



# BOARD OF SUPERVISORS

## CITY AND COUNTY OF SAN FRANCISCO

### AGENDA

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

Tuesday, March 12, 2019 - 2:00 PM

#### Regular Meeting

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NORMAN YEE, PRESIDENT

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

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at [www.sfbos.org](http://www.sfbos.org)

#### BOARD COMMITTEES

##### Committee Membership

**Budget and Finance Committee**  
Supervisors Fewer, Stefani, Mandelman, Ronen, Yee

**Budget and Finance Federal Select Committee**  
Supervisors Fewer

**Budget and Finance Sub-Committee**  
Supervisors Fewer, Stefani, Mandelman

**Government Audit and Oversight Committee**  
Supervisors Mar, Brown, Peskin

**Land Use and Transportation Committee**  
Supervisors Peskin, Safai, Haney

**Public Safety and Neighborhood Services Committee**  
Supervisors Mandelman, Stefani, Walton

**Rules Committee**  
Supervisors Ronen, Walton, Mar

##### Meeting Days

Wednesday  
1:00 PM

2nd and 4th Thursday  
1:15 PM

Wednesday  
10:00 AM

1st and 3rd Thursday  
10:00 AM

Monday  
1:30 PM

2nd and 4th Thursday  
10:00 AM

Monday  
10:00 AM

## Agenda Item Information

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

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

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

## Meeting Procedures

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

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

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

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

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

**LANGUAGE INTERPRETERS:** Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Peggy Nevin at (415) 554-5184.

所有常規及特別市參事委員會會議 (Board meetings) 除委員會會議 (Committee meetings) 將予以提供西班牙文, 菲律賓文, 及中文的語言服務, 但須在會議前最少48小時作出請求, 旨在確保服務屆時可予以提供。更多資訊或請求有關服務, 請致電 (415) 554-7719聯絡Linda Wong.

**AVISO EN ESPAÑOL:** Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

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

### **Disability Access**

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

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

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

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

### **Know Your Rights Under The Sunshine Ordinance**

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

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

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

### **Lobbyist Registration and Reporting Requirements**

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

## ROLL CALL AND PLEDGE OF ALLEGIANCE

## COMMUNICATIONS

## APPROVAL OF MEETING MINUTES

Approval of the [February 5, 2019](#), Board Meeting Minutes, and the [February 6, 2019](#), Special Meeting Minutes at the Budget and Finance Committee Meeting, which constituted a quorum of the Board of Supervisors.

## AGENDA CHANGES

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

Pursuant to Charter Section 3.100(7), the Mayor shall appear, in person, at one regularly scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board. This item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.

By eight (8) votes, the Board of Supervisors may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.

1. [190271](#) **[Formal Policy Discussions - March 12, 2019]**  
Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss the following eligible topics submitted from the Supervisors representing Districts 10 and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

1. When will there be a point person for coordinating all violence prevention services City-wide? (District 10)
2. Condition of African American children in the City and County of San Francisco. (District 11)

**Discussion: The Mayor shall DISCUSS eligible topic(s) with the Board of Supervisors.**

## CONSENT AGENDA

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

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

### Items 2 through 7

#### Recommendations of the Budget and Finance Committee

*Present: Supervisors Fewer, Stefani, Mandelman*

2. [190090](#) **[Authorization to Borrow Funds - Short-Term Loan Program for Federal Employees - Treasurer-Tax Collector - Line of Credit Amount Not to Exceed \$20,000,000]**

**Sponsors: Mayor; Haney and Safai**

Ordinance authorizing the Treasurer, in the event of a partial shutdown of the United States government occurring between February 2019 and December 2019, to secure a short-term line of credit in an amount not to exceed \$20,000,000 or, in the alternative, partner with one or more financial institutions, for the purpose of providing short-term emergency unsecured individual loans for federal employees residing in San Francisco or working at the San Francisco International Airport.

(Fiscal Impact)

03/05/2019; PASSED ON FIRST READING.

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

3. [190091](#) **[Appropriation - Office of the Treasurer and Tax Collector - Short-Term Loan and Interest Proceeds - Individual Loans and Interest and Other Loan Servicing Expenses - \$20,500,000]**

**Sponsors: Mayor; Haney and Safai**

Ordinance appropriating \$20,000,000 of short-term loan proceeds to the Treasurer's and Tax Collector's Office to administer individual loans for eligible Federal employees impacted by a future shutdown of the Federal Government; and authorizing repayment of the short-term loan utilizing repayment of those individual loans and up to \$500,000 of General Fund interest earnings.

