended to cover work that would make the unit hazardous, unhealthy, and/or uninhabitable, and are intended to last for the minimum amount of time required to complete the work; modify the standards that the Rent Board must consider when reviewing a request to authorize a temporary eviction for capital improvements to last more than three months; establish procedures for the landlord to inform the displaced tenant of the tenant's right to reoccupy the unit upon completion of the work; and establish that a landlord's failure to timely allow the tenant to reoccupy the unit may create a rebuttable presumption that the tenancy has been terminated by the landlord rather than by the tenant.

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

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

Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 2 - Haney, Walton

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Speaker; shared certain political and religious views.*

*Peter Warfield; shared concerns related to the San Francisco Public Library and the way users receive notifications.*

*Nick Pescarella; shared concerns related to the San Francisco Public Library and the way users receive notifications.*

*Francisco Da Costa; expressed concerns regarding campaign contributions and a fair legislative process.*

*Matthew Sutter; expressed concerns regarding the plight of taxi medallion holders and their issues with the Municipal Transportation Agency.*

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*Abdallah; expressed concerns regarding the plight of taxi medallion holders and their issues with the Municipal Transportation Agency.*

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*Speaker; expressed concerns regarding the plight of taxi medallion holders and their issues with the Municipal Transportation Agency.*

*Speaker; expressed concerns regarding the death of Mario Woods.*

*Tom Gilbert; shared concerns regarding the need to ban assault weapons and minimize air pollution.*

*Otto Duffy; shared concerns regarding affordable housing, climate change, and need for non-violent solutions.*

*Walter Paulson; shared various old objects and sang retirement songs for Bruce Bochy of the San Francisco Giants.*

*Speaker; shared their various thoughts and experiences.*

*Supervisor Fewer was noted absent at 5:15 p.m. and for the remainder of the meeting.*

## **Supervisor Fewer Excused from Attendance**

**Supervisor Safai, seconded by Supervisor Peskin, moved that Supervisor Fewer be excused beginning at 5:15 p.m. and for the remainder of the meeting. The motion carried by the following vote:**

**Ayes: 8 - Brown, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee**

**Excused: 3 - Fewer, Haney, Walton**

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **191007 [Sandy Gartzman Day - October 8, 2019]**

**Sponsors: Yee; Peskin**

Resolution commending Sandy Gartzman on the occasion of her retirement from the Rent Board, and declaring October 8, 2019, as Sandy Gartzman Day in the City and County of San Francisco.

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

**Resolution No. 446-19**

**ADOPTED**

### **191008 [Commending San Francisco Hep B Free - Bay Area for 12 Years of Community Advocacy and Awareness]**

**Sponsors: Yee; Mar and Fewer**

Resolution commending San Francisco Hep B Free - Bay Area on their 12th Annual "Be a Hero" Power of Jade Awards Gala on October 18, 2019, and recommitting San Francisco's efforts to preventing and treating Hepatitis B.

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

**Resolution No. 447-19**

**ADOPTED**

The foregoing items were acted upon by the following vote:

Ayes: 8 - Brown, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 3 - Fewer, Haney, Walton

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

### **191004 [Urging the Municipal Transportation Agency to Ensure Further Compliance With Private Scooter Permit Conditions]**

**Sponsors: Peskin; Yee, Safai, Brown, Fewer, Stefani and Mar**

Resolution urging the Municipal Transportation Agency to phase expansion of its Powered Scooter Permit Program, pending the actual and equitable installation of bike racks; further the demonstration of permittees' ability to comply with labor, sustainability, community outreach, equitable access, and other requirements, as defined herein; and consider a publicly provided alternative.

*Supervisors Stefani and Mar requested to be added as co-sponsors.*

**Supervisor Peskin, seconded by Supervisor Stefani, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding verbiage urging the Municipal Transportation Agency to create a reliable plan to prevent illegal use of scooters on sidewalks, and utilize the City's First Source Hiring Program; and making other clarifying and conforming changes. The motion carried by the following vote:**

Ayes: 8 - Brown, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Yee

Excused: 3 - Fewer, Haney, Walton

Resolution urging the Municipal Transportation Agency to phase expansion of its Powered Scooter Permit Program, pending the actual and equitable installation of bike racks; a reliable plan to prevent illegal use of scooters on sidewalks; further the demonstration of permittees' ability to comply with labor, sustainability, community outreach, equitable access, and other requirements, as defined herein; and consider a publicly provided alternative.

