

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, January 14, 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 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 Cook, Collins, Moliga (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, January 14, 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, Supervisors Fewer, Haney, Mandelman, Peskin, Preston, Ronen, Safai, Stefani, Walton, and Yee were noted present.

Supervisor Mar was noted not present.

A quorum was present.

COMMUNICATIONS

There were no communications.

Supervisor Mar was noted present at 2:07 p.m.

APPROVAL OF MEETING MINUTES

President Yee inquired whether any Member of the Board had any corrections to the November 21, 2019, Special Board Meeting Minutes, or the November 21, 2019, Special Meeting Minutes at the Budget and Finance Committee Meeting, which constituted a quorum of the Board of Supervisors, as they were presented. There were no corrections requested from any Member of the Board.

Supervisor Mandelman, seconded by Supervisor Preston, moved to approve the November 21, 2019, Special Board Meeting Minutes, and the November 21, 2019, Special Meeting Minutes at the Budget and Finance Committee Meeting, which constituted a quorum of the Board of Supervisors, as presented. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

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

There were no questions submitted from the eligible Supervisors representing Districts 9, 10, and 11. Mayor London N. Breed addressed the Board of Supervisors regarding homelessness, including navigation centers, services being provided, options for those who refuse services, the critical need for housing, addressing obstructive policies, and how to address these issue when faced with a budget deficit. Following public comment this matter was filed. No further action was taken.

REGULAR AGENDA

UNFINISHED BUSINESS

President Yee requested File Nos. 191137 and 191125 be called together.

Referred Without Recommendation from the Government Audit and Oversight Committee

191137 [Settlement of Lawsuit - Academy of Art University - City to Receive \$57,960,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the People of the State of California against the Stephens Institute and 23 of its affiliated limited liability companies (collectively "Academy") that owned properties in San Francisco, in People v. Stephens Institute, et. al, San Francisco Superior Court Number CGC-16-551832; the lawsuit alleged that the Academy had violated the City's Administrative Code, Planning Code, and Building Code, and the State Unfair Competition Law, Business and Professions Code, Section 17200 et seq.; under the settlement, the Academy agrees to: bring its existing uses into compliance with the Planning Code; relocate existing uses or change uses in buildings in accordance with applicable laws in those limited instances where the Planning Department has determined that legalization is not appropriate; compensate the People and the City for alleged past violations by paying approximately \$58,000,000 including providing affordable housing public benefits to the City in the amount of \$37,600,000 and a payment of approximately \$8,200,000 to the City's Small Sites Fund; and work cooperatively with the City in planning for future growth in a manner that accounts for the urban nature of the Academy's campus, without adversely impacting the City's affordable or rent-controlled housing stock, or burdening its transportation system, including, as a part of that plan, building new housing, or converting existing buildings, for its students on property that is zoned for such use. (City Attorney)

Ordinance No. 004-20

FINALLY PASSED by the following vote:

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

Referred Without Recommendation from the Land Use and Transportation Committee**191125 [Planning, Administrative Codes - Development Agreement, Conditional Use Procedures for Large Noncontiguous Post-Secondary Educational Institutions, Planning and Administrative Code Waivers]****Sponsors: Peskin; Yee**

Ordinance approving a Development Agreement between the City and County of San Francisco and the Stephens Institute, dba Academy of Art University, and its affiliated entities, as to the Academy's properties, which agreement provides for various public benefits, including among others an "affordable housing payment" of \$37,600,000 and a payment of approximately \$8,200,000 to the City's Small Sites Fund; amending the Planning Code to provide review procedures for Large Noncontiguous Post-Secondary Educational Institutions; waiving conflicting provisions in the Planning and Administrative Codes, including Planning Code, Section 169; confirming compliance with or waiving certain provisions of Administrative Code, Chapters 41 and 56; ratifying certain actions taken in connection with the Development Agreement and authorizing certain actions to be taken consistent with the Development Agreement, as defined herein; affirming the Planning Department's determination under the California Environmental Quality Act, and findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

Ordinance No. 005-20**FINALLY PASSED by the following vote:**

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

Recommendation of the Land Use and Transportation Committee**191062 [Amending Ordinance No. 1061 - Sidewalk Width Reduction - Along Pierce Street Between O'Farrell and Ellis Streets]**

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to reduce the official sidewalk width of certain locations along the westerly side of Pierce Street between O'Farrell and Ellis Streets, in front of the Maxine Hall Health Center at 1301 Pierce Street; adopting the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Ordinance No. 006-20**FINALLY PASSED by the following vote:**

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

190972 [Environment Code - Electrification of Municipal Facilities]

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

Ordinance amending the Environment Code to require new construction and major renovations of municipal buildings to exclude natural gas and include exclusively all-electric energy sources; and affirming the Planning Department's determination under the California Environmental Quality Act. (Fiscal Impact)

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

PASSED ON FIRST READING by the following vote:

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

President Yee requested File Nos. 191182 and 191179 be called together.

191182 [Lease Agreement - TZK Broadway, LLC - Seawall Lots 323 and 324 - Teatro ZinZanni - \$1,000,000 Annual Minimum Base Rent]

Sponsor: Mayor

Resolution approving and authorizing a 50-year Lease with one 16-year option to extend between the Port Commission and TZK Broadway, LLC for the mixed-use hotel, entertainment venue, and a public open space development at Seawall Lots 323 and 324, with an annual minimum base rent equal to no less than \$1,000,000 to commence following Board approval; adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; authorizing and directing the Port Executive Director to execute documents and take necessary actions to implement this Resolution, as defined herein; and affirming the Planning Department's determination under the California Environmental Quality Act.