(Fiscal Impact)

03/05/2019; PASSED ON FIRST READING.

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

## **Recommendation of the Government Audit and Oversight Committee**

*Present: Supervisors Mar, Peskin, Brown*

4. [181210](#) **[Administrative Code - Our City, Our Home Oversight Committee]**  
**Sponsors: Mayor; Brown, Fewer and Haney**  
Ordinance amending the Administrative Code to establish the Our City, Our Home Oversight Committee as an advisory committee to monitor the City's use of tax revenue received under the Homelessness Gross Receipts Tax established by Proposition C (November 2018), advise the Board of Supervisors and the Mayor regarding administration of the Our City, Our Home Fund, and recommend ways to reduce barriers that prevent people from exiting homelessness.
- 03/05/2019; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Peskin, Safai, Haney*

5. [181187](#) **[Summary Street Vacation - Portions of Bradford Street and Ogden and Crescent Avenues - Property Transfer]**  
**Sponsor: Ronen**  
Ordinance ordering the summary street vacation of portions of Bradford Street, Ogden Avenue, and Crescent Avenue within the perimeter of the Alemany Farmers' Market (Assessor's Parcel Block Nos. 5731, 5732, 5733, 5733A, and 5734), bounded by Alemany Boulevard and Putnam Street; approving jurisdictional transfers of property at the site of the Market from Public Works and the Agricultural Commissioner to the General Services Agency - Real Estate Division; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein.
- 03/05/2019; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
6. [181213](#) **[Building Code - Vacant or Abandoned Commercial Storefronts]**  
**Sponsors: Fewer; Yee, Mandelman, Peskin, Stefani, Safai, Ronen, Walton, Haney, Brown and Mar**  
Ordinance amending the Building Code to require vacant or abandoned commercial storefront owners to pay annual registration fees at the time of registration; require annual inspections of registered vacant or abandoned storefronts; update the penalty for violations of the requirement to register vacant or abandoned commercial storefronts; and affirming the Planning Department's determination under the California Environmental Quality Act.
- 03/05/2019; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendation of the Rules Committee**

*Present: Supervisors Ronen, Walton, Mar*

7. **190001** **[Administrative Code - County Adult Assistance Programs]**  
**Sponsor: Ronen**  
Ordinance amending the Administrative Code to expand eligibility for assistance under the Personal Assistance Employment Services (PAES) Program, the Cash Assistance Linked to Medi-Cal (CALM) Program, and the Supplemental Security Income Pending (SSIP) Program, to adults who are ineligible for assistance under the CalWORKs Program due to the lifetime limit on the receipt of assistance, and whose children are no longer minors, or are no longer under the care and control of the adult. (Human Services Agency)
- 03/05/2019; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

**REGULAR AGENDA**

**UNFINISHED BUSINESS**

**Recommendation of the Budget and Finance Committee**

*Present: Supervisors Fewer, Stefani, Mandelman*

8. **190060** **[Accept and Expend Grant - Retroactive - Blue Shield of California Foundation - Leveraging Collaboration to End Domestic Violence - Amendment to the Annual Salary Ordinance - FYs 2018-2019 and 2019-2020 - \$384,562]**  
**Sponsor: Safai**  
Ordinance retroactively authorizing the Department on the Status of Women to accept and expend a grant in the amount of \$384,562 through the Blue Shield of California Foundation for Leveraging Collaboration to End Domestic Violence Program; and amending Ordinance No. 182-18 (Annual Salary Ordinance File No. 180575 for FYs 2018-2019 and 2019-2020) to provide for the addition of one grant-funded part-time Class 1820 Junior Administrative Analyst position (FTE 0.50) for the period of January 1, 2019, through December 31, 2020.
- 03/05/2019; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Peskin, Safai, Haney*

**9. [190007](#) [General Plan - Downtown Area Plan Amendment - 175 Golden Gate Avenue]**

**Sponsors: Haney; Peskin and Safai**

Ordinance amending the General Plan to revise Map 1 of the Downtown Area Plan to include 175 Golden Gate Avenue, Assessor's Parcel Block No. 0349, Lot No. 11, in the C-3-G (Downtown General Commercial District) area; and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

03/05/2019; PASSED ON FIRST READING.

