

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, February 11, 2020 - 2:00 PM

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

### Regular Meeting

---

NORMAN YEE, PRESIDENT

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

##### **Budget and Appropriations Committee**

Supervisors Fewer, Walton, Mandelman, Yee, Ronen

Wednesday

1:00 PM

##### **Budget and Finance Committee**

Supervisors Fewer, Walton, Mandelman

Wednesday

10:00 AM

##### **Government Audit and Oversight Committee**

Supervisors Mar, Peskin, Haney

1st and 3rd Thursday

10:00 AM

##### **Joint City, School District, and City College Select Committee**

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

2nd Friday

10:00 AM

##### **Land Use and Transportation Committee**

Supervisors Peskin, Safai, Preston

Monday

1:30 PM

##### **Public Safety and Neighborhood Services Committee**

Supervisors Mandelman, Stefani, Walton

2nd and 4th Thursday

10:00 AM

##### **Rules Committee**

Supervisors Ronen, Stefani, Mar

Monday

10:00 AM

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

---

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

---

*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, February 11, 2020, with President Norman Yee presiding.*

*President Yee called the meeting to order at 2:04 p.m.*

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

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

*A quorum was present.*

## **COMMUNICATIONS**

*There were no communications.*

## **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 1, 2, 3, or 4. Mayor London N. Breed addressed the Board of Supervisors regarding racial equity and reparations, including the systemic harm that has been inflicted based on race, policy making efforts to address neighborhood preferences in housing, and the "right to return" legislation to combat displacement. Following public comment this matter was filed. No further action was taken.*

## CONSENT AGENDA

### Recommendations of the Land Use and Transportation Committee

#### **180969 [Plumbing Code - Cross-Connection Control]**

Ordinance amending the Plumbing Code to delete the local amendment to the California Plumbing Code referring to the San Francisco Public Utilities Commission's Rules and Regulations in the section on cross-connection control, and to add local cross-connection controls for beverage dispensers and industrial water chillers and a testing requirement for backflow prevention assemblies or devices; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage. (Building Inspection Commission)

**Ordinance No. 030-20**

**FINALLY PASSED**

#### **190458 [Planning, Administrative Codes - North of Market Affordable Housing Fees and Citywide Affordable Housing Fund]**

**Sponsor: Mayor**

Ordinance amending the Planning Code and the Administrative Code to abolish the North of Market Affordable Housing Fund, and have certain affordable housing fees collected in conjunction with the North of Market Residential Special Use District deposited in the Citywide Affordable Housing Fund; and making 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.

**Ordinance No. 031-20**

**FINALLY PASSED**

#### **191280 [Amended and Restated Land Disposition and Acquisition Agreement - Exchange of 639 Bryant Street for 2000 Marin Street]**

**Sponsor: Haney**

Ordinance approving an Amended and Restated Land Disposition and Acquisition Agreement with 2000 Marin Property, L.P. for the City's transfer of real property at 639 Bryant Street (Assessor's Parcel Block No. 3777, Lot No. 052) under the jurisdiction of the San Francisco Public Utilities Commission in exchange for real property at 2000 Marin Street (Assessor's Parcel Block No. 4346, Lot No. 003), subject to several conditions, including the reimbursement of certain transaction costs; waiving the Administrative Code, Section 23.3, appraisal and fair market value requirements; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings under the California Environmental Quality Act, including the adoption of a Mitigation Monitoring and Reporting Program.

**Ordinance No. 032-20**

**FINALLY PASSED**

## **Recommendations of the Rules Committee**

### **191237 [Administrative Code - Public Health Group Purchasing Organizations]**

Ordinance amending the Administrative Code to authorize the Department of Public Health to become a member of any Healthcare Group Purchasing Organization (GPO) and to enter into contracts with Healthcare GPO suppliers and distributors to purchase commodities and services without requiring competitive bidding and without approval of the City Purchaser. (Public Health Department)

**Ordinance No.** 033-20

**FINALLY PASSED**

### **191256 [Administrative Code - Naming Second Floor Rotunda in City Hall for Buck Delventhal]**

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

Ordinance amending the Administrative Code to name the rotunda on the second floor of City Hall in memory of former Deputy City Attorney Buck Delventhal.