Resolution No. 005-20

ADOPTED by the following vote:

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

191212 [Professional Services Agreement - CDM Smith, Inc. - Planning, Design, Engineering Support During Construction of Ozonation Facility - Not to Exceed \$15,000,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a contract with CDM Smith, Inc. for planning and design services, and possibly engineering support during construction, for a proposed Sunol Valley Water Treatment Plant Ozonation project, for an amount not to exceed \$15,000,000 and a term of six years from March 2020 through March 2026, pursuant to Charter, Section 9.118. (Public Utilities Commission) (Fiscal Impact)

Resolution No. 013-20

ADOPTED by the following vote:

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

191263 [Multifamily Housing Revenue Bonds - 1223 Webster Street (Fillmore Marketplace) - Not to Exceed \$24,000,000]**Sponsor: Mayor**

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$24,000,000 for 1223 Webster Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$24,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

Resolution No. 006-20**ADOPTED by the following vote:**

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

President Yee requested File Nos. 191264 and 191265 be called together.

191264 [Multifamily Housing Revenue Note - Turk 500 Associates, L.P. - Not to Exceed \$53,000,000]**Sponsor: Mayor**

Resolution authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$53,000,000 for the purpose of providing financing for the construction of a 108-unit (includes one resident manager unit) multifamily rental housing project known as "555 Larkin/500-520 Turk;" approving the form of and authorizing the execution of a funding loan agreement, providing the terms and conditions of the loan from the funding lender to the City, and the execution and delivery of the note; approving the form of and authorizing the execution of a project loan agreement providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the note and the project; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

Resolution No. 016-20**ADOPTED by the following vote:**

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

191265 [Acquisition of Real Property - Turk 500 Associates, L.P. - 500-520 Turk Street/555 Larkin Street - 100% Affordable Housing - \$0 in Exchange for \$12,250,000 Credit - Ground Lease with Base Rent of \$15,000 - Loan Not to Exceed \$32,400,000]

Sponsor: Mayor

Resolution 1) approving and authorizing the Director of Property, on behalf of the Mayor's Office of Housing and Community Development ("MOHCD"), to acquire real property, located at 500-520 Turk Street/555 Larkin Street ("Property") from Turk 500 Associates, L.P. ("Developer") for \$0 in exchange for a \$12,250,000 credit; 2) placing the Property under the jurisdiction of MOHCD for use in constructing affordable housing for San Franciscans; 3) approving and authorizing an Amended and Restated Loan Agreement in an amount not to exceed \$32,400,000 for a minimum loan term of 57 years ("Loan Agreement") to finance the construction of a 100% affordable, 108-unit multifamily rental housing development (plus one staff unit) on the Property for low income households with ancillary commercial space for public benefit or community-serving purposes ("Project"); 4) approving and authorizing an Agreement for Purchase and Sale for acquisition of the Property ("Purchase Agreement") and a Ground Lease back to the Developer for a lease term of 75 years and one 24-year option to extend and an annual base rent of \$15,000 in order to construct the Project ("Ground Lease"); 5) adopting findings that the Purchase Agreement, Loan Agreement and Ground Lease are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and 6) authorizing the Director of Property to execute the Purchase Agreement, Ground Lease, and authorize Director of MOHCD to execute the Loan Agreement, make certain modifications to such agreements, and take certain actions in furtherance of this Resolution, as defined herein.

(Fiscal Impact)

Resolution No. 007-20

ADOPTED by the following vote:

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

President Yee requested File Nos. 191299 and 191300 be called together.

191299 [Multifamily Housing Revenue Bonds - 401 Avenue of the Palms (Maceo May Apartments) - Not to Exceed \$44,615,500]

Sponsors: Mayor; Haney

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$44,615,500 for the purpose of providing financing for the acquisition, development, construction and equipping of a 105-unit, affordable multifamily residential rental housing project located within the City on an approximately 0.74-acre parcel, identified as Parcel C3.2 in the Treasure Island Master Plan, currently assigned the street address of 401 Avenue of the Palms; approving the form of and authorizing the execution of a trust indenture providing terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters, as defined herein.

Resolution No. 028-20

ADOPTED by the following vote:

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

191300 [Loan Agreement - Maceo May Apts, L.P. - 100% Affordable Housing at 401 Avenue of the Palms - Not to Exceed \$24,255,000]**Sponsors: Mayor; Haney**

Resolution approving and authorizing the execution of a Loan Agreement with Maceo May Apts, L.P., a California limited partnership, in an amount not to exceed \$24,255,000 for a minimum term of 57 years, to finance the construction of a 100% affordable, 105-unit multifamily rental housing development (plus one staff unit) for low and moderate income veteran households ("Maceo Project") at 401 Avenue of the Palms; and adopting findings that the Loan Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Fiscal Impact)

Resolution No. 029-20**ADOPTED by the following vote:**

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

President Yee requested File Nos. 191287, 191288, 191289, 191290, 191291, 191292, 191293, 191294, 191295, 191296, and 191297 be called together.

