



# 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, December 10, 2019 - 2:00 PM

#### Regular Meeting

NORMAN YEE, PRESIDENT

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

Angela Calvillo, Clerk of the Board

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

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

**Joint City, School District, and City College Select Committee**  
Supervisors Haney, Walton, Mar (Alt), Commissioners Cook, Collins, Moliga (Alt),  
Trustees Randolph, Williams, Selby (Alt)

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

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

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

##### Meeting Days

Wednesday  
10:00 AM

1st and 3rd Thursday  
10:00 AM

2nd Friday  
10:00 AM

Monday  
1:30 PM

2nd and 4th Thursday  
10:00 AM

Monday  
10:00 AM

## 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.

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### **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.

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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 [October 22, 2019](#), and [October 29, 2019](#), Board Meeting Minutes.

## **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.*

*There were no questions submitted from Supervisors representing Districts 5, 6, 7, or 8. The Mayor may address the Board for up to five minutes.*

## CONSENT AGENDA

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

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

### Items 1 through 8

#### Recommendations of the Budget and Finance Committee

*Present: Supervisors Fewer, Stefani, Mandelman*

- 191011** [Appropriation - Certificates of Participation to Mayor's Office of Housing and Community Development for HOPE SF - \$83,600,000 - FY2019-2020]  
**Sponsor: Mayor**  
Ordinance appropriating \$83,600,000 of Certificates of Participation to the Mayor's Office of Housing and Community Development to fund project costs of HOPE SF in FY2019-2020; and placing these funds on Controller's Reserve pending the sale of the Certificates of Participation.

(Fiscal Impact)

11/19/2019; PASSED ON FIRST READING.

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

2. [191014](#) **[Authorizing Taxable and/or Tax-Exempt Certificates of Participation - HOPE SF - Not to Exceed \$83,600,000]**

**Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series on a tax-exempt and/or taxable basis and from time to time, evidencing and representing an aggregate principal amount not to exceed \$83,600,000 to finance and refinance certain capital improvement projects, including but not limited to certain properties generally known as Hunters View, Sunnydale, and Potrero Terrace and Annex housing developments, approving the form of a Supplement to Trust Agreement between the City and County of San Francisco and U.S. Bank National Association, as trustee ("Trustee") (including certain indemnities contained therein); approving respective forms of a Supplement to Property Lease and a Supplement to Project Lease, each between the City and the Trustee for the lease and lease back certain real property and improvements located at 375 Laguna Honda Boulevard or other property as determined by the Director of Public Finance; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Certificates of Participation; approving the form of an Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith, as defined herein.

(Fiscal Impact)

11/19/2019; PASSED ON FIRST READING.

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

3. [191012](#) **[Appropriation - Certificates of Participation to Department of Public Health for the Homeless Services Center - \$7,250,000 - FY2019-2020]**

**Sponsor: Mayor**

Ordinance appropriating \$7,250,000 of Certificates of Participation to the Department of Public Health to fund construction costs for the Homeless Services Center in FY2019-2020; and placing these funds on Controller's Reserve pending the sale of the Certificates of Participation.

(Fiscal Impact)

11/19/2019; PASSED ON FIRST READING.

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

4. [191015](#) **[Accept and Expend Grant and Amend the Annual Salary Ordinance - Retroactive - Office of Financial Empowerment Kindergarten to College Program - Mott Foundation - \$365,000]**

**Sponsor: Fewer**

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

11/19/2019; PASSED ON FIRST READING.

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

**Recommendations of the Government Audit and Oversight Committee**

*Present: Supervisors Mar, Brown*

5. [191060](#) **[Settlement of Lawsuit - Joan Frost - \$105,000 - Appropriation - Wastewater Enterprise Fund Balance]**

Ordinance authorizing settlement of the lawsuit filed by Joan Frost against the City and County of San Francisco for \$105,000; the lawsuit was filed on August 3, 2018, in San Francisco Superior Court, Case No. CGC-18-568679; entitled Joan Frost v. The City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a motor vehicle collision; and appropriating \$105,000 from the San Francisco Public Utilities Commission Wastewater Enterprise fund balance for payment of settlement. (City Attorney)

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

6. [191061](#) **[Settlement of Lawsuit - Pacific Bell Telephone Company - \$124,500]**

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$124,500; the lawsuit was filed on April 4, 2019, in San Francisco Superior Court, Case No. CGC-19-575041; entitled Pacific Bell Telephone Company v. City and County of San Francisco; the lawsuit involves a pipe leak that damaged plaintiff's equipment. (City Attorney)

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

7. [191063](#) **[Settlement of Unlitigated Claim - 220 Golden Gate Associates, L.P. - \$262,184.16 Plus Interest]**