**Ordinance No.** 034-20

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

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

### **191269 [Accept and Expend Grant - Retroactive - San Francisco Bay Area Rapid Transit District - Pit Stop Public Toilet Program - \$257,500]**

**Sponsor:** Mayor

Resolution retroactively authorizing Public Works to accept and expend a grant of up to \$257,500 from the San Francisco Bay Area Rapid Transit District (BART) for the Pit Stop Public Toilet Program for the period of July 1, 2019, through June 30, 2020. (Public Works)  
(Fiscal Impact)

**Resolution No.** 067-20

**ADOPTED by the following vote:**

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

## NEW BUSINESS

### Recommendation of the Budget and Finance Committee

#### **200042 [Acquisition of Real Property - 1939 Market Street - Sheet Metal Workers' International Association, Local Union No. 104 - \$12,000,000]**

**Sponsors: Mayor; Mandelman**

Resolution approving and authorizing the Director of Property, on behalf of the Mayor's Office of Housing and Community Development, to acquire real property, located at 1939 Market Street from Sheet Metal Workers' International Association, Local Union No. 104, for purchase at \$12,000,000 inclusive of a deposit in the amount of \$500,000; placing the property under the jurisdiction of the Mayor's Office of Housing and Community Development for use in constructing affordable housing for San Franciscans; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the purchase agreement and this Resolution, as defined herein, including assuming certain leases, entering into a leaseback with seller, and assuming certain service contracts; and affirming the Planning Department's determination under the California Environmental Quality Act. (Mayor's Office of Housing and Community Development)  
(Fiscal Impact)

**Resolution No. 068-20**

**ADOPTED by the following vote:**

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

### Recommendations of the Land Use and Transportation Committee

#### **190355 [Planning Code - Authorizing Interim Activities at Development Sites]**

**Sponsors: Mayor; Haney**

Ordinance amending the Planning Code to enable the use of development project sites during the project approval and entitlement process by authorizing the Planning Department to authorize certain interim activities at development project sites as Temporary Uses for up to 36 months, subject to extension at the discretion of the Planning Director in increments for up to a maximum possible total of 24 additional months; adopting 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 convenience, necessity, and welfare under Planning Code, Section 302.

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

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

**191281 [Administrative Code - Tenant Buyout Agreements]****Sponsors: Ronen; Preston, Fewer, Haney, Peskin, Walton and Mandelman**

Ordinance amending the Administrative Code to (1) classify certain types of unlawful detainer settlement agreements as "Buyout Agreements," (2) require the Rent Board to provide more information on the disclosure form that landlords must give to tenants before buyout negotiations commence, (3) require landlords to give the disclosure form to tenants a certain number of days before the Buyout Agreement is executed and to verify to the Rent Board that the disclosures were provided, (4) require landlords to include in the final Buyout Agreement identifying information about the location of the unit, and (5) allow a tenant to invalidate any provision of the Buyout Agreement in which the tenant waived their rights if the landlord did not timely file the Buyout Agreement with the Rent Board.

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

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

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

**191286 [Public Trust Exchange Agreement - California State Lands Commission - Exchange of Certain Streets in the Vicinity of the Millennium Tower and Transbay Terminal for Certain Fisherman's Wharf Streets]****Sponsor: Mayor**

Resolution approving and authorizing a Trust Exchange Agreement with the California State Lands Commission that would remove the public trust from certain Transbay Streets in the vicinity of the Millennium Tower and Transbay Terminal and impress the public trust on certain Fisherman's Wharf Streets; adopting environmental findings and findings of consistency with the General Plan, and the eight priority policies of City Planning Code, Section 101.1; and authorizing the Port's Executive Director and the Director of Property to execute documents and take certain actions in furtherance of this Resolution, as defined herein.