191287 [Apply for Grant - Sunnydale Block 3A Housing Partners, L.P. - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Sunnydale Block 3A]**Sponsors: Mayor; Walton**

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Sunnydale Block 3A Housing Partners, L.P., a California limited partnership, for the 100% affordable housing project as identified as Sunnydale Block 3A in the Sunnydale HOPE SF Development Agreement; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

Resolution No. 017-20**ADOPTED by the following vote:**

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

191288 [Apply for Grant - Sunnydale Block 3A Housing Partners, L.P. - Assumption of Liability - Department of Housing and Community Development Infill Infrastructure Program - Sunnydale Block 3A]

Sponsors: Mayor; Walton

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Infill Infrastructure ("IIG") Program as a joint applicant with Sunnydale Block 3A Housing Partners, L.P., a California limited partnership, for the 100% affordable housing project identified as Sunnydale Block 3A in the Sunnydale HOPE SF Development Agreement; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the IIG Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

Resolution No. 018-20

ADOPTED by the following vote:

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

191289 [Apply for Grant - Sunnydale Block 3B Housing Partners, L.P. - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Sunnydale Block 3B]

Sponsors: Mayor; Walton

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Sunnydale Block 3B Housing Partners, L.P., a California limited partnership, for the 100% affordable housing project as identified as Sunnydale Block 3B in the Sunnydale HOPE SF Development Agreement; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

Resolution No. 019-20

ADOPTED by the following vote:

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

191290 [Apply for Grant - Sunnydale Block 3B Housing Partners, L.P. - Assumption of Liability - Department of Housing and Community Development Infill Infrastructure Program - Sunnydale Block 3B]

Sponsors: Mayor; Walton

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Infill Infrastructure ("IIG") Program as a joint applicant with Sunnydale Block 3B Housing Partners, L.P., a California limited partnership, for the 100% affordable housing project identified as identified as Sunnydale Block 3B in the Sunnydale HOPE SF Development Agreement; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the IIG Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

Resolution No. 020-20

ADOPTED by the following vote:

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

191291 [Apply for Grant - 4th and Folsom Associates, L.P. - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - 266-4th Street]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with 4th and Folsom Associates, L.P., a California limited partnership, for the 100% affordable housing project at 266-4th Street; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

Resolution No. 021-20

ADOPTED by the following vote:

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

191292 [Apply for Grant - Potrero Housing Associates II, L.P. - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - Potrero Block B]

Sponsors: Mayor; Walton

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Potrero Housing Associates II, L.P., a California limited partnership, for the 100% affordable housing project identified as Potrero Block B in the Potrero HOPE SF Development Agreement; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

Resolution No. 022-20

ADOPTED by the following vote:

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

191293 [Apply for Grant - Potrero Housing Associates II, L.P. - Assumption of Liability - Department of Housing and Community Development Infill Infrastructure Program - Potrero Block B]

Sponsors: Mayor; Walton

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Infill Infrastructure ("IIG") Program as a joint applicant with Potrero Housing Associates II, L.P., a California limited partnership, for the 100% affordable housing project identified as Potrero Block B in the Potrero HOPE SF Development Agreement; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the IIG Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

Resolution No. 023-20

ADOPTED by the following vote:

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

191294 [Apply for Grant - Balboa Park Housing Partners, L.P. - Assumption of Liability - Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - 2340 San Jose Avenue]

Sponsors: Mayor; Safai

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with the Balboa Park Housing Partners, L.P., a California limited partnership, for the 100% affordable housing project at 2340 San Jose Avenue; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

Resolution No. 024-20

ADOPTED by the following vote:

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

191295 [Apply for Grant - Balboa Park Housing Partners, L.P. - Assumption of Liability - Department of Housing and Community Development Infill Infrastructure Program - 2340 San Jose Avenue]

Sponsors: Mayor; Safai

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Infill Infrastructure ("IIG") Program as a joint applicant with Balboa Park Housing Partners, L.P., a California limited partnership, for the 100% affordable housing project at 2340 San Jose Avenue; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the IIG Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

Resolution No. 025-20

ADOPTED by the following vote:

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

191296 [Apply for Grant - State of California Department of Housing and Community Development - CalHome Program - \$5,000,000]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to submit a grant application to the California State Department of Housing and Community Development for funding in the amount of \$5,000,000 under the CalHome Program; and any related documents necessary to participate in the CalHome Program. (Mayor's Office of Housing and Community Development)

Resolution No. 026-20

ADOPTED by the following vote:

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

191297 [Apply for Grant - Treasure Island Development Authority - Assumption of Liability - Department of Housing and Community Development Infill Infrastructure Grant Program - Treasure Island Major Subphase 1]

Sponsor: Mayor

Resolution authorizing the Treasure Island Development Authority (“Authority”), on behalf of the City and County of San Francisco, to execute a grant application under the Department of Housing and Community Development Infill Infrastructure Program (“IIG Program”) as a sole applicant or joint applicant with the San Francisco County Transportation Authority and/or the San Francisco Public Utilities Commission for qualifying infrastructure projects within Treasure Island Major Subphase 1; and, if successful, authorizing the City to assume any joint and several liability for completion of the projects required under the terms of any grant awarded under the IIG Program. (Treasure Island Development Authority)

