**BOARD OF SUPERVISORS**

**CITY AND COUNTY OF SAN FRANCISCO**

**AGENDA**

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

Tuesday, November 5, 2019 - 2:00 PM

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

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### BOARD COMMITTEES

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<td><strong>Budget and Finance Committee</strong></td>
<td>Wednesday, 10:00 AM</td>
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<td>Supervisors Fewer, Stefani, Mandelman</td>
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<td><strong>Government Audit and Oversight Committee</strong></td>
<td>1st and 3rd Thursday, 10:00 AM</td>
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<td>Supervisors Mar, Brown, Peskin</td>
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<td><strong>Joint City, School District, and City College Select Committee</strong></td>
<td>2nd Friday, 10:00 AM</td>
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<td>Supervisors Haney, Walton, Mar (Alt), Commissioners Cook, Collins, Moliga (Alt),</td>
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<td>Trustees Randolph, Williams, Selby (Alt)</td>
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<td><strong>Land Use and Transportation Committee</strong></td>
<td>Monday, 1:30 PM</td>
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<td>Supervisors Peskin, Safai, Haney</td>
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<td><strong>Public Safety and Neighborhood Services Committee</strong></td>
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<td>Supervisors Mandelman, Stefani, Walton</td>
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<td><strong>Rules Committee</strong></td>
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<td>Supervisors Ronen, Walton, Mar</td>
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First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.
Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget and Legislative Analyst report
3) Department or Agency cover letter and/or report
4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

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AGENDA PACKET: Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B Goodlett Place, Room 244, or on the internet at http://www.sfbos.org/meetings. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Peggy Nevin at (415) 554-5184.
AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Intsik at Tagalog para sa lahat ng mga regular at espesyal na pulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Filipino na maaaring i-request sa pinakamababa na di bababa sa 48 oras bago ang pulong upang matiyak na matutugunan and inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City’s efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at sotf@sfgov.org

Citizens may obtain a free company of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site http://www.sfgov.org/ethics
ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of the October 1, 2019, Board Meeting Minutes.

AGENDA CHANGES

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 through 8

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Brown, Peskin

1. 190867 [Settlement of Lawsuit - California Department of Public Health - City to Pay $100,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against California Department of Public Health for $100,000 and a reduction of the citation from AA to A; the lawsuit was filed on April 13, 2017, in San Francisco Superior Court Case No. CGC-17-558162; entitled City and County of San Francisco v. California Department of Public Health; the lawsuit involves affirmative litigation for relief from citation and fine. (City Attorney)

10/29/2019; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
2. **190868**  
**[Settlement of Lawsuit - Lorena Pedraza - $175,000]**  
Ordinance authorizing settlement of the lawsuit filed by Lorena Pedraza against the City and County of San Francisco for $175,000; the lawsuit was filed on September 19, 2018, in San Francisco Superior Court, Case No. CGC-18-569880; entitled Lorena Pedraza v. City and County of San Francisco; the lawsuit involves alleged medical negligence. (City Attorney)  
10/29/2019; PASSED ON FIRST READING.  
**Question:** Shall this Ordinance be FINALLY PASSED?

3. **190916**  
**[Settlement of Attorney’s Fee Claim - Contest Promotions, LLC - City to Receive $500,000]**  
Ordinance authorizing settlement by payment of $500,000 to the City and County of San Francisco, of the City’s claim for attorney’s fees and costs arising from the lawsuit that Contest Promotions, LLC, filed against the City; the lawsuit was filed on August 26, 2015, in San Francisco Superior Court, Case No. CGC-15-547630; entitled Contest Promotions, LLC vs. City and County of San Francisco; San Francisco Superior Court Case No. CPF-16-514771 was filed on February 9, 2016, and the actions were consolidated; the lawsuit involves a dispute about the City’s compliance with a prior settlement agreement between the parties, and the constitutionality of sections of the Planning Code regulating on-site and off-site commercial signs. (City Attorney)  
10/29/2019; PASSED ON FIRST READING.  
**Question:** Shall this Ordinance be FINALLY PASSED?