**Resolution No. 069-20****ADOPTED by the following vote:**

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

## **Recommendations of the Rules Committee**

### **Supervisor Stefani Excused from Voting**

Supervisor Ronen, seconded by Supervisor Haney, moved that Supervisor Stefani be excused from voting on File No. 200053. The motion carried by the following vote:

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

### **200053 [Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor Catherine Stefani]**

Motion appointing Supervisor Catherine Stefani, term ending January 31, 2021, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

**Motion No.** M20-016

**APPROVED by the following vote:**

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

### **200072 [Appointment, Children and Families First Commission - Aline Armstrong]**

Motion appointing Aline Armstrong, for an indefinite term, to the Children and Families First Commission. (Rules Committee)

**Motion No.** M20-017

**APPROVED by the following vote:**

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

### **200073 [Presidential Appointment, Planning Commission - Maria Theresa Imperial]**

Motion approving the President of the Board of Supervisors Norman Yee's nomination of Maria Theresa Imperial to the Planning Commission, for a term ending July 1, 2020. (Clerk of the Board) (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: January 29, 2020.)

**Motion No.** M20-018

**APPROVED by the following vote:**

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

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

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

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

### **BLACK "WOMEN IN LEADERSHIP" HISTORY MONTH COMMENDATIONS**

Supervisor Walton provided opening remarks in recognition of Black History Month and "Singing Sarah" Davis, who was unanimously granted privilege of the floor, sang the Black National Anthem. Supervisors then introduced, welcomed, and presented Certificates of Honor to the following individuals for their accomplishments and continued community support, as referenced below:

Supervisor Walton recognized Doris Vincent, San Franciscan community trailblazer;

Supervisor Fewer recognized Chloe Jackman, small business owner;

Supervisor Stefani recognized Pamela Joyner;

Supervisor Peskin recognized Ping Yuen Black Women's Social Circle;

Supervisor Mar recognized Kaylah Williams (Association of Flight Attendants CWA);

Supervisor Preston recognized Gloria Berry, disabled veteran and activist;

Supervisor Haney recognized Cheryl Shanks;

President Yee recognized Marna Armstead, Executive Director (Sisterweb);

Supervisor Mandelman recognized Jana Rickerson, staff member (Openhouse);

Supervisor Ronen recognized Lauren Babb, Public Affairs Director (Planned Parenthood Northern California); and

Supervisor Safai recognized Gwen Brown, Director (Inner City Youth).

## **Appointment of President Pro Tempore**

At the request of President Yee, Supervisor Peskin assumed the chair at 3:43 p.m. The President resumed the chair at 3:47 p.m.



## SPECIAL ORDER 3:00 P.M.

*President Yee requested File Nos. 200067, 200068, 200069, and 200070 be called together.*

### **200067 [Hearing - Appeal of Conditional Use Authorization - 95 Nordhoff Street]**

Hearing of persons interested in or objecting to the certification of Conditional Use Authorization pursuant to Planning Code, Sections 121 and 303, for a proposed project at 95 Nordhoff Street, Assessor's Parcel Block No. 6763, Lot No. 001, identified in Planning Case No. 2018-015554CUA, issued by the Planning Commission by Motion No. 20602, dated December 12, 2019, for the subdivision of an existing lot currently containing a single-family dwelling unit into four new lots, two of which will be substandard lots, within the RH-1 (Residential-House, One Family) Zoning District and the 40-X Height and Bulk District. (District 8) (Appellant: Steven Ganz) (Filed January 13, 2020) (Clerk of the Board)

*President Yee opened the public hearing, and Supervisor Mandelman provided brief remarks and indicated he would be making a motion - with the concurrence of the appellant and project sponsor - to continue these appeal matters to a future meeting date. The President then inquired as to whether any individual wished to address the Board on the proposed continuance. There were no speakers. President Yee closed public comment on the continuance.*

**Supervisor Mandelman, seconded by Supervisor Walton, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of March 10, 2020. The motion carried by the following vote:**