Resolution No. 027-20

ADOPTED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee

191120 [Application to Amend San Francisco’s Priority Development Area, Priority Conservation Area, and Priority Production Area Designations]

Sponsors: Mar; Fewer and Yee

Resolution authorizing the Planning Department to apply, on behalf of the City and County of San Francisco, to confirm existing and create new and revised designations of Priority Development Areas, Priority Conservation Areas, and Priority Production Areas by the Association of Bay Area Governments and the Metropolitan Transportation Commission, as part of the Plan Bay Area 2050 update. (Planning Department)

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

Resolution No. 008-20

ADOPTED 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 Peskin, seconded by Supervisor Mandelman, 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

Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to Vic Lee, veteran Bay Area journalist, on the occasion of his retirement after nearly 50 years of reporting for various television news outlets, and in recognition of his decades of coverage on some of the most critical stories that shaped and evolved the Bay Area. Supervisors Safai and Yee shared in this commendation. Rev. Norman Fong, Executive Director (Chinatown Community Development Center), provided additional commendatory remarks.

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Tom DeCaigny, Director of Cultural Affairs (Arts Commission), on the occasion of his bittersweet departure from the Arts Commission to take a new position as Executive Director of the California Alliance for Arts Education, and in recognition of his many accomplishments during the last eight years of service to the City and County of San Francisco.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to Buck Bagot, co-founder of the Bernal Heights Neighborhood Center and the Bernal Heights Democratic Club, in recognition of his many accomplishments advocating for affordable housing, civil rights, injustice and discrimination, and the Bernal Heights community.

Supervisor Preston introduced, welcomed, and presented a Certificate of Honor to Club Waziema, accepted by Giday Beshue and Nebiat Tesfazgi, in recognition of their more than 20 years of service providing food, drinks, and legendary performances in the Divisadero corridor.

SPECIAL ORDER 3:00 P.M.

President Yee requested File Nos. 191161, 191162, 191163, 191254, 191164, 191165, and 191166 be called together.

Board of Supervisors Sitting as a Committee of the Whole

191161 [Hearing - Committee of the Whole - Special Tax District No. 2019-1 (Pier 70 Condominiums) - January 14, 2020]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on January 14, 2020, at 3:00 p.m., to hold a public hearing to consider the following legislation to form Special Tax District No. 2019-1 (Pier 70 Condominiums); a Resolution proposing the formation of the Special Tax District No. 2019-1 (Pier 70 Condominiums) and a future annexation area (File No. 191162); a Resolution determining necessity to incur bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,697,600,000 (File No. 191163); a Resolution calling a special election for the Special Tax District No. 2019-1 (File No. 191254); a Resolution declaring the results of the special election (File No. 191164); a Resolution authorizing and ratifying issuance of bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,697,600,000 (File No. 191165); and an Ordinance levying Special Taxes for the Special Tax District No. 2019-1 (File No. 191166); scheduled pursuant to Resolution No. 500-19, approved on November 27, 2019. (Clerk of the Board)

President Yee inquired as to whether any member of the public wished to address the Committee of the Whole relating to the Special Tax District No. 2019-1 (Pier 70 Condominiums). Wyatt Donnelly-Landolt (Port of San Francisco) provided an overview of the proposed special tax district and responded to questions raised throughout the discussion. Francisco Da Costa; spoke on various concerns related to the proposed special tax district. 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

Supervisors Safai and Haney were noted absent at 3:15 p.m.

191162 [Resolution of Formation - Special Tax District No. 2019-1 (Pier 70 Condominiums)] **Sponsor: Mayor**

Resolution of formation of the City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums) and a future annexation area; determining other matters in connection therewith, as defined herein; and making findings under the California Environmental Quality Act.

Resolution No. 009-20

ADOPTED by the following vote:

Ayes: 9 - Fewer, Mandelman, Mar, Peskin, Preston, Ronen, Stefani, Walton, Yee

Absent: 2 - Haney, Safai

191163 [Determining Necessity to Incur Bonded Indebtedness and Other Debt - Special Tax District No. 2019-1 (Pier 70 Condominiums) - Not to Exceed \$1,697,600,000]**Sponsor: Mayor**

Resolution determining necessity to incur bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,697,600,000 for the City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums); and determining other matters in connection therewith, as defined herein.

Resolution No. 010-20**ADOPTED by the following vote:**

Ayes: 9 - Fewer, Mandelman, Mar, Peskin, Preston, Ronen, Stefani, Walton, Yee

Absent: 2 - Haney, Safai

191254 [Calling Special Election - Special Tax District No. 2019-1 (Pier 70 Condominiums)]**Sponsor: Mayor**

Resolution calling a special election in the City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums); and determining other matters in connection therewith, as defined herein.

Resolution No. 014-20**ADOPTED by the following vote:**

Ayes: 9 - Fewer, Mandelman, Mar, Peskin, Preston, Ronen, Stefani, Walton, Yee

Absent: 2 - Haney, Safai

Supervisors Safai and Haney were noted present at 3:24 p.m.

191164 [Declaring Results of Special Election - Special Tax District No. 2019-1 (Pier 70 Condominiums)]**Sponsor: Mayor**

Resolution declaring the results of the special election; directing recordation of the notice of special tax lien for the City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums); and determining other matters in connection therewith, as defined herein.