Resolution approving the settlement of the unlitigated claim filed by 220 Golden Gate Associates, L.P. against the City and County of San Francisco for \$262,184.16 plus statutory interest; the claim was filed on July 15, 2019; the claim involves an alleged overpayment of property taxes. (City Attorney)

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

**Recommendation of the Public Safety and Neighborhood Services Committee**

*Present: Supervisors Mandelman, Stefani, Walton*

- 8. [190756](#) **[Police Code - Cannabis Retailers at Permitted Cannabis Events]**  
**Sponsors: Mandelman; Walton and Brown**  
 Ordinance amending the Police Code to require that cannabis retailers at permitted events hold Cannabis Business Permits issued by the City, that applicants for Cannabis Event Permits identify the retailers that will be selling cannabis goods at such events and affirm that said retailers hold City-issued Cannabis Business Permits, and that recipients of Cannabis Event Permits take steps to reasonably ensure that only said retailers will sell cannabis goods at such events; to require that Cannabis Event Permit applicants commit to specific actions to support the City's equity goals as a condition of permit issuance; and to provide that a material false statement made in connection with an application for a Cannabis Event Permit may be subject to administrative penalty, cause for denial of a pending or future application for a Cannabis Business Permit, and cause for suspension or revocation of an existing Cannabis Business Permit; and affirming the Planning Department's determination under the California Environmental Quality Act.  
  
 11/19/2019; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

**REGULAR AGENDA**

**NEW BUSINESS**

**Recommendations of the Budget and Finance Committee**

*Present: Supervisors Fewer, Stefani, Safai*

- 9. [191013](#) **[Transportation Code - Mobility Device Permit Requirement]**  
**Sponsor: Mayor**  
 Ordinance amending the Transportation Code to establish a violation for operating a Shared Mobility Device Service without a permit or other authorization from the Municipal Transportation Agency, and to repeal certain parking restrictions related to stationless bicycle share programs and powered scooter share programs; and affirming the Planning Department's determination under the California Environmental Quality Act.  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**



10. [191033](#) **[Administrative, Public Works, Police Codes - Establishing Office of Emerging Technology - Requiring Permits for Using Emerging Technology Devices on Public Right-of-Ways]**  
**Sponsors: Yee; Fewer, Peskin and Walton**  
Ordinance amending the Administrative Code to create an Office of Emerging Technology within Public Works; amending the Public Works Code to require a permit to obstruct the public right-of-way within Public Works' jurisdiction; amending the Administrative Code to codify the Public Works Director's authority to take official actions, as defined herein, including adopting regulations for the pilot operation of emerging technology devices; amending the Public Works Code and Police Code to provide for administrative, civil, and criminal penalties for unlawful obstruction of the public right-of-way, including operation of emerging technology devices without a required permit; and affirming the Planning Department's determination under the California Environmental Quality Act.  
  
(Fiscal Impact)  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
11. [191098](#) **[Airport Professional Services Agreement Modification - Faith Group, LLC - Airport Security Infrastructure Program - Not to Exceed \$17,381,359]**  
Resolution approving Modification No. 11 to Airport Contract No. 10511.41, Program Management Support Services for the Airport Security Infrastructure Program, with Faith Group, LLC, to increase the Contract amount by \$3,279,901 for a new not to exceed amount of \$17,381,359 with no changes to the term, for services through December 31, 2021, to commence following Board approval, pursuant to Charter, Section 9.118(b).  
(Airport Commission)  
  
(Fiscal Impact)  
  
**Question: Shall this Resolution be ADOPTED?**
12. [191110](#) **[Accept and Expend Grant - Retroactive - San Francisco Public Health Foundation - California Community Reinvestment Grants Program - \$350,000]**  
**Sponsors: Mayor; Mandelman**  
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$350,000 from the San Francisco Public Health Foundation to participate in a program, entitled "California Community Reinvestment Grants Program," for the period of October 1, 2019, through September 30, 2021.  
(Public Health Department)  
  
**Question: Shall this Resolution be ADOPTED?**

13. [191111](#) **[Exclusive Negotiating Agreement - Ground Lease of 155 Grove Street, 165 Grove Street, and 240 Van Ness Avenue - Mercy Housing California - \$15,000 Annual Lease Payment]**

**Sponsors: Mayor; Haney**

Resolution approving an Exclusive Negotiating Agreement (“ENA”) with Mercy Housing California, a California non-profit public benefit corporation, for a proposed ground lease of City real property at 155 Grove Street, 165 Grove Street, and 240 Van Ness Avenue (Assessor’s Parcel Block No. 0811, Lot Nos. 016, 019, and 021), with an annual lease payment of \$15,000 under the jurisdiction of the Real Estate Division, subject to several conditions; affirming the Planning Department’s determination under the California Environmental Quality Act (“CEQA”); adopting the Planning Department’s findings that the transaction contemplated by the ENA is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and that the transaction contemplated by the ENA is not defined as a project under CEQA Guidelines, Sections 15378 and 15060(c)2, subject to the City’s discretionary approval after the completion of environmental review; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the ENA and this Resolution, as defined herein.