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

### **200068 [Approving Conditional Use Authorization - 95 Nordhoff Street]**

Motion approving the decision of the Planning Commission by its Motion No. 20602, approving a Conditional Use Authorization, identified as Planning Case No. 2018-015554CUA, for a proposed project located at 95 Nordhoff Street; 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)

**Supervisor Mandelman, seconded by Supervisor Walton, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 10, 2020. The motion carried by the following vote:**

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

### **200069 [Conditionally Disapproving Conditional Use Authorization - 95 Nordhoff Street]**

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20602, approving a Conditional Use Authorization, identified as Planning Case No. 2018-015554CUA, for a proposed project at 95 Nordhoff Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)  
(Charter, 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.)

**Supervisor Mandelman, seconded by Supervisor Walton, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 10, 2020. The motion carried by the following vote:**

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

**200070 [Preparation of Findings Related to Conditional Use Authorization Appeal - 95 Nordhoff 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 as Planning Case No. 2018-015554CUA, for a proposed project at 95 Nordhoff Street. (Clerk of the Board)

**Supervisor Mandelman, seconded by Supervisor Walton, moved that this Motion be CONTINUED to the Board of Supervisors meeting of March 10, 2020. The motion carried by the following vote:**

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

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

*President Yee requested File Nos. 191180 and 191181 be called together.*

**Board of Supervisors Sitting as a Committee of the Whole****191180 [Hearing - Committee of the Whole - Street Vacation - Vallejo Street and Davis Street Right-of-Ways - Teatro ZinZanni Project - February 11, 2020, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on February 11, 2020, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance (File No. 191181) ordering the vacation of streets on a portion of the Vallejo Street right-of-way, generally bounded by Assessor's Parcel Block No. 0138, Lot No. 001, and Assessor's Parcel Block No. 0139, Lot No. 002, between Davis Street and The Embarcadero and a portion of the Davis Street right-of-way as part of improvements for the Teatro ZinZanni hotel, entertainment venue, and public open space project; making findings about the Mitigated Negative Declaration under the California Environmental Quality Act; adopting findings that the actions contemplated in the Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with the Ordinance, as defined therein; scheduled pursuant to Resolution No. 1-20, adopted on January 14, 2020. (Clerk of the Board)

*President Yee opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to the proposed street vacation on the Vallejo Street and Davis Street right-of-ways (File No. 191181). Rebecca Benassini (Port of San Francisco) provided an overview of the proposed street vacation and responded to questions raised throughout the discussion. Josephine Radbill (Unite Here Local 2); Jim Bohan; Matthias Mormino; Joanne Desmond; spoke in support of the proposed street vacation. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

**Committee of the Whole Adjourn and Report**

**Referred Without Recommendation from the Land Use and Transportation Committee****191181 [Street Vacation - Vallejo Street and Davis Street Right-of-Ways - Teatro ZinZanni Development Project]****Sponsor: Mayor**

Ordinance ordering the vacation of streets on a portion of the Vallejo Street right-of-way, generally bounded by Assessor's Parcel Block No. 0138, Lot No. 001, and Assessor's Parcel Block No. 0139, Lot No. 002, between Davis Street and The Embarcadero and a portion of the Davis Street right-of-way as part of improvements for the Teatro ZinZanni hotel, entertainment venue, and public open space project; making findings about the Mitigated Negative Declaration under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein.

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

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

**ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Reverend Amos Brown; expressed support of the newly introduced legislation regarding reparations and spoke against Rush Limbaugh's Presidential Medal of Freedom.*

*Gregory Bell; shared concerns regarding safety reminders announced on Muni.*

*Charlie Walker; shared concerns regarding racism and the need for reparations.*

*Maika Pinkston; shared her desire to open a compassion center in the Bayview neighborhood.*

*Speaker; shared concerns regarding racism and the need for reparations.*

*Linda Chapman; shared concerns regarding Public Works and the need for tree maintenance.*

*Speaker; expressed concerns about the Municipal Transportation Agency and the plight of taxi medallion holders.*