**Resolution No. 445-19**

**ADOPTED AS AMENDED by the following vote:**

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

## 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.*

## ORDINANCES

### **191011 [Appropriation - Certificates of Participation to Mayor's Office of Housing and Community Development for HOPE SF - \$83,600,000 - FY2019-2020]**

**Sponsor: Mayor**

Ordinance appropriating \$83,600,000 of Certificates of Participation to the Mayor's Office of Housing and Community Development to fund project costs of HOPE SF in FY2019-2020; and placing these funds on Controller's Reserve pending the sale of the Certificates of Participation. (Fiscal Impact; No Budget and Legislative Analyst Report)

10/08/19; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/7/2019.

### **191012 [Appropriation - Certificates of Participation to Department of Public Health for the Homeless Services Center - \$7,250,000 - FY2019-2020]**

**Sponsor: Mayor**

Ordinance appropriating \$7,250,000 of Certificates of Participation to the Department of Public Health to fund construction costs for the Homeless Services Center in FY2019-2020; and placing these funds on Controller's Reserve pending the sale of the Certificates of Participation. (Fiscal Impact; No Budget and Legislative Analyst Report)

10/08/19; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/7/2019.



**191013 [Transportation Code - Mobility Device Permit Requirement]****Sponsor: Mayor**

Ordinance amending the Transportation Code to establish a violation for operating a Shared Mobility Device Service without a permit or other authorization from the Municipal Transportation Agency, and to repeal certain parking restrictions related to stationless bicycle share programs and powered scooter share programs; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/08/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/7/2019.

**191014 [Authorizing Taxable and/or Tax-Exempt Certificates of Participation - HOPE SF - Not to Exceed \$83,600,000]****Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series on a tax-exempt and/or taxable basis and from time to time, evidencing and representing an aggregate principal amount not to exceed \$83,600,000 to finance and refinance certain capital improvement projects, including but not limited to certain properties generally known as Hunters View, Sunnysdale, and Potrero Terrace and Annex housing developments, approving the form of a 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 Supplement to Property Lease and a Supplement to Project Lease, each between the City and the Trustee for the lease and lease back 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 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; No Budget and Legislative Analyst Report)

10/08/19; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/7/2019.

**191015 [Accept and Expend Grant and Amend the Annual Salary Ordinance - Retroactive - Office of Financial Empowerment Kindergarten to College Program - Mott Foundation - \$365,000]****Sponsor: Fewer**

Ordinance retroactively authorizing the Office of Treasurer & the Tax Collector to accept and expend a grant in the amount of \$365,000 from the Charles & Stuart Mott Foundation for implementing the Office of Financial Empowerment Kindergarten to College Program for the period of September 1, 2019, through August 31, 2021; and amending Ordinance No. 170-19 (Annual Salary Ordinance File No. 190620 for FYs 2019-2020 and 2020-2021) to provide for the creation of one grant-funded Class 1844 Senior Management Assistant position (0.67 FTE). (Treasurer-Tax Collector)

10/08/19; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/7/2019.

**191016 [Planning Code - 100% Affordable Housing and Educator Housing Streamlining Program]****Sponsors: Fewer; Mar, Peskin, Haney, Safai and Walton**

Ordinance amending the Planning Code to require at least half of residential units in Educator Housing projects to have two or more bedrooms, to eliminate the requirement that Educator Housing projects have a minimum amount of three-bedroom units, conditioned on the passage of Proposition E in the November 5, 2019, Municipal Consolidated Election; 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.

(Pursuant to Planning Code, Section 206.9(h), this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

10/08/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/7/2019.

**190974 [Green Building Code - Energy Performance in Newly Constructed Buildings]****Sponsor: Mandelman**

Ordinance amending the Green Building Code to establish energy performance requirements for certain new building construction; adopting environmental findings, and findings of local conditions under the California Health and Safety Code and the California Public Resources Code; and directing the Clerk of the Board of Supervisors to forward the Ordinance to state agencies as required by state law.