4. **190917**  
**[Settlement of Lawsuit - Fidelis Cybersecurity, Inc. - City to Receive $850,978]**  
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Fidelis Cybersecurity, Inc. and others for $850,978; the lawsuit was filed on November 27, 2018, in San Francisco Superior Court, Case No. CGC-18-571572; entitled City and County of San Francisco and the People of the State of California v. Fidelis Cybersecurity, Inc.; Maarek Zalatimo (aka Mark Zalatimo); Heather Zalatimo; Jeff Jorgenson, and Does One through Ten; the lawsuit involves the sale of products to the City in violation of conflict of interest laws; other material terms of the settlement are that Fidelis will pay the settlement amount over 18 months and that the City will return hardware purchased from Fidelis within 30 days. (City Attorney)  
10/29/2019; PASSED ON FIRST READING.  
**Question:** Shall this Ordinance be FINALLY PASSED?

5. **190918**  
**[Settlement of Lawsuit - Cheryl Jarne - $40,000]**  
Ordinance authorizing settlement of the lawsuit filed by Cheryl Jarne against the City and County of San Francisco for $40,000; the lawsuit was filed on March 2, 2018, in San Francisco Superior Court, Case No. CGC-18-564726; entitled Cheryl Jarne v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney)  
10/29/2019; PASSED ON FIRST READING.  
**Question:** Shall this Ordinance be FINALLY PASSED?
6. **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)

10/29/2019; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

Present: Supervisors Peskin, Safai, Haney

Sponsor: Mayor
Ordinance repealing the existing San Francisco Fire Code in its entirety and enacting a new San Francisco Fire Code consisting of the 2019 California Fire Code and portions of the 2018 International Fire Code, together with amendments specific to San Francisco with an operative date of January 1, 2020; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward San Francisco’s amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

10/29/2019; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Ordinance repealing the 2016 Green Building Code in its entirety and enacting a 2019 Green Building Code consisting of the 2019 California Green Building Standards Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

10/29/2019; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Brown, Peskin

9. 190928 [Health Code - City-Operated Adult Residential Facility]
Sponsors: Ronen, Haney, Walton, Peskin, Mar, Mandelman, Brown, Safai and Yee
Ordinance amending the Health Code to require the Department of Public Health to maintain and operate at full capacity an adult residential facility with no fewer than 41 beds.

10/29/2019; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/29/2019; DUPLICATED.

10/29/2019; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Peskin, Safai, Haney

10. 190548 [Planning Code - Jobs Housing Linkage Fee and Inclusionary Housing]
Sponsors: Haney; Fewer, Ronen, Mar, Peskin, Walton, Yee, Mandelman, Safai and Brown
Ordinance amending the Planning Code to modify the Jobs Housing Linkage Fee by clarifying the indexing of the fee, adding options for complying with the fee, phasing increases to the fee, dedicating funds for permanent supportive housing and the preservation and acquisition of affordable housing, requiring periodic evaluation of the nexus study and fee, and to remove the monetary limit for the Small Sites Funds under the Inclusionary Housing Program; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

10/29/2019; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/29/2019; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?
11. **190810**  
**[Administrative, Public Works Codes - Recording of Jurisdictional Transfers and Street Vacations]**  
**Sponsor: Peskin**  
Ordinance amending the Administrative Code and Public Works Code to require that any resolution approving a jurisdictional transfer of real property (a transfer of the authority over City-owned real property between City departments) be recorded in the Office of the Recorder together with a legal description and map of the real property; to require that any petition to the Board of Supervisors for a street vacation include a legal description and County Surveyor-approved map, and that the Clerk of the Board record in the Office of the Recorder a copy of the adopted ordinance together with the legal description and map; and affirming the Planning Department’s determination under the California Environmental Quality Act.  
10/29/2019; PASSED ON FIRST READING.  

**Question:** Shall this Ordinance be FINALLY PASSED?  

*Present: Supervisors Peskin, Safai*  

12. **190839**  
**[Planning Code - Fulton Street Grocery Store Special Use District]**  
**Sponsor: Brown**  
Ordinance amending the Planning Code to allow a grocery store use that is a formula retail use in the Fulton Street Grocery Store Special Use District ("District"), on Fulton Street between Laguna and Octavia Streets, subject to conditional use authorization, and adding criteria for such authorization; clarify the definition of a grocery store use within the District; eliminate square footage requirements for commercial uses in the District other than a grocery store and for subsequent uses in a location previously approved for a grocery store; extend the time period for effectiveness of controls for the District to five years from the effective date of the Ordinance; and making environmental findings, 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.  
10/29/2019; PASSED ON FIRST READING.  