*Speaker; expressed concerns about the Municipal Transportation Agency and the plight of taxi medallion holders.*

*Speaker; expressed concerns about the Municipal Transportation Agency and the plight of taxi medallion holders.*

*Matthew Sutter; expressed concerns about the Municipal Transportation Agency and the plight of taxi medallion holders.*

*Speaker; expressed concerns about the Municipal Transportation Agency and the plight of taxi medallion holders.*

*Dennis Williams; shared concerns regarding a project developer and public corruption.*

*Danny Motta; expressed concerns about the Municipal Transportation Agency and the plight of taxi medallion holders.*

*Speaker; support of newly introduced legislation to retain families.*

*Speaker; expressed support of the newly introduced legislation regarding reparations.*

*Speaker; expressed support of the newly introduced legislation regarding reparations.*

*Ken Johnson; expressed support of the newly introduced legislation regarding reparations.*

*Alisha Roshell; expressed support of the newly introduced legislation regarding reparations.*

*Lena Shephard; expressed support of the newly introduced legislation regarding reparations.*

*Sala-Haquekyah Chandler; expressed support of the newly introduced legislation regarding reparations.*

*Speaker; expressed support of the newly introduced legislation regarding reparations.*

*Jess; shared concerns regarding City College of San Francisco and the cancellation of classes.*

*Donna McMillan; expressed concerns regarding housing.*

*Reverend Arnold Townsend; expressed support of the newly introduced legislation regarding reparations and thanked the Board for holding the Black History Month commendations.*

*Sherry Miller; expressed support of the newly introduced legislation regarding reparations.*

*Speaker; expressed support of the newly introduced legislation regarding reparations.*

*Brenda Barros; expressed support of the newly introduced legislation regarding reparations.*

*Tom Gilberty; shared concerns regarding housing, reparations, and*

*Speaker; expressed support of the newly introduced legislation regarding reparations.*

*Peter Warfield; shared concerns regarding City College of San Francisco.*

*Supervisor Peskin was noted absent at 5:40 p.m. and for the remainder of the meeting.*

*Supervisor Fewer was noted absent at 5:45 p.m. and for the remainder of the meeting.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****200128 [Supporting California Senate Bill No. 281 (Wiener) - Agricultural District 1a: Firearm and Ammunition Sales at the Cow Palace]****Sponsors: Stefani; Mandelman**

Resolution supporting California State Senate Bill No. 281, Agricultural District 1a: Firearm and Ammunition Sales at the Cow Palace, authored by Senator Scott Wiener and principally coauthored by Assembly Members David Chiu and Phil Ting, which promotes the general welfare and public safety by prohibiting the sale of firearms or ammunition in the buildings that comprise the Cow Palace property.

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

**Resolution No. 070-20****ADOPTED****200129 [Board of Supervisors Budget Process - FYs 2020-2021 and 2021-2022]****Sponsors: Fewer; Walton, Ronen, Yee, Mandelman and Preston**

Motion establishing goals for the Board of Supervisors' Budget and Appropriations Committee, and the process to guide the Board's deliberations on the City budget, for FYs 2020-2021 and 2021-2022.

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

**Motion No. M20-019****APPROVED**

**200131 [Calling Joint Special Meeting with the Public Utilities Commission - Closed Session - Existing Litigation - Pacific Gas and Electric Company - March 10, 2020, at 4:00 p.m.]**

**Sponsors: Peskin; Ronen**

Motion calling a joint special meeting with the Board of Supervisors and the Public Utilities Commission on March 10, 2020, at 4:00 p.m., and that the Board of Supervisors convene in a joint closed session at the joint special meeting with the Public Utilities Commission, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. R.19-09-016, filed January 10, 2019.