Supervisor Walton, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of January 28, 2020. The motion carried by the following vote:

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

191165 [Authorizing and Ratifying Issuance of Bonded Indebtedness and Other Debt - Special Tax District No. 2019-1 (Pier 70 Condominiums) - Not to Exceed \$1,697,600,000]**Sponsor: Mayor**

Resolution authorizing and ratifying the issuance and sale of bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,697,600,000 for the City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums); and determining other matters in connection therewith, as defined herein.

Supervisor Walton, seconded by Supervisor Ronen, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of January 28, 2020. The motion carried by the following vote:

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

191166 [Levying Taxes - Special Tax District No. 2019-1 (Pier 70 Condominiums)]**Sponsor: Mayor**

Ordinance levying special taxes within City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums).

Supervisor Walton, seconded by Supervisor Ronen, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of January 28, 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. 191167, 191168, 191169, 191255, 191170, 191171, and 191172 be called together.

Board of Supervisors Sitting as a Committee of the Whole**191167 [Hearing - Committee of the Whole - Special Tax District No. 2019-2 (Pier 70 Leased Properties) - January 14, 2020]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on January 14, 2020, at 3:00 p.m., to hold a public hearing to consider the following legislation to form Special Tax District No. 2019-2 (Pier 70 Leased Properties): a Resolution proposing the formation of the Special Tax District No. 2019-2 (Pier 70 Leased Properties) and a future annexation area (File No. 191168); a Resolution determining necessity to incur bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,841,600,000 (File No. 191169); a Resolution calling a special election for the Special Tax District No. 2019-2 (File No. 191255); a Resolution declaring the results of the special election (File No. 191170); a Resolution authorizing and ratifying issuance of bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,841,600,000 (File No. 191171); and an Ordinance levying Special Taxes for the Special Tax District No. 2019-2 (File No. 191172); scheduled pursuant to Resolution No. 502-19, approved on November 27, 2019. (Clerk of the Board)

President Yee inquired as to whether any member of the public wished to address the Committee of the Whole relating to the Special Tax District No. 2019-1 (Pier 70 Leased Properties). Wyatt Donnelly-Landolt (Port of San Francisco) provided an overview of the proposed special tax district and responded to questions raised throughout the discussion. Francisco Da Costa; spoke on various concerns related to the proposed special tax district. 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

191168 [Resolution of Formation - Special Tax District No. 2019-2 (Pier 70 Leased Properties)]**Sponsor: Mayor**

Resolution of formation of the City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties) and a future annexation area; determining other matters in connection therewith, as defined herein; and making findings under the California Environmental Quality Act.

Resolution No. 011-20**ADOPTED by the following vote:**

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

191169 [Determining Necessity to Incur Bonded Indebtedness and Other Debt - Special Tax District No. 2019-2 (Pier 70 Leased Properties) - Not to Exceed \$1,841,600,000]**Sponsor: Mayor**

Resolution determining necessity to incur bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,841,600,000 for the City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties); and determining other matters in connection therewith, as defined herein.

Resolution No. 012-20**ADOPTED by the following vote:**

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

191255 [Calling Special Election - Special Tax District No. 2019-2 (Pier 70 Leased Properties)]**Sponsor: Mayor**

Resolution calling a special election in the City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties); and determining other matters in connection therewith, as defined herein.

Resolution No. 015-20**ADOPTED by the following vote:**

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

191170 [Declaring Results of Special Election - Special Tax District No. 2019-2 (Pier 70 Leased Properties)]**Sponsor: Mayor**

Resolution declaring the results of the special election and directing recordation of the notice of special tax lien for the City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties); and determining other matters in connection therewith, as defined herein.

Supervisor Walton, seconded by Supervisor Fewer, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of January 28, 2020. The motion carried by the following vote:

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

191171 [Authorizing and Ratifying Issuance of Bonded Indebtedness and Other Debt - Special Tax District No. 2019-2 (Pier 70 Leased Properties) - Not to Exceed \$1,841,600,000]

Sponsor: Mayor

Resolution authorizing and ratifying the issuance and sale of bonded indebtedness and other debt in an aggregate principal amount not to exceed \$1,841,600,000 for the City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties); and determining other matters in connection therewith, as defined herein.

Supervisor Walton, seconded by Supervisor Fewer, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of January 28, 2020. The motion carried by the following vote:

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

191172 [Levying Special Taxes - Special Tax District No. 2019-2 (Pier 70 Leased Properties)]

Sponsor: Mayor

Ordinance levying special taxes within City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties).

Supervisor Walton, seconded by Supervisor Fewer, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of January 28, 2020. The motion carried by the following vote:

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

COMMITTEE REPORTS

Recommendations of the Land Use and Transportation Committee

Supervisor Ronen Excused from Voting

Supervisor Ronen requested to be excused from voting on File No. 191260, due to a conflict of interest since her residence is near a neighborhood commercial district.