**Question:** Shall this Ordinance be FINALLY PASSED?
Recommendation of the Public Safety and Neighborhood Services Committee

Present: Supervisors Mandelman, Stefani, Walton

13. 190710 [Health, Business and Tax Regulations Codes - Food Preparation and Service Establishment Categories, Disclosures, and Permit Fees]
Sponsor: Peskin
Ordinance amending the Health Code and Business and Tax Regulations Code to replace the requirement that food preparation and service establishments ("food facilities") post a symbol issued by the Department of Public Health with a requirement to post a color-coded placard indicating whether the establishment has passed (green), conditionally passed (yellow), or failed (red) a health inspection; clarifying some of the terminology pertaining to violations and remedies and penalties for same; defining new categories of food facilities; establishing annual permit fees for new categories of food facilities; and increasing permit fees for temporary permits and food vending machines.

10/29/2019; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Fewer, Stefani, Mandelman

14. 190966 [Sale of City-Owned Real Property - Property on West Lucille Avenue in Fresno County, CA - Richard S. Storti, Jr. - $170,000]
Resolution approving and authorizing the Real Estate Division to sell City-owned real property located on West Lucille Avenue, west of Coalinga in Fresno County, California (Assessor’s Parcel No. 083-020-012), to Richard S. Storti, Jr. for $170,000; affirming the Planning Department’s determination under the California Environmental Quality Act; adopting the Planning Department’s findings that the sale 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, make certain modifications and take certain actions in furtherance of the Purchase and Sale Agreement and this Resolution, as defined herein. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

15. 190997 [Purchase Agreement - Retroactive - Pacific Gas & Electric Company - Electricity-Related Products - Not to Exceed $11,070,118]
Resolution retroactively authorizing an agreement 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 $11,070,118. (Public Utilities Commission)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?
16. **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 $65,000,000 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)

   **Question:** Shall this Resolution be ADOPTED?

17. **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 1, 2017, through October 31, 2022. (Adult Probation)

   (Fiscal Impact)

   **Question:** Shall this Resolution be ADOPTED?

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

*Present: Supervisors Peskin, Safai, Haney*

   Ordinance repealing the 2016 Building Code in its entirety and enacting a 2019 Building Code consisting of the 2019 California Building Code and the 2019 California Residential Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

   **Question:** Shall this Ordinance be PASSED ON FIRST READING?

   Ordinance repealing the 2016 Existing Building Code in its entirety and enacting a 2019 Existing Building Code consisting of the 2019 California Existing Building Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

   **Question:** Shall this Ordinance be PASSED ON FIRST READING?
Ordinance repealing the 2016 Electrical Code in its entirety and enacting a 2019 Electrical Code consisting of the 2019 California Electrical Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

**Question:** Shall this Ordinance be PASSED ON FIRST READING?

Ordinance repealing the 2016 Mechanical Code in its entirety and enacting a 2019 Mechanical Code consisting of the 2019 California Mechanical Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

**Question:** Shall this Ordinance be PASSED ON FIRST READING?

Ordinance repealing the 2016 Plumbing Code in its entirety and enacting a 2019 Plumbing Code consisting of the 2019 California Plumbing Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

**Question:** Shall this Ordinance be PASSED ON FIRST READING?

23. **190936** [Urging Expansion of Treasure Island Resident Relocation and Transition Benefits]
**Sponsor:** Haney
Resolution urging the Treasure Island Development Authority to expand relocation and transition benefits for “Post-Development and Disposition Agreement” households.

**Question:** Shall this Resolution be ADOPTED?

24. **190969** [Resolution of Intention to Vacate Streets - India Basin]
**Sponsors:** Mayor; Walton
Resolution declaring the intention of the Board of Supervisors to order the vacation of streets in the India Basin Project site, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline; and setting the Board of Supervisors hearing date of December 10, 2019, for all persons interested in the proposed vacation of said street areas.