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

**Motion No. M20-020**

**APPROVED**

**200084 [Final Map No. 9693 - 3132-3140 Scott Street]**

Motion approving Final Map No. 9693, a five residential unit condominium project, located at 3132-3140 Scott Street, being a subdivision of Assessor's Parcel Block No. 0512, Lot No. 018; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M20-021**

**APPROVED**

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

Ayes: 9 - Haney, Mandelman, Mar, Preston, Ronen, Safai, Stefani, Walton, Yee

Absent: 2 - Fewer, Peskin

## 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

### 200141 [Health Code - Adult Sex Venue Health and Safety Standards]

**Sponsor: Mandelman**

Ordinance amending the Health Code to require the Director of Health to adopt minimum health and safety standards governing the operation of commercial adult sex venues, but prohibiting the Director from adopting standards that require monitoring of patrons' sexual activities, or that regulate doors or mandate unlocked doors in areas where sexual activity may occur.

02/11/20; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 3/12/2020.

### 200142 [Planning Code - Conditional Use Authorizations for Demonstrably Unaffordable Housing]

**Sponsors: Mandelman; Peskin**

Ordinance amending the Planning Code to require conditional use authorization for applications to demolish a single-family residential building on a site zoned as RH-1 (Residential, House District, One Family) or RH-1(D) (Residential, House District, One Family-Detached), when the building is demonstrably not affordable or financially accessible housing; 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.

02/11/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/12/2020.

**200143 [Planning Code - Zoning Controls - Urban Mixed Use District - Office Uses]****Sponsor: Ronen**

Ordinance amending the Planning Code to provide that in the Urban Mixed Use District all office uses are prohibited, except that a professional service, financial service, or medical service is allowed as a conditional use on the ground floor when primarily open to the general public on a client-oriented basis; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.  
(Economic Impact; No Economic Analysis Report)

02/11/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/12/2020.

**200144 [Police Code - Ceasing Acceptance of New Applications - Cannabis Retail Permits]****Sponsors: Walton; Safai**

Ordinance amending the Police Code to provide that cannabis retail permit applications will not be accepted as of the effective date of this Ordinance; and affirming the Planning Department's determination under the California Environmental Quality Act.

02/11/20; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 3/12/2020.

**190846 [Administrative Code - Biennial Housing Needs Assessment and Production Pipeline Reports - Seniors and People with Disabilities]****Sponsors: Yee; Ronen, Peskin and Mar**

Ordinance amending the Administrative Code to direct the Department of Disability and Aging Services to report biennially on housing needs and housing production for seniors and people with disabilities, with input from the Mayor's Office of Housing and Community Development.

07/30/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/29/2019.

08/05/19; REFERRED TO DEPARTMENT.

02/11/20; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

## RESOLUTIONS

**200145 [Authority to Award Grant - Edgewood Center for Children and Families - Maintenance of Financial Solvency - \$350,000]****Sponsors: Mayor; Mar**

Resolution authorizing the Department of Public Health to award a one-time, limited term grant to Edgewood Center for Children and Families (Edgewood) for the purpose of maintaining the fiscal solvency of Edgewood, in an amount not to exceed \$350,000 for a period not to exceed 90-days, to commence following Board approval. (Public Health Department)  
(Fiscal Impact)

02/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**200146 [Supporting a Bus-Only Lane - San Francisco-Oakland Bay Bridge]****Sponsor: Haney**

Resolution supporting the installation of a bus-only lane on the San Francisco-Oakland Bay Bridge and approaches, including adding more frequent bus services and congestion pricing measures.

02/11/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.



**200147 [Urging Municipal Transportation Agency to Refrain from Any Muni Fare Increases]**  
**Sponsor: Preston**

Resolution urging the Municipal Transportation Agency to refrain from any Muni fare increases for the FY2021-2022 budget cycle.

02/11/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**200148 [Commitment to Monitor and Defend the Confidentiality of the 2020 Census Data Collection Efforts]**

**Sponsors: Ronen; Haney, Mar, Fewer, Preston and Mandelman**

Resolution affirming the City and County of San Francisco's commitment to monitor 2020 Census data collection efforts for breaches of confidentiality and to defend the privacy of 2020 Census respondents against the possibility of such breaches.