09/24/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/24/2019.

10/02/19; REFERRED TO DEPARTMENT.

10/08/19; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

**191017 [Housing Code - Heat Requirements in Residential Rental Units]****Sponsor: Peskin**

Ordinance amending the Housing Code to revise the requirements for heating in residential rental units; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/08/19; ASSIGNED to Land Use and Transportation Committee.

**191018 [Planning Code - Landmark Designation - 770 Woolsey Street (aka University Mound Nursery)]****Sponsors: Ronen; Peskin**

Ordinance amending the Planning Code to designate 770 Woolsey Street (aka University Mound Nursery), Assessor's Parcel Block No. 6055, Lot No. 001, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/08/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/7/2019.

**191033 [Administrative, Public Works, Police Codes - Establishing Office of Emerging Technology - Requiring Permits for Using Emerging Technology Devices on Public Right-of-Ways]**

**Sponsors: Yee; Fewer**

Ordinance amending the Administrative Code to create an Office of Emerging Technology within the Department of Public Works; amending the Public Works Code to require a permit to obstruct the public right-of-way within Public Works' jurisdiction; amending the Administrative Code to codify the Public Works Director's authority to take official actions, as defined herein, including adopting regulations for the pilot operation of emerging technology devices; amending the Public Works Code and Police Code to provide for administrative, civil, and criminal penalties for unlawful obstruction of the public right-of-way, including operation of emerging technology devices without a required permit; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact; No Budget and Legislative Analyst Report)

10/08/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/7/2019.

## RESOLUTIONS

**191019 [Certificates of Participation - Construction of a Homeless Services Center - 1064-1068 Mission Street - Not to Exceed \$7,250,000]**

**Sponsor: Mayor**

Resolution authorizing the Controller to cause the execution and delivery of taxable or tax-exempt Certificates of Participation evidencing and representing an aggregate principal amount not to exceed \$7,250,000 to finance the costs of the construction of a Homeless Services Center at 1064-1068 Mission Street; authorizing the Controller to cause the issuance from time to time of the City's commercial paper notes in anticipation of the execution and delivery of said Certificates of Participation; and authorizing the Director of Public Finance to execute such documents and take necessary actions in furtherance of this Resolution, as defined herein.

(Fiscal Impact; No Budget and Legislative Analyst Report)

10/08/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191020 [Accept and Expend Grant - Retroactive - Department of Homeland Security - 2018 Port Security Grant Program - Alternate Disaster Operations Center - \$105,000]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Port of San Francisco to accept and expend a grant award in the amount of \$105,000 from the Department of Homeland Security's 2018 Port Security Grant Program to fund the buildout of an alternative Disaster Operations Center (DOC) at Pier 50 as a backup to the Port's primary DOC at Pier 1 for the period of September 1, 2018, through August 31, 2021. (Port)

10/08/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191021 [Accept and Expend Grant - Retroactive - California Board of State and Community Corrections - Youth Reinvestment Grant - \$734,216]****Sponsor: Mayor**

Resolution retroactively authorizing the Juvenile Probation Department to accept and expend a grant in the amount of \$734,216 from the California Board of State and Community Corrections Youth Reinvestment Program to augment San Francisco's existing diversion programs with a non-law enforcement mobile crisis response service for the period of July 1, 2019, through February 28, 2023. (Juvenile Probation Department)

10/08/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191022 [Contract Agreement - ConvergeOne, Inc. - Cisco Products and Services - Not to Exceed \$65,000,000]****Sponsor: Fewer**

Resolution authorizing the Department of Technology to enter into an Agreement between the City and County of San Francisco and ConvergeOne, Inc., for the purchase of Cisco products and services, with a not to exceed amount of \$70,000,000 for the term ending November 1, 2022, to commence following Board approval, with two two-year options to extend at the sole and absolute discretion of the City. (Department of Technology)  
(Fiscal Impact)