**Question:** Shall this Resolution be ADOPTED?
Recommendation of the Public Safety and Neighborhood Services Committee

Present: Supervisors Mandelman, Stefani, Walton

25. 190815 [Declaring a State of Emergency on Pedestrian and Cyclist Fatalities in San Francisco]
Sponsors: Haney; Yee, Brown, Ronen and Fewer
Resolution declaring a state of emergency regarding pedestrian and cyclist fatalities in San Francisco.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ronen, Walton, Mar

(Pursuant to the provisions of Board of Supervisors Rule 2.22.7, at least six days must intervene between the first appearance of a proposed Charter Amendment, before the Board as a referral from Committee, and any Board order of submission to the electorate. In accordance therewith, consideration of the following proposed Charter Amendment appropriately may be continued at least one week.)

26. 190945 [Charter Amendment - Retiree Health Benefits - Housing Authority Employees]
Sponsors: Mayor; Walton, Peskin, Stefani, Yee, Safai, Ronen, Brown and Mar
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide retiree health care benefits to employees of the Housing Authority of the City and County of San Francisco (“Housing Authority”) who started working for the City and County of San Francisco on or after March 7, 2019, and before March 1, 2021, without a break in service between employment with the Housing Authority and employment with the City and County of San Francisco; and affirming the Planning Department’s determination under the California Environmental Quality Act; at an election to be held on March 3, 2020.

Question: Shall this Charter Amendment be CONTINUED?

27. 190499 [Administrative Code - Dissolving Workforce Community Advisory Committee and Committee on City Workforce Alignment]
Ordinance amending the Administrative Code to dissolve the Workforce Community Advisory Committee and the Committee on City Workforce Alignment. (Clerk of the Board)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Sponsors: Yee; Mar, Ronen, Walton and Fewer
Ordinance amending the Administrative Code to extend the sunset date for the Pedestrian Safety Advisory Committee by one year, to October 1, 2020, and requiring the Committee to recommend changes to its structure and duties.

Question: Shall this Ordinance be PASSED ON FIRST READING?
29. **190967 [Appointment, Treasury Oversight Committee - Aimee Brown]**
Motion approving the Treasurer's nomination of Aimee Brown, for a term ending September 30, 2023, to the Treasury Oversight Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

30. **190968 [Appointment, Treasury Oversight Committee - Brenda McNulty]**
Motion approving the Treasurer's nomination of Brenda McNulty, for a term ending September 30, 2023, to the Treasury Oversight Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations
SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

(The President will entertain a motion to continue this Hearing and the associated items to the Board of Supervisors Meeting of November 12, 2019.)

31. 191035 [Hearing - Appeal of Final Environmental Impact Report Certification - Proposed Project at 3333 California Street]

Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for a proposed mixed-use project and project variant at 3333 California Street, identified in Planning Case No. 2015-014028ENV, issued by the Planning Commission through Motion No. 20512, dated September 5, 2019; to demolish the existing annex building, surface parking lots, and circular garage ramps; partially demolish the existing four-story office building and divide it into two separate buildings, vertically expanding the existing building to add two to three levels; construct 13 new buildings that would include 824,691 square feet of residential uses containing a total of 558 units, 54,117 square feet of retail use, 49,999 square feet of office use, and 14,690 square feet of child care use; the project variant would include 978,611 square feet of residential uses containing a total of 744 units, 48,593 square feet of retail use, and 14,650 square feet of child care use; both project and project variant would include vehicular parking, bicycle parking, loading facilities and streetscape improvements. (District 2) (Appellants: Kathryn Devincenzi, on behalf of the Laurel Heights Improvement Association of San Francisco, Inc.) (Filed: October 7, 2019) (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.
(Only one of the following two Motions should be approved.)