02/11/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**200149 [Supporting a Reparations Plan and Advisory Committee]**

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

Resolution supporting a reparations plan that will comprehensively address the inequities that exist in the African American community as a result of slavery's legacy of systemic oppression and creation of an advisory committee for the African American community.

02/11/20; RECEIVED AND ASSIGNED to Rules Committee.

## MOTIONS

**200150 [Committee of the Whole - Controller's Report on Cannabis Following Adult-Use Legalization - March 24, 2020, at 3:00 p.m.]**

**Sponsor: Fewer**

Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on March 24, 2020, at 3:00 p.m., for the Members of the Board of Supervisors to hold a public hearing to consider the specific findings and recommendations from the Controller's Office regarding the cannabis industry in San Francisco.

02/11/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**200159 [Amending Motion No. M18-058 - Withdrawing Budget and Legislative Analyst Services Audit of MTA Ridership, Revenues, and Congestion]**

**Sponsor: Peskin**

Motion amending Motion No. M18-058 to withdraw the request for the Budget and Legislative Analyst to conduct a performance audit in FY2018-2019 of the trends in Muni ridership and revenues, including reasons for declines in ridership and revenues compared to prior fiscal years, and the effectiveness of the Municipal Transportation Agency's policies in managing traffic congestion and the impact of traffic congestion on Muni.

**200151 [Committee of the Whole - Disclosure Responsibilities of Board of Supervisors Under Federal Securities Laws - April 7, 2020, at 3:00 p.m.]****Sponsor: Yee**

Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on April 7, 2020, at 3:00 p.m., for the Members of the Board of Supervisors to receive educational training on their legal obligations under Federal securities laws with respect to any Official Statement approvals.

02/11/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## REQUESTS FOR HEARING

**200152 [Hearing - Committee of the Whole - Controller's Report on Cannabis Following Adult-Use Legalization - March 24, 2020, at 3:00 p.m.]****Sponsor: Fewer**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on March 24, 2020, at 3:00 p.m., for the Members of the Board of Supervisors to hear and receive a report, entitled "Cannabis in San Francisco - A Review Following Adult-Use Legalization," on specific findings and recommendations regarding the cannabis industry in San Francisco; to be scheduled pending approval of the Motion in File No. 200150; and requesting the Controller's Office to report.

02/11/20; RECEIVED AND ASSIGNED to Board of Supervisors.

**200153 [Hearing - San Francisco International Airport Lease and Use Agreements]****Sponsors: Mar; Fewer**

Hearing to discuss the San Francisco International Airport's Lease and Use Agreements; to present on the current Lease and Use Agreement negotiation process and public interest goals of agreements, including but not limited to whether airlines and their contractors provide good family sustaining jobs and utilizing landing fees to reduce congestion and encourage use of fuel efficient aircrafts; and requesting the San Francisco International Airport, United Airlines, and Alaska Airlines to report.

02/11/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**200154 [Hearing - Chronic Underfunding of Public Education and Possible Local Solutions]****Sponsor: Yee**

Hearing to discuss the current financial status and future financial outlook for educational institutions, the actions that the City has taken previously to financially support the institutions, to discuss possible local solutions to the lack of adequate support from state and federal sources; and requesting the State Lobbyist for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, and Office of the Controller to report.

02/11/20; RECEIVED AND ASSIGNED to Joint City, School District, and City College Select Committee.

**200155 [Hearing - Committee of the Whole - Disclosure Responsibilities of Board of Supervisors Under Federal Securities Laws - April 7, 2020, at 3:00 p.m.]****Sponsor: Yee**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on April 7, 2020, at 3:00 p.m., for the Members of the Board of Supervisors to receive an educational training on their legal obligations under Federal securities laws with respect to any Official Statement approvals; to be scheduled pending approval of the Motion in File No. 200151.

02/11/20; RECEIVED AND ASSIGNED to Board of Supervisors.