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

**10. [180645](#) [Planning Code, Zoning Map - Rezoning, Preservation Designation - 175 Golden Gate Avenue]**

**Sponsors: Haney; Peskin and Safai**

Ordinance amending the Planning Code and Zoning Map to rezone the building at 175 Golden Gate Avenue (De Marillac Academy), Assessor's Parcel Block No. 0349, Lot No. 011, from RC-4 (Residential-Commercial, High Density) to C-3-G (Commercial, Downtown General); designating the building for preservation purposes as a Category III, Contributory Building; 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.

03/05/2019; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

03/05/2019; PASSED ON FIRST READING AS AMENDED.

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



## NEW BUSINESS

### Recommendations of the Budget and Finance Sub-Committee

*Present: Supervisors Fewer, Stefani, Mandelman*

11. [190109](#) **[Police, Business and Tax Regulations, Transportation Codes - Event-Related Cannabis Permits - Application Fee]**  
**Sponsors: Mandelman; Brown, Haney, Walton, Stefani and Fewer**  
Ordinance amending the Police Code to establish procedures for the Office of Cannabis to issue permits authorizing cannabis sales or consumption, or both, in connection with temporary events, and providing a mechanism for the temporary waiver of City laws restricting smoking or cannabis consumption; amending the Business and Tax Regulations Code to establish an application fee for such permits; amending Division I of the Transportation Code to allow for temporary waivers of Article 19L of the Health Code in connection with events approved by Interdepartmental Staff Committee on Traffic and Transportation; and affirming the Planning Department's determination under the California Environmental Quality Act.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
12. [190072](#) **[Real Property Lease Extension - SFP2 1360 Mission St., LLC - 1360 Mission Street - \$321,300 Initial Annual Base Rent]**  
Resolution approving Amendment No. 1 authorizing the Director of Real Estate to extend a Lease of real property located at 1360 Mission Street with SFP2 1360 Mission St., LLC, as landlord, for a total term of May 11, 2011, through September 21, 2020, with one extension option from September 22, 2020, through September 21, 2021, at the monthly base rent of \$26,397 for an initial annual base rent of \$321,300 with a 3% annual increase. (Public Health Department)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
13. [190073](#) **[Real Property Lease - William J. Piedmonte - 729 Filbert Street - \$531,216 Annual Base Rent]**  
Resolution authorizing the Director of Real Estate to enter into a Lease of real property located at 729 Filbert Street with William J. Piedmonte, as landlord, for a five-year term to commence upon approval by the Board of Supervisors, at the monthly base rent of \$44,268 for a total annual base rent of \$531,216. (Public Health Department)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

14. [190106](#) **[Agreement Amendment - Conard House - Behavioral Health Services - Not to Exceed \$44,862,764]**  
Resolution approving Amendment No. 1 to the agreement between Conard House and the Department of Public Health for behavioral health services, to increase the agreement amount by \$36,323,985 for an amount not to exceed \$44,862,764; and to extend the term by four years from June 30, 2019, for a total agreement term of July 1, 2018, through June 30, 2023. (Public Health Department)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
15. [190169](#) **[Accept and Expend Grant - Federal Emergency Management Agency - Rescue Boat - \$399,562]**  
**Sponsors: Mayor; Stefani**  
Resolution authorizing the Fire Department to accept and expend a grant in the amount of \$399,562 from the Federal Emergency Management Agency to purchase a rescue boat, for the period of September 1, 2018, through August 31, 2021, and waiving indirect costs. (Fire Department)
- Question: Shall this Resolution be ADOPTED?**
16. [190170](#) **[Accept and Expend Grant - Federal Emergency Management Agency - Rescue Tools and Defibrillators - \$2,733,591]**  
**Sponsor: Mayor**  
Resolution authorizing the Fire Department to accept and expend a grant in the amount of \$2,733,591 from the Federal Emergency Management Agency to purchase rescue tools and defibrillators, for the period of September 14, 2018, through September 13, 2019, and waiving indirect costs. (Fire Department)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
17. [190171](#) **[Accept and Expend Gift - JNJ Roof Prop - Fire Department Training Division - \$24,417]**  
**Sponsors: Mayor; Brown**  
Resolution authorizing the Fire Department to accept and expend a donation of a roof training prop valued at \$24,417 from JNJ Roof Prop for the Fire Department's Training Division. (Fire Department)
- Question: Shall this Resolution be ADOPTED?**
18. [190172](#) **[Accept and Expend Gift - Retroactive - Friends of Laguna Honda - Equipment Materials, Supplies and Services - \$141,000]**  
**Sponsor: Mayor**  
Resolution retroactively authorizing the Department of Public Health to accept and expend a monetary gift in the amount of \$141,000 from the Friends of Laguna Honda to the Laguna Honda Hospital Gift Fund for the purchase of equipment materials, supplies, and services for residents at Laguna Honda who are otherwise unable to obtain them, for the period of July 1, 2018, through June 30, 2019. (Public Health Department)
- Question: Shall this Resolution be ADOPTED?**