32. **191036**  [Affirming the Final Environmental Impact Report Certification - Proposed Project at 3333 California Street]
Motion affirming the Planning Commission’s certification of the Final Environmental Impact Report prepared for the proposed project at 3333 California Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

33. **191037**  [Conditionally Reversing the Final Environmental Impact Report Certification - Proposed Project at 3333 California Street]
Motion conditionally reversing the Planning Commission’s certification of the Final Environmental Impact Report prepared for the proposed project at 3333 California Street, subject to the adoption of written findings of the Board of Supervisors in support of this determination. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

34. **191038**  [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - Proposed Project at 3333 California Street]
Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission’s certification of the Final Environmental Impact Report prepared for the proposed project at 3333 California Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
SPECIAL ORDER 3:00 P.M.

(The President will entertain a motion to continue this Hearing and the associated items to the Board of Supervisors Meeting of November 12, 2019.)

35. 191039 [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 3333 California Street]

Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization and planned development for a proposed project at 3333 California Street, Assessor’s Parcel Block No. 1032, Lot No. 003, identified in Planning Case No. 2015-014028CUA, issued by the Planning Commission by Motion No. 20516, dated September 5, 2019, to allow structures to exceed 40 feet in height within an RM (Residential, Mixed) Zoning District and 3333 California Street Special Use District and for an existing child care facility to change of use to residential use, pursuant to Planning Code, Sections 253, 303 and 304, of the Planning Code modifications to the Rear Yard Requirements (Section 134), Permitted Obstructions (Section 136), Dwelling Unit Exposure (Section 140), General Standards for Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155); Dwelling Unit Density (Section 207), and Measurement of Height (Section 260), within the RM-1 (Residential, Mixed, Low Density) Zoning District and a 40-X, 67-X, 80-X, and 92-X Height and Bulk District. (District 2) (Appellant: Kathryn Devincenzi, on behalf of Laurel Heights Improvement Association of San Francisco, Inc.) (Filed October 7, 2019) (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

36. 191040 [Approving Conditional Use Authorization - 3333 California Street]

Motion approving the decision of the Planning Commission by its Motion No. 20516, approving a Conditional Use Authorization, identified as Planning Case No. 2015-014028CUA, for a proposed project located at 3333 California Street; and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
37. **191041**  
[Conditionally Disapproving Conditional Use Authorization - 3333 California Street]  
Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20516, approving a Conditional Use Authorization, identified as Planning Case No. 2015-014028CUA, for a proposed project located at 3333 California Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

(Chart, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds of the members of the Board (eight votes).)

**Question:** Shall this Motion be APPROVED?

38. **191042**  
[Preparation of Findings Related to Conditional Use Authorization Appeal - 3333 California Street]  
Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization, identified in Planning Case No. 2015-014028CUA, for a proposed project at 3333 California Street. (Clerk of the Board)

**Question:** Shall this Motion be APPROVED?
SPECIAL ORDER 3:00 P.M.

(The President will entertain a motion to continue this Hearing and the associated items to the Board of Supervisors Meeting of November 12, 2019.)

39. 191043 [Hearing - Appeal of Tentative Map Approval - 3333 California Street]
Hearing of persons interested in or objecting to the decision of Public Works, dated September 27, 2019, approving a Tentative Map for a 15 Lot Vertical Subdivision and 675 Residential and 64 Commercial, mixed-use new condominium project at 3333 California Street, Assessor’s Parcel Block No. 1032, Lot No. 003. (District 2) (Appellant: Kathryn Devincenzi, on behalf of Laurel Heights Improvement Association of San Francisco, Inc.) (Filed: October 7, 2019) (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

40. 191044 [Approving Decision of Public Works and Approving Tentative Map - 3333 California Street]
Motion approving the decision of Public Works and approving the Tentative Map for a 15 Lot Vertical Subdivision and 675 Residential and 64 Commercial mixed-use new condominium project at 3333 California Street, Assessor’s Parcel Block No. 1032, Lot No. 003; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

41. 191045 [Conditionally Disapproving Decision of Public Works and Disapproving Tentative Map - 3333 California Street]
Motion conditionally disapproving the decision of Public Works and disapproving the Tentative Map for a 15 Lot Vertical Subdivision and 675 Residential and 64 Commercial mixed-use new condominium project at 3333 California Street, Assessor’s Parcel Block No. 1032, Lot No. 003, subject to the Board of Supervisors’ adoption of written findings in support of the disapproval. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