**200156 [Joint Closed Session - Public Utilities Commission - Existing Litigation - Pacific Gas and Electric Company - March 10, 2020, at 4:00 p.m.]**

Joint closed session with the Board of Supervisors and the Public Utilities Commission on March 10, 2020, at 4:00 p.m., pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. R.19-09-016, filed January 10, 2019; scheduled pursuant to Motion No. M20-020, approved on February 11, 2020. (Clerk of the Board)

02/11/20; RECEIVED AND ASSIGNED to Board of Supervisors.

## **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**

### **200107 [Settlement of Lawsuit - Vera Cort - City to Receive \$200,000]**

Ordinance authorizing settlement of the lawsuit filed by Vera Cort, Trustee of Cort Survivor Trust, against the City and County of San Francisco for \$200,000; the lawsuit was filed on March 7, 2019, in San Francisco Superior Court, Case No. CPF-19-516582, entitled Vera Cort, Trustee of Cort Survivor Trust v. City and County of San Francisco, et al.; the lawsuit involves petitioner's challenge to the City's cancellation of her construction permits after petitioner demolished property in violation of the issued permits. (City Attorney)

01/30/20; RECEIVED FROM DEPARTMENT.

02/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **200108 [Settlement of Lawsuit - Garry Peace - \$43,500]**

Ordinance authorizing settlement of the lawsuit filed by Garry Peace against the City and County of San Francisco for \$43,500; the lawsuit was filed on November 8, 2017, in San Francisco Superior Court, Case No. CGC-17-562373; entitled Garry Peace v. City and County of San Francisco; the lawsuit involves an alleged personal injury while walking on a City sidewalk. (City Attorney)

02/03/20; RECEIVED FROM DEPARTMENT.

02/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **PROPOSED RESOLUTIONS**

### **200109 [Settlement of Unlitigated Claim - Estate Research Associates - \$82,465.14]**

Resolution approving an updated settlement authority for the unlitigated claim filed by Estate Research Associates against the City and County of San Francisco for \$82,465.14; the claim was filed on January 26, 2018; the claim involves damages allegedly arising from the failure to properly administer two estates; Resolution No. 389-18 previously approved settlement up to \$80,000. (City Attorney)

02/03/20; RECEIVED FROM DEPARTMENT.

02/11/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **200110 [Public Auction - Tax-Defaulted Real Property]**

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property, as defined herein. (Treasurer-Tax Collector)

01/31/20; RECEIVED FROM DEPARTMENT.

02/11/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**200111 [Agreement Amendment - Retroactive - APX, Inc. - Power Scheduling Coordination and Related Support Services - Not to Exceed \$149,900,000]**

Resolution retroactively authorizing the General Manager of the Public Utilities Commission to execute the first amendment to Agreement No. CS-344 Power Scheduling Coordination and Related Support Services, with APX, Inc. to amend the not to exceed amount from \$105,000,000 to \$107,900,000 and authorizing the General Manager of the Public Utilities Commission to execute a second amendment providing a two-year extension to the contract term, for a total term of seven years, from June 16, 2015, through June 15, 2022, and increasing the not to exceed amount by \$42,000,000 for a total not to exceed amount of \$149,900,000 pursuant to Charter, Section 9.118. (Public Utilities Commission)  
(Fiscal Impact)

01/31/20; RECEIVED FROM DEPARTMENT.

02/11/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Request Granted**

*From: Supervisor Stefani*

*To: Department of Public Health*

*Requesting information from Department of Public Health regarding a recent advertisement campaign called "know overdose.":*

- How was this campaign created, and what parameters were set for the campaign?*
- What was the cost of the campaign, how many advertisements were posted publicly, how long were they going to be posted, and what contract or grant award was used to fund the creation and dissemination of the campaign?*
- What was the approval process for the content of the advertisements?*
- What scientific studies were used to inform the content and messaging of the advertisements?*
- Were any other departments or offices, such as the Office of Racial Equity, consulted when the content was generated for photographs selected?*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 5:52 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 March 17, 2020.*

---

Angela Calvillo, Clerk of the Board