Supervisor Peskin, seconded by Supervisor Fewer, moved that Supervisor Ronen be excused from voting on File No. 191260. The motion carried by the following vote:

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

Excused: 1 - Ronen

191260 [Planning Code, Zoning Map - Establishing 12 Named Neighborhood Commercial Districts]

Sponsors: Walton; Fewer, Haney, Preston, Yee, Peskin and Safai

Ordinance amending the Planning Code to establish 1) the Inner Balboa Street Neighborhood Commercial District (NCD) generally including the properties along Balboa Street between 2nd and 8th Avenues, 2) the Outer Balboa Street NCD generally including the properties along Balboa Street between 32nd and 39th Avenues, 3) the Bayview NCD generally including the properties along 3rd Street from Yosemite to Jerrold Avenues, 4) the Cortland Avenue NCD generally including the properties along Cortland Avenue between Bonview and Folsom Streets, 5) the Geary Boulevard NCD generally including the properties along Geary Boulevard between Masonic and 28th Avenues, 6) the Mission Bernal NCD generally including the properties along Mission Street between Cesar Chavez and Randall Streets, 7) the San Bruno Avenue NCD generally including the properties along San Bruno Avenue between Hale and Olmstead Streets, 8) the Cole Valley NCD generally including the properties along Cole Street from Frederick to Grattan Streets and some parcels north of Carl Street and south of Parnassus, 9) the Lakeside Village NCD generally including the properties along Ocean Avenue between Junipero Serra Boulevard to 19th Avenue, 10) the Lower Haight Street NCD generally including the properties along Haight Street between Webster and Steiner Streets, 11) the Lower Polk Street NCD generally including non-contiguous properties along Polk Street from Geary Boulevard to Golden Gate Avenue with frontage on Geary Boulevard, Golden Gate Avenue, and other side streets, and 12) the Inner Taraval NCD generally including the properties along Taraval Street from 19th to Forest Side Avenues; amending the Zoning Map to include the new Neighborhood Commercial Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Ronen

191179 [Resolution of Intent to Vacate Streets - A Portion of Vallejo Street Right-of-Way and a Portion of Davis Street Right-of-Way - Teatro ZinZanni Project]**Sponsor: Mayor**

Resolution declaring the intention of the Board of Supervisors to order the vacation 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 generally located between Broadway Street and The Embarcadero, as part of the improvements for the Teatro ZinZanni hotel, theater, and public park development project on Seawall Lots 323 and 324; and setting a hearing date for the Board of Supervisors to sit as a Committee of the Whole on February 11, 2020, for all persons interested in the proposed vacation of said public right-of-way.

Resolution No. 001-20**ADOPTED 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

Linda Chapman; spoke on various concerns regarding neighborhood commercial districts.

Kristen Duran; expressed concerns regarding the Department of Public Health, staffing shortages, and unsafe hospital conditions.

Speaker; shared certain religious and political views.

Speaker; shared concerns regarding safety when off-boarding Muni busses and trains.

Francisco Da Costa; expressed concerns regarding public participation and homeless services.

Walter Paulson; shared a personal memento and song regarding previous accomplishments.

Julia; expressed concerns regarding the Department of Public Health, staffing shortages, and unsafe hospital conditions.

Tom Gilberty; shared concerns regarding affordable housing, development projects, and the Department of Public Health and nurses.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

191191 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - December 10, 2019]

Closed Session for the Board of Supervisors to convene on December 10, 2019, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public Utilities Commission Case No. I.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; and California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; scheduled pursuant to Motion No. M19-171, approved November 19, 2019. (Clerk of the Board)

The Board recessed at the hour of 4:35 p.m. to convene in closed session pursuant to Motion No. M19-171 (File No. 191159) approved on November 19, 2019; and continued from December 10, 2019.

CONVENED IN CLOSED SESSION

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

Persons in attendance:

Anne Pearson, Theresa Mueller, Suzy Hong, Brian Crossman, and Julia Ma Powers, Deputy City Attorneys (Office of the City Attorney); Harlan Kelly, Jr., Director, Barbara Hale, and Eric Sandler (Public Utilities Commission); and Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).

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

Supervisor Ronen was noted absent at 5:30 p.m. and for the remainder of the meeting.

RECONVENED AS THE BOARD OF SUPERVISORS

The Board reconvened at the hour of 5:32 p.m.

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

Supervisor Peskin, seconded by Supervisor Safai, moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:

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

[Elect Not to Disclose]

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

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

200029 [Issuance of Revenue Bonds - Public Utilities Commission - Purchase of Electricity Distribution and Transmission System - Not to Exceed \$3,065,395,000]

Sponsors: Ronen; Peskin, Preston, Walton, Mandelman and Fewer

Resolution conditionally authorizing the issuance by the Public Utilities Commission of Power Enterprise Revenue Bonds in an amount not to exceed \$3,065,395,000 to finance the cost of acquiring certain Pacific Gas and Electric Company electric distribution and transmission assets to provide affordable, safe and reliable electric service, consistent with environmental and climate goals, throughout the City and County of San Francisco, subject to specified conditions, as defined herein.

Supervisors Preston, Walton, Mandelman, and Fewer requested to be added as co-sponsors.

Resolution No. 030-20

ADOPTED by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Safai requested that File No. 200031 be severed so that it may be considered separately.

200031 [Urging the United States Congress to Vote on a War Powers Resolution Limiting President Donald J. Trump's Military Actions in Iran]

Sponsors: Safai; Yee, Stefani, Preston, Ronen and Fewer

Resolution urging the United States Congress to vote on a War Powers Resolution limiting President Donald J. Trump's military actions in Iran and to mandate that the War Powers Act Notification sent by President Donald J. Trump to members of Congress delineating the legal grounds for the drone strike, as required by the War Powers Act, be fully declassified and shared with the American public.