19. [190192](#) **[Contract Approval - Retroactive - Dominion Voting Systems, Inc. - Voting System - Not to Exceed \$12,660,000]**  
Resolution retroactively approving a contract agreement between the City and County of San Francisco, by and through its Department of Elections, and Dominion Voting Systems, Inc., for the lease of a voting system, a license to use the voting system software, and related maintenance and support services, for four years for a contract term from January 1, 2019, through March 31, 2023, for an amount not to exceed \$8,460,000 and with two one-year options to extend, in a total contract amount not to exceed \$12,660,000. (Elections Department)

(Fiscal Impact)

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

**Recommendations of the Rules Committee**

*Present: Supervisors Ronen, Walton, Mar*

20. [190177](#) **[Nominating Supervisor Peskin for Reappointment to California Coastal Commission]**  
**Sponsor: Stefani**  
Resolution nominating Supervisor Aaron Peskin for the North Coast Central seat on the California Coastal Commission.

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

21. [190213](#) **[Appointment, Park, Recreation, and Open Space Advisory Committee - Roisin Isner and Richard Rothman]**  
Motion appointing Roisin Isner and Richard Rothman, term ending February 1, 2021, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

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

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

## COMMITTEE REPORTS

*Reports from committees, if any, recommending emergency or urgent measures.*

*The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Thursday, March 7, 2019, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, March 12, 2019.*

22. [190163](#) **[Settlement of Lawsuit - 1049 Market Street, LLC - \$2,400,000 Loan - Tenderloin Housing Clinic]**

**Sponsors: Mayor; Haney**

Ordinance authorizing settlement of multiple lawsuits filed by 1049 Market Street, LLC, against the City and County of San Francisco, including 1049 Market Street, LLC v. City and County of San Francisco, et al. (U.S. District Court, Northern District of California, Case No. 4:15-cv-02075 filed on May 8, 2015), 1049 Market Street, LLC v. Miller, et al. (San Francisco Superior Court, Case No. CGC-15-545950 filed on May 21, 2015; 1st Circuit Court of Appeal No. A148716), 1049 Market Street, LLC v. City and County of San Francisco (San Francisco Superior Court, Case No. CPF-16-515046 filed on May 23, 2016), 1049 Market Street, LLC v. City and County of San Francisco (San Francisco Superior Court, Case No. CGC-15-547161 filed on August 3, 2015), 1049 Market Street, LLC v. City and County of San Francisco (San Francisco Superior Court, Case No. CPF-17-515754 filed on June 30, 2017), and 1049 Market Street, LLC v. City and County of San Francisco (San Francisco Superior Court, Case No. CGC-17-559890 filed on June 30, 2017); the lawsuits challenge the City's enforcement of the Planning Code's requirements for a Conditional Use Authorization for elimination of residential uses and the City's enforcement of Planning and Building Code violations against the property owners of 1049 Market Street; upon the grant of additional discretionary City approvals, the settlement would legalize commercial use of portions of the building and provide fifteen units of affordable housing, with priority for artists, at 1049 Market Street through the purchase and retrofit of the second floor of the building by Tenderloin Housing Clinic ("THC"); the settlement would provide for a loan in the amount of \$2,400,000 by the City to THC to permanently finance THC's purchase of an interest in the building for the purpose of affordable housing and additional funds to retrofit residential units.

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

23. **ROLL CALL FOR INTRODUCTIONS**

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

## 24. PUBLIC COMMENT

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

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

## CLOSED SESSION

(Scheduled pursuant to Motion No. M19-015 (File No. 190127), approved January 29, 2019, continued from February 5, 2019, and continued from March 5, 2019.)

## CONFERENCE WITH LABOR NEGOTIATORS

25. [190127](#) **[Closed Session - Labor Negotiations - March 12, 2019]**  
 Closed Session for the Board of Supervisors to convene on March 12, 2019, at 4:00 p.m., with the Mayor's Office and the Department of Human Resources under Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding negotiations with labor unions representing City employees; scheduled pursuant to Motion No. M19-015, approved January 29, 2019. (Clerk of the Board)

02/05/2019; CONTINUED.

03/05/2019; CONTINUED.