42. 191046 [Preparation of Findings Related to the Tentative Map - 3333 California Street]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors’ decision to disapprove the Tentative Map for a 15 Lot Vertical Subdivision and 675 Residential and 64 Commercial mixed-use new condominium project at 3333 California Street, Assessor’s Parcel Block No. 1032, Lot No. 003. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
Referred Without Recommendation from the Land Use and Transportation Committee

Present: Supervisors Peskin, Safai, Haney

43. **190844** [Planning Code, Zoning Map - 3333 California Street Special Use District]
   **Sponsor: Stefani**
   Ordinance amending the Planning Code and Zoning Map to create the 3333 California Street Special Use District; and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.
   (Economic Impact)
   **Question: Shall this Ordinance be PASSED ON FIRST READING?**

44. **190845** [Development Agreement - Laurel Heights Partners, LLC - 3333 California Street Project - California Street at Presidio Avenue]
   **Sponsor: Stefani**
   Ordinance approving a Development Agreement between the City and County of San Francisco and Laurel Heights Partners, LLC, a Delaware limited liability company, for the development of an approximately 10.25-acre site located at California Street at Presidio Avenue (3333 California Street), with various public benefits, including 25% affordable housing, a child care center comprised of approximately 14,665 square feet, and approximately 2.87 acres of privately owned, publicly accessible open space; making findings under the California Environmental Quality Act, and findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); approving certain development impact fees for the project, and waiving certain Planning Code fees and requirements; confirming compliance with or waiving certain provisions of Administrative Code, Chapter 56; ratifying certain actions taken in connection with the Development Agreement, as described herein; and authorizing certain actions to be taken under the Development Agreement, as described herein.
   (Economic Impact)
   **Question: Shall this Ordinance be PASSED ON FIRST READING?**

45. **190947** [Public Works Code - Major Encroachment Permit - 3333 California Street Project]
   **Sponsor: Stefani**
   Ordinance approving a major encroachment permit for Laurel Heights Partners, LLC ("Permittee") to occupy portions of Presidio Avenue, Masonic Avenue, Pine Street, Euclid Avenue, Mayfair Drive, and Laurel Street adjacent to 3333 California Street (Assessor’s Parcel Block No. 1032, Lot No. 003) for the purpose of installing and maintaining landscape planters, differentiated paving, corner bulb-outs, and other improvements; waiving conflicting requirements under Public Works Code, Sections 800 et seq. and 810A, in connection with Permittee’s implementation of the encroachment permit and project development; making findings 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.
   **Question: Shall this Ordinance be PASSED ON FIRST READING?**
46. **ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

47. **PUBLIC COMMENT**

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

**Items 48 through 51**

48. **[Urging the State of California to Rescind or Amend the Fee-for-Service Pharmacy Reimbursements Policy for Specialty Medications]**

Sponsors: Ronen; Mandelman, Haney, Brown and Fewer

Resolution urging the State of California to rescind or amend the new Department of Health Care Services Medi-Cal policy, regarding fee-for-service pharmacy reimbursements for covered specialty medications.

10/29/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question:** Shall this Resolution be ADOPTED?
49. **191069**  
[Final Map 9845 - 363-21st Avenue]  
Motion approving Final Map 9845, a four residential unit and one commercial unit, mixed-use new condominium project, located at 363-21st Avenue, being a subdivision of Assessor’s Parcel Block No. 1453, Lot No. 013; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)  
10/16/2019; RECEIVED FROM DEPARTMENT.  
10/23/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
Question: Shall this Motion be APPROVED?

50. **191100**  
[Final Map 9608 - 1050 Baker Street]  
Motion approving Final Map 9608, a six residential unit condominium project, located at 1050 Baker Street, being a subdivision of Assessor’s Parcel Block No. 1117, Lot No. 001; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)  
10/21/2019; RECEIVED FROM DEPARTMENT.  
10/30/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
Question: Shall this Motion be APPROVED?

51. **191101**  
[Final Map 9598 - 2177 Third Street]  
Motion approving Final Map 9598, a 114 residential and seven commercial units, mixed-use new condominium project, located at 2177 Third Street, being a subdivision of Assessor’s Parcel Block No. 4045, Lot Nos. 003 and 003B; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)  
10/21/2019; RECEIVED FROM DEPARTMENT.  
10/30/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
Question: Shall this Motion be APPROVED?
52. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time “the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting.”