10/08/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191023 [Grant Agreement Amendment - The Regents of the University of California - Community Assessment and Services Center - Not to Exceed \$18,007,010]****Sponsor: Fewer**

Resolution approving a first amendment to the grant agreement between the Adult Probation Department and The Regents of the University of California, on behalf of its San Francisco Campus, for the operation of the Community Assessment and Services Center, to increase the grant funding by \$12,207,010 for a total amount of \$18,007,010 and extend the performance period for three years for a total term of November 17, 2017, through October 31, 2022. (Adult Probation)

(Fiscal Impact)

10/08/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**191024 [Resolution of Intention - Renewal - Noe Valley Community Benefit District]****Sponsor: Mandelman**

Resolution declaring the intention of the Board of Supervisors to renew a property-based business improvement district known as the "Noe Valley Community Benefit District" and levy a multi-year assessment on all parcels in the district; approving the management district plan, engineer's report, and proposed boundaries map for the district; ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole, on January 28, 2020, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting, as required by law.

10/08/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**191028 [Supporting the “All In” Campaign]****Sponsors: Mandelman; Brown, Stefani, Fewer, Mar and Yee**

Resolution supporting the “All In” campaign to contribute to the City’s efforts to reduce homelessness by welcoming homes and services in every District.

10/08/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**191029 [Declaring a State of Urgency - Expanding the City’s Emergency Firefighting Water System]****Sponsors: Mar; Fewer, Yee and Safai**

Resolution declaring a state of urgency to rapidly expand the City’s Emergency Firefighting Water System (EFWS) to protect all neighborhoods in the event of a major earthquake and fire, and calling for a comprehensive EFWS action plan to expand the City’s EFWS to cover all unprotected neighborhoods by 2034; to expand the Fire Department’s firefighting apparatus such as portable hose tenders to provide interim protection to neighborhoods not currently covered by the EFWS; and to require an annual report to the Board of Supervisors on the state of the City’s EFWS preparedness for a major earthquake and fire.

10/08/19; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**191030 [Initiating Landmark Designation - 770 Woolsey Street (aka University Mound Nursery)]****Sponsors: Ronen; Peskin**

Resolution initiating a landmark designation under Article 10 of the Planning Code of 770 Woolsey Street (aka University Mound Nursery), Assessor’s Parcel Block No. 6055, Lot No. 001.

10/08/19; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**MOTION****191034 [Mayoral Appointment, Planning Commission - Susan Diamond]**

Motion approving/rejecting the Mayoral nomination for the appointment of Susan Diamond to the Planning Commission, for the unexpired portion of a term ending June 30, 2020.

(Charter, Section 4.105, 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: October 9, 2019.)

## REQUEST FOR HEARING

### **191031 [Hearing - Sexual Orientation and Gender Identity Data - FY2018-2019]**

**Sponsor: Mandelman**

Hearing on the City's collection and analysis of Sexual Orientation and Gender Identity (SOGI) data for FY2018-2019; and requesting the Department of Public Health, Mayor's Office of Housing and Community Development, Human Services Agency, Department of Aging and Adult Services, Department of Children, Youth and Their Families, and Department of Homelessness and Supportive Housing to report.

10/08/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **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

### **190993 [Settlement of Lawsuit - Lu Xia Tan Chen - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Lu Xia Tan Chen against the City and County of San Francisco for \$50,000; the lawsuit was filed on April 19, 2018, in San Francisco Superior Court, Case No. CGC-18-565891; entitled Lu Xia Tan Chen v. City and County of San Francisco; the lawsuit involves alleged injuries when plaintiff was struck in a crosswalk. (City Attorney)

09/24/19; RECEIVED FROM DEPARTMENT.