**Closed Session: The Board of Supervisors shall confer with labor negotiators.**

*[Elect To Disclose]*

Motion that the Board finds it is in the best interest of the public that the Board elect at this time to disclose its closed session deliberations.

*[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.

After a closed session, if one occurs, pending approval of above action to disclose, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

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

### Items 26 through 31

26. [190229](#) **[Supporting California State Senate Bill No. 281 (Wiener) - Cow Palace Joint Powers Authority]**  
**Sponsors: Stefani; Brown, Walton and Mar**  
Resolution supporting California State Senate Bill No. 281, authored by Senator Scott Wiener, prohibiting the sales of firearms and ammunition at the Cow Palace in Daly City and requiring the formation of the Cow Palace Joint Powers Authority to develop the property; implementation would begin January 1, 2020.  
  
02/26/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
03/05/2019; CONTINUED.  
  
**Question: Shall this Resolution be ADOPTED?**
27. [190255](#) **[Urging the United States Department of Health and Human Services to Rescind New Title X Regulations]**  
**Sponsors: Brown; Stefani, Fewer, Ronen, Walton, Yee, Peskin, Mandelman and Haney**  
Resolution urging the United States Department of Health and Human Services to rescind the new Title X regulations that will impede access to essential, time-sensitive health care for low-income women, men, and teens in San Francisco and the United States.  
  
03/05/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
28. [190257](#) **[Declaring San Francisco an “Open to All” City]**  
**Sponsor: Mandelman**  
Resolution stating the City and County of San Francisco’s support of the national “Open to All” campaign; urging San Francisco businesses to sign the “Open to All” Pledge; declaring the City and County of San Francisco an “Open to All” City; and urging the California State Legislature to enact legislation in support of the “Open to All” campaign.  
  
03/05/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**

29. [190258](#) **[Lawrence Ferlinghetti Day - March 24, 2019]**  
**Sponsor: Peskin**  
Resolution declaring March 24, 2019, as Lawrence Ferlinghetti Day in the City and County of San Francisco.

03/05/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

30. [190259](#) **[Urging Walgreens Boots Alliance Inc. to Engage in Good-Faith Negotiations - United Food and Commercial Workers International Union, Local 648, Members]**

**Sponsors: Safai; Peskin, Brown, Walton, Ronen, Fewer, Mar and Haney**  
Resolution urging Walgreens Boots Alliance Inc. to engage in good-faith negotiations and quickly reach a fair and equitable contract with the United Food and Commercial Workers International Union, Local 648, employed by Walgreens Boots Alliance Inc.

03/05/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

31. [190273](#) **[Adoption of Findings Related to Conditional Use Authorization - 3637-3657 Sacramento Street Project]**

Motion adopting findings in support of the Board of Supervisors' disapproval of Planning Commission Motion No. 20336 approving a Conditional Use Authorization identified as Planning Case No. 2007.1347CUA for a proposed project at 3637-3657 Sacramento Street, and the Board's approval of a Conditional Use Authorization for the same Planning Case and property with different conditions; and adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

03/05/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

## 32. IMPERATIVE AGENDA

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

*[Serious Injury Finding]*

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

*[Purely Commendatory Finding]*

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

*[Brown Act Finding]*

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

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](http://www.sfbos.org/legislation_introduced).



**Introduced at the Request of a Department**

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

**PROPOSED ORDINANCES****190237****[Plumbing Code - Minimum Size of Building Traps]**

Ordinance amending the Plumbing Code to add a requirement for the minimum size and placement of the building traps by a sewer or drain; 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)

02/27/2019; RECEIVED FROM DEPARTMENT.

03/12/2019; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**190238****[Settlement of Lawsuit - Peter Dayton - \$60,000]**

Ordinance authorizing settlement of the lawsuit filed by Peter Dayton against the City and County of San Francisco for \$60,000; the lawsuit was filed on March 15, 2017, in San Francisco Superior Court, Case No. CGC 17-557549; entitled Peter Dayton v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

03/01/2019; RECEIVED FROM DEPARTMENT.

03/12/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**190239****[Partial Settlement of Lawsuit - Chris Tilton and Blane Bachelor - \$301,000]**

Ordinance authorizing settlement of the lawsuit filed by Chris Tilton and Blane Bachelor against the City and County of San Francisco for \$301,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiffs Chris Tilton and Blane Bachelor, by the payment of \$301,000 and excluding the claim by these plaintiffs for diminution of value for plaintiffs' real property and the claim by plaintiffs for attorney's fees, costs and interest, which will be addressed in later proceedings.