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

Resolution No. 031-20

ADOPTED by the following vote:

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

President Yee requested that File No. 200033 be severed so that it may be considered separately.

200033 [Committee of the Whole - Findings and Recommendations Regarding Law Enforcement Staffing Numbers - February 25, 2020]

Sponsor: Yee

Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on January 28, 2020, at 3:00 p.m., for the Members of the Board of Supervisors to convene to hear and receive a presentation on the findings and recommendations regarding the number of law enforcement officers needed for effective policing in the City and County of San Francisco.

Supervisor Yee, seconded by Supervisor Fewer, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by changing the Committee of the Whole date from 'January 28, 2020' to 'February 25, 2020.' The motion carried by the following vote:

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Yee
Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on February 25, 2020, at 3:00 p.m., for the Members of the Board of Supervisors to convene to hear and receive a presentation on the findings and recommendations regarding the number of law enforcement officers needed for effective policing in the City and County of San Francisco.

Motion No. M20-004

APPROVED AS AMENDED by the following vote:

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

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

ORDINANCES

200038 [Appropriation - Refunding General Obligation Bond Proceeds - \$255,000,000 - FY2019-2020]

Sponsor: Mayor

Ordinance appropriating not to exceed \$255,000,000 from the issuance of one or more series of Refunding General Obligation Bonds; and placing such amount on Controller's reserve subject to the closing of one or more refunding transactions for FY2019-2020.

(Fiscal Impact; No Budget and Legislative Analyst Report)

01/14/20; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/13/2020.

200039 [Planning Code, Zoning Map - Potrero Power Station Special Use District]

Sponsors: Mayor; Walton

Ordinance amending the Planning Code and Zoning Map to establish the Potrero Power Station Special Use District, generally bounded by 22nd Street and the southern portion of the newly created Craig Lane to the north, the San Francisco Bay to the east, 23rd Street to the south, and Illinois Street to the west; and making findings under the California Environmental Quality Act, 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.

01/14/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/13/2020.

200040 [Development Agreement - California Barrel Company LLC - Potrero Power Station Mixed-Use Project]**Sponsors: Mayor; Walton**

Ordinance approving a Development Agreement between the City and County of San Francisco and California Barrel Company LLC, a California limited liability company, for the Potrero Power Station Mixed-Use Project at the approximately 29-acre site generally bounded by 22nd Street to the north, the San Francisco Bay to the east, 23rd Street to the south, and Illinois Street to the west, in the southeast part of San Francisco, with various public benefits, including 30% affordable housing and approximately 6.9 acres of publicly-accessible parks and open space; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); making public trust findings in accordance with the approval of a ground lease of Port-owned land; approving specific development impact fees and waiving any conflicting provisions in Planning Code, Article 4, or Administrative Code, Article 10; confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B, 23, 56, 82, and 99, Planning Code, Sections 169 and 138.1, Public Works Code, Section 806(d), and Subdivision Code, Section 1348; and ratifying certain actions taken in connection therewith, as defined herein.

01/14/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/13/2020.

191075 [Planning, Administrative Codes - Residential Occupancy]**Sponsor: Peskin**

Ordinance amending the Planning Code to create the Intermediate Length Occupancy residential use characteristic; amending the Administrative Code to clarify existing law regarding the enforceability of fixed-term leases in rental units covered by the just cause protections of the Residential Rent Stabilization and Arbitration Ordinance (the "Rent Ordinance"), prohibit the use of rental units for temporary occupancies by non-tenants, require landlords to disclose in advertisements for such units that the units are subject to the Rent Ordinance, and authorize enforcement through administrative and/or civil penalties; requiring the Controller to conduct a study to analyze the impacts of new Intermediate Length Occupancy units in the City; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

(Pending Economic Impact; No Economic Impact Report)

10/22/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/21/2019.

10/30/19; REFERRED TO DEPARTMENT.

11/22/19; RESPONSE RECEIVED.

01/14/20; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

191249 [Planning Code - 100% Affordable Housing and Educator Housing Streamlining Program]**Sponsor: Yee**

Ordinance amending the Planning Code to require that in Educator Housing projects at least 30% of residential units have two or more bedrooms, and at least 20% of residential units have three or more bedrooms; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

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

12/10/19; DUPLICATED.

12/10/19; RE-REFERRED to Land Use and Transportation Committee.

01/14/20; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

RESOLUTIONS

200041 [Multifamily Housing Revenue Bonds - 55 Mason Street - Not to Exceed \$61,600,000]**Sponsor: Mayor**

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$61,600,000 for 55 Mason Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$61,600,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

01/14/20; RECEIVED AND ASSIGNED to 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)

01/14/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

200043 [Lease of Real Property - TC II 888 Post, LLC - 888 Post Street - Base Annual Rent \$1,500,000 - Landlord Work \$5,000,000]

Sponsors: Mayor; Peskin

Resolution approving and authorizing the Director of Property, on behalf of the Department of Homelessness and Supportive Housing, to lease real property located at 888 Post Street, for an initial term of 20 years anticipated to commence October 1, 2020, from TC II 888 Post, LLC, at a base rent of \$1,500,000 per year, increasing at 3% per year, including one option to extend the Lease for a period of ten years; authorizing the City's contribution of up to \$5,000,000 towards the cost of Landlord Work; authorizing the Director of Property, under certain conditions, to negotiate and enter into future subleases, including with Goodwill Industries of San Francisco, San Mateo and Marin Counties, Inc. as a subtenant; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the Lease and this Resolution, as defined herein, including allowing the City to increase its contribution towards the cost of the Landlord Work, subject to future appropriation of funds, as defined herein; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings under the California Environmental Quality Act. (Department of Homelessness and Supportive Housing)
(Fiscal Impact)