10/08/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **190994 [Settlement of Lawsuit - Riana Buffin and Crystal Patterson - City to Comply with New Pretrial Detention Policies and Provide Funding for Pretrial Diversion Project]**

Ordinance authorizing settlement of the lawsuit filed by Riana Buffin and Crystal Patterson against Sheriff Vicki Hennessy in her official capacity as Sheriff; the settlement prohibits the Sheriff from using the existing bail schedule for arrested individuals and from using any similar policy that determines the existence or length of pre-arraignment detention based on an arrestee's ability to pay, requires the Sheriff to release certain arrestees within 18 hours from the time of booking under some circumstances, and is conditioned on the City providing additional funding to the Own Recognizance Project of the San Francisco Pretrial Diversion Project; the lawsuit was filed on October 28, 2015, in U.S. District Court for the Northern District of California, Case No. 15-CV-04959-YGR; entitled Riana Buffin and Crystal Patterson, on behalf of themselves and others similarly situated v. Vicki Hennessy in her official capacity as the San Francisco Sheriff, et al.; the lawsuit involves claims that the Sheriff's use of the San Francisco Superior Court's bail schedule as a basis for pre-arraignment detention or release of arrestees violates the United States Constitution. (City Attorney)

09/30/19; RECEIVED FROM DEPARTMENT.

10/08/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

### **190995 [Agreement Amendment - Alliant Insurance Services, Inc. - Insurance Brokerage Services - Not to Exceed \$74,000,000]**

Resolution authorizing the Director of the Risk Management Division of the Office of the City Administrator to enter into a First Amendment for insurance brokerage services with Alliant Insurance Services, to increase the agreement amount by \$39,500,000 for a total amount not to exceed \$74,000,000 pursuant to Charter, Section 9.118, with no change to the term length to expire on June 30, 2020, to commence upon approval by the Board of Supervisors. (City Administrator)  
(Fiscal Impact)

09/27/19; RECEIVED FROM DEPARTMENT.

10/08/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **190996 [Agreement Amendment - Sunset Scavenger Company, Golden Gate Disposal & Recycling Company, Recology San Francisco - Refuse Collection - Not To Exceed \$48,000,000]**

Resolution approving the First Amendment to the Refuse Collection Agreement between the City and County of San Francisco and Sunset Scavenger Company dba Recology Sunset Scavenger, Golden Gate Disposal & Recycling Company dba Recology Golden Gate, and Recology San Francisco, increasing the total not to exceed amount of the Agreement from \$40,000,000 to \$48,000,000 under Charter, Section 9.118(b), with no change to the term length to expire on November 30, 2020, to commence upon approval by the Board of Supervisors. (Office of Contract Administration)  
(Fiscal Impact)

09/27/19; RECEIVED FROM DEPARTMENT.

10/08/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **190997 [Purchase Agreement - Retroactive - Pacific Gas & Electric Company - Electricity-Related Products - Not to Exceed \$11,070,118]**

Resolution retroactively authorizing two agreements for CleanPowerSF to purchase electricity-related products from Pacific Gas & Electric Company for a term of January 1, 2020, through December 31, 2022, for a total cost of \$26,070,118; and retroactively authorizing the sale of electricity-related products to Pacific Gas & Electric Company and Southern California Edison Company for a term of January 1, 2020, through December 31, 2022, in an amount not to exceed \$3,500,000. (Public Utilities Commission)  
(Fiscal Impact)

09/26/19; RECEIVED FROM DEPARTMENT.

10/08/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**190998 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]**

Resolution approving Amendment No. 44 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year to commence December 1, 2019, for a total term of November 19, 1998, through November 30, 2020. (Treasure Island Development Authority)

09/24/19; RECEIVED FROM DEPARTMENT.

10/08/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*From: Supervisor Haney*

*To: City Attorney*

*Requesting/Inquiring: To Create Overdose Prevention Site in San Francisco in light of the 10/2/19 Federal Court ruling finding that overdose prevention sites do not violate federal drug laws.*

*From: Supervisor Mar*

*To: City Attorney*

*Requesting/Inquiring: To prepare a Charter Amendment for placement on the November 2020 ballot to amend Charter, Section 13.101.5(a), to prohibit the Mayor from appointing an individual who is a declared candidate for an elected position to a vacancy for that position within 90 days of that election; and to prohibit individuals appointed to vacant elected positions from running in an election for that position within 90 days of their appointment.*

**In Memoriams**

*Tony Orser - Supervisor Peskin*

*Rafael Palacios - Supervisor Yee*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 5:45 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on November 12, 2019.*

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Angela Calvillo, Clerk of the Board