03/01/2019; RECEIVED FROM DEPARTMENT.

03/12/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**190240 [Settlement of Lawsuit - Hanover Insurance Company a/s/o YWX Holdings, Inc. - \$62,500]**

Ordinance authorizing settlement of the lawsuit filed by Hanover Insurance Company a/s/o YWX Holdings, Inc. against the City and County of San Francisco for \$62,500; the lawsuit was filed on April 30, 2018, in San Francisco Superior Court, Case No. CGC-18-566142; entitled Hanover Insurance Company a/s/o YWX Holdings, Inc. v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage by sewer backup. (City Attorney)

03/01/2019; RECEIVED FROM DEPARTMENT.

03/12/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**PROPOSED RESOLUTIONS****190241 [Settlement of Unlitigated Claim - Kim Du Truong - \$36,090]**

Resolution approving the settlement of the unlitigated claim filed by Kim Du Truong against the City and County of San Francisco for \$36,090; the claim was filed on July 30, 2018; the claim involves alleged property damage arising from flooding. (City Attorney)

03/01/2019; RECEIVED FROM DEPARTMENT.

03/12/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**190242 [Agreement Amendment - San Francisco AIDS Foundation - HIV Prevention - City-Wide Syringe Access and Disposal Services - Not to Exceed \$35,608,159]**

Resolution approving Amendment No. 2 to the agreement between the San Francisco AIDS Foundation and the Department of Public Health to provide HIV prevention services through City-wide syringe access and disposal services; to increase the contract amount by \$25,768,672 for a total amount not to exceed \$35,608,159; and to extend the contract by seven years, to commence July 1, 2019, for a total contract term of July 1, 2016, through June 30, 2026. (Public Health Department)

03/04/2019; RECEIVED FROM DEPARTMENT.

03/12/2019; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

**190243 [Apply for, Accept, and Expend Funds - Retroactive - California Secretary of State - Voting System Replacement Activities - \$3,011,500]**

Resolution retroactively authorizing the Department of Elections to apply for, accept, and expend funds allocated by the California Secretary of State in an amount not to exceed \$3,011,500 to fund voting system replacement activities, for the period of July 1, 2018, through June 30, 2021. (Elections Department)

02/25/2019; RECEIVED FROM DEPARTMENT.

03/12/2019; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

**190244**

**[Accept and Expend Grant -The Workers Lab - Workers Fund - \$150,000]**

Resolution authorizing the Office of the Treasurer & Tax Collector to accept and expend a grant in the amount of \$150,000 from The Workers Lab for designing and piloting a Workers Fund at San Francisco International Airport from May 1, 2019, through June 30, 2020. (Treasurer-Tax Collector)

03/04/2019; RECEIVED FROM DEPARTMENT.

03/12/2019; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

**190272**

**[Petitions and Communications]**

Petitions and Communications received from February 25, 2019, through March 4, 2019, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on March 12, 2019.

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

From the Office of the Mayor, pursuant to Charter, Section 3.100(18), submitting a complete appointment package for Sharky Laguana to the Small Business Commission, term ending February 27, 2023. Copy: Each Supervisor. (1)

From the Office of the Mayor, pursuant to Charter, Section 3.100(18), submitting a complete appointment package for Malcolm Yeung to the Airport Commission, term ending August 31, 2022. Copy: Each Supervisor. (2)

From the Office of the Controller, City Services Auditor, submitting a report regarding the 2014 Transportation and Road Improvement Bond expenditures. Copy: Each Supervisor. (3)

From the Office of the Controller, submitting the Updated Livability Benchmarking Website. Copy: Each Supervisor. (4)

From the Recreation and Park Department, pursuant to Park Code, Article 12, Section 12.46(d), submitting a report detailing admissions, revenue and expenses for the San Francisco Botanical Garden. Copy: Each Supervisor. (5)

From the Sweatfree Procurement Advisory Group, pursuant to the Administrative Code, Section 12U.6(a)(b), submitting the Sweatfree Procurement Advisory Group 2016-2017 Report. Copy: Each Supervisor. (6)

From the California Bankers Association, regarding public banking in San Francisco. File No. 190118. Copy: Each Supervisor. (7)

From Coalition of Clean Air, Environment California and National Resources Defense Council, regarding proposed TNC taxation ballot measure, Assembly Bill 1184 (Ting). Copy: Each Supervisor. (8)

**ADJOURNMENT**