01/14/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

200044 [Lease of Real Property - 33 Gough LLC - 33 Gough Street - Base Annual Rent of \$1,259,300]

Sponsor: Mayor

Resolution approving and authorizing the Director of Property, on behalf of the Department of Homelessness and Supportive Housing, to lease real property located at 33 Gough Street, for a term of three years, from 33 Gough LLC, at a base rent of \$1,259,300 per year; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the Lease and this Resolution, as defined herein, to commence following Board approval. (Department of Homelessness and Supportive Housing)
(Fiscal Impact; No Budget and Legislative Analyst Report)

01/14/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

200045 [Ground Lease Amendment - Refinance Property - Turk & Eddy Associates, L.P - 249 Eddy Street and 161-165 Turk Street]**Sponsor: Mayor**

Resolution approving and authorizing the amendment and restatement of an existing long term ground lease with Turk & Eddy Associates, LP, on City-owned land at 249 Eddy Street, and 161-165 Turk Street ("Property") in order to refinance a 100% affordable, 82-unit multifamily rental housing development (plus one staff unit) for low-income persons ("Project"); and authorizing the Director of Property and Director of Mayor's Office of Housing and Community Development to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein.

01/14/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

200046 [Accept and Expend Grant - FY 2018 Better Utilizing Investments to Leverage Development Transportation Discretionary Grant - United States Department of Transportation - Better Market Street Phase 1 - \$15,000,000]**Sponsor: Mayor**

Resolution authorizing Public Works to accept and expend a grant in the amount of \$15,000,000 from the United States Department of Transportation for the FY 2018 Better Utilizing Investments to Leverage Development Transportation Discretionary Grant to fund the construction of the Public Works' Better Market Street Phase 1 project for the period of June 2020 through June 2025.

(Public Works)

(Fiscal Impact)

01/14/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

200047 [Supporting Proposed California Ballot Measure - Schools and Local Communities Funding Act of 2020]**Sponsors: Mar; Fewer, Walton, Mandelman, Haney, Preston, Yee, Ronen, Safai, Peskin and Stefani**

Resolution supporting the proposed California state ballot measure, Schools and Local Communities Funding Act of 2020, that may bring revenue to the City and County of San Francisco, San Francisco Unified School District, and City College of San Francisco.

01/14/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUESTS FOR HEARING

200049 [Hearing - San Francisco Unified School District's Plan for New Locations and Facilities]**Sponsors: Haney; Yee**

Hearing on demographic projections for school-aged youth in the City and County of San Francisco, and San Francisco Unified School District's (SFUSD) plan to incorporate this information in identifying locations for new schools and facilities; and requesting SFUSD and the Planning Department to report.

01/14/20; RECEIVED AND ASSIGNED to Joint City, School District, and City College Select Committee.

200050 [Hearing - Economic and Administrative Costs Related to Alcohol Abuse]**Sponsor: Mar**

Hearing on the findings and recommendations of the Budget and Legislative Analyst's 2017 report, entitled "Economic and Administrative Costs Related to Alcohol Abuse in the City and County of San Francisco;" and requesting the Budget and Legislative Analyst, Department of Public Health, and Police Department to report.

01/14/20; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

200051 [Hearing - Effects of On-Demand Delivery and Delivery Companies on Small Businesses]**Sponsors: Safai; Peskin and Mandelman**

Hearing to discuss the effects of on-demand delivery and delivery companies (e.g. Uber Eats, Postmates, DoorDash, Grubhub, etc.) on small businesses; to present on the impacts of delivery fees on small businesses, the contract terms between food vendors and the delivery providers, and the amount of fees relative to other cities; the impacts that non-brick and mortar kitchens (ghost kitchens) that operate through on-demand delivery platforms have on small businesses' ability to survive and thrive in San Francisco; and requesting the Office of Small Business, Office of Economic and Workforce Development, Planning Department, Office of Labor Standards Enforcement, and Office of Emerging Technology to report.

01/14/20; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

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)

01/14/20; RECEIVED AND ASSIGNED to Board of Supervisors.

200052 [Hearing - Annual Review and Adoption of the Board of Supervisors/Clerk of the Board Draft Budget - FYs 2020-2021 and 2021-2022]

Hearing to consider the annual review and adoption of the Proposed Draft Budgets for FYs 2020-2021 and 2021-2022 for the Board of Supervisors/Office of the Clerk of the Board; and requesting the Office of the Clerk of the Board to report. (Clerk of the Board)

01/14/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

(There were no items introduced at the request of a department.)

In Memoriams

*Stephanie Lazio Cincotta - Supervisors Stefani and Peskin
Marco Jastillana - Supervisor Haney
Hampton Smith - Supervisor Mandelman*

ADJOURNMENT

There being no further business, the Board adjourned at the hour 5:34 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 February 25, 2020.

Angela Calvillo, Clerk of the Board