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

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 RESOLUTIONS

191098  [Airport Professional Services Agreement Modification - Faith Group, LLC - Airport Security Infrastructure Program - Not to Exceed $17,381,359]
Resolution approving Modification No. 11 to Airport Contract No. 10511.41, Program Management Support Services for the Airport Security Infrastructure Program, with Faith Group, LLC, to increase the Contract amount to $3,279,901 for a new not to exceed amount of $17,381,359 with no changes to the term, for services through December 31, 2021, pursuant to Charter, Section 9.118(b), to commence following Board approval. (Airport Commission)

10/28/2019; RECEIVED FROM DEPARTMENT.

11/05/2019; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

191099  [Updated Emergency Declaration - Repair Southeast Treatment Plant Final Effluent Force Main - Total Estimated Cost Not to Exceed $6,250,000]
Resolution approving an updated emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Sections 6.60 and 21.15, to repair the Southeast Treatment Plant Final Effluent Force Main for a total estimated cost not to exceed $6,250,000. (Public Utilities Commission)

10/25/2019; RECEIVED FROM DEPARTMENT.

11/05/2019; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
[Petitions and Communications]
Petitions and Communications received from October 21, 2019, through October 28, 2019, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 5, 2019.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor, submitting a proclamation declaring the existence of a local emergency in San Francisco. Copy: Each Supervisor. (1)

From the Office of the Controller’s City Services Auditor, submitting a report on the San Francisco Public Utilities Commission adequately documented adherence to most close-out procedures in its Crystal Springs/San Andreas Transmission System upgrade contract. Copy: Each Supervisor (2)


From the Office of the Controller, submitting a report of updated transportation benchmarking dashboards. Copy: Each Supervisor. (4)

From the Department of Elections, submitting an announcement that they will begin opening and processing returned vote-by-mail ballots on October 22, 2019. Copy: Each Supervisor. (5)

From the Department of Public Health, submitting two Administrative Code, Section 12B, waiver requests. Copy: Each Supervisor. (6)

From George Ishikata, Veterans Affairs Commission, regarding the resignation of Commissioner Kim Flaherty from the Commission. Copy: Each Supervisor. (7)

From the Department of Elections submitting a reminder to San Franciscans of the November 5, 2019 Election Deadlines. Copy: Each Supervisor. (8)

From concerned citizens, regarding Resolution No. 382-19 declaring the National Rifle Association a domestic terrorist organization. 5 letters. Copy: Each Supervisor. (9)

From Richard Landis, regarding various topics. Copy: Each Supervisor. (10)

From Linda Chapman, regarding abuse of elders and disabled victims. Copy: Each Supervisor. (11)

From Zaheer Rizvi, regarding Arnautoff murals at George Washington High School. Copy: Each Supervisor. (12)

From Aaron Goodman, regarding comments to the San Francisco County Transportation Authority Board meeting on Tuesday, October 22, 2019. Copy: Each Supervisor. (13)

From Getting to Zero San Francisco Steering Committee, regarding state medical reimbursements. Copy: Each Supervisor. (14)

From Jackie Wright, regarding the decline in local television stations and radio stations serving in the public interest. Copy: Each Supervisor. (15)
From Equitable Hire Concerns, regarding their concerns about the San Francisco Muni Interim Director. Copy: Each Supervisor. (16)

From Amanda Malmquist, regarding Ordinance No. 190-19, Personal Wireless Service Facility Site Permits. Copy: Each Supervisor. (17)

From concerned citizens, regarding the property located at 3333 California Street. File Nos. 190947, 190844, 190845. 9 letters. Copy: Each Supervisor. (18)

From Anette R. Nardi, regarding graffiti on her property. Copy: Each Supervisor. (19)

From the Northern California Carpenters Regional Council, regarding a proposal to use energy efficiency requirements to ban carpenter union-made factory-built housing from the City and County of San Francisco. Copy: Each Supervisor. (20)

ADJOURNMENT