(Fiscal Impact)

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

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

*Present: Supervisors Mar, Brown*

14. [191102](#) **[Health, Administrative Codes - City-Operated Adult Residential Facility]**

**Sponsors: Ronen, Haney, Walton, Peskin, Mar, Mandelman, Brown, Safai and Yee**  
Ordinance amending the Health Code to require the Department of Public Health to maintain and operate at full capacity an adult residential facility (“ARF”) with no fewer than 41 beds; and amending the Administrative Code to establish the Adult Residential Facility Working Group to advise the Board of Supervisors and the Mayor regarding resident care, training, workplace conditions, and staffing at the ARF located at 887 Potrero Avenue.

10/29/2019; DUPLICATED.

10/29/2019; RE-REFERRED to the Government Audit and Oversight Committee.

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

15. [190767](#) **[Memorandum of Understanding - Reorganization of the Housing Authority of the City and County of San Francisco - Loan Not to Exceed \$20,000,000]**  
**Sponsor: Mayor**  
Resolution approving a Memorandum of Understanding between the City and County of San Francisco and the Housing Authority of the City and County of San Francisco (SFHA) regarding the reorganization of SFHA; ratifying and approving a loan not to exceed \$20,000,000 to SFHA and any action heretofore taken in connection with such loan to SFHA; and granting general authority to the Mayor and the Mayor's Office of Housing and Community Development to take actions necessary to implement this Resolution, as defined herein.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
16. [191064](#) **[Mills Act Historical Property Contract - 2251 Webster Street]**  
Resolution approving an historical property contract between Sally A. Sadosky Revocable Trust, the owner of 2251 Webster Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)
- Question: Shall this Resolution be ADOPTED?**
17. [191065](#) **[Mills Act Historical Property Contract - 1401 Howard Street]**  
**Sponsor: Haney**  
Resolution approving an historical property contract between 1401 Howard LLC, the owner of 1401 Howard Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)
- Question: Shall this Resolution be ADOPTED?**
18. [191066](#) **[Mills Act Historical Property Contract - 64 Potomac Street]**  
**Sponsor: Mandelman**  
Resolution approving an historical property contract between Gustav Lindqvist & Caroline Ingeborn, the owners of 64 Potomac Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)
- Question: Shall this Resolution be ADOPTED?**
19. [191067](#) **[Mills Act Historical Property Contract - 2168 Market Street]**  
**Sponsor: Mandelman**  
Resolution approving an historical property contract between the Swedish Society of San Francisco, the owners of 2168 Market Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)
- Question: Shall this Resolution be ADOPTED?**

20. [191068](#) **[Mills Act Historical Property Contract - 2731-2735 Folsom Street]**  
**Sponsor: Ronen**  
Resolution approving an historical property contract between Adele Feng, Timothy Wen Haw Yen, Brent Goldman, and 2735 Folsom Street, LLC, the owners of 2731-2735 Folsom Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)
- Question: Shall this Resolution be ADOPTED?**
21. [191130](#) **[Management Agreement - Owners' Association - Administration/Management of Civic Center Community Benefit District]**  
**Sponsors: Mayor; Haney and Brown**  
Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the "Civic Center Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, through June 30, 2034.
- Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Mandelman, Stefani, Walton*

22. [190856](#) **[Establishing Vision Zero on Homicides and Violent Crimes Plan]**  
**Sponsors: Walton; Haney, Mar, Brown, Mandelman, Ronen, Stefani, Peskin and Safai**  
Resolution establishing the creation of a Vision Zero on Homicides and Violent Crimes Plan for neighborhoods most impacted by violence, and urging City departments to implement strategies to achieve the plan.
- Question: Shall this Resolution be ADOPTED?**
23. [191032](#) **[Liquor License - 294 Ivy Street - Ebb & Flow]**  
Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises liquor license to Ebb & Flow, Inc., doing business as Ebb & Flow, located at 294 Ivy Street (District 5), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)
- Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Ronen, Walton, Mar*

24. [190869](#) **[Administrative Code - Farmers' Markets and Flea Markets]**  
Ordinance amending the Administrative Code to affirm the County Agricultural Commissioner's authority under state law to certify and inspect farmers' markets and producers, and to enforce state law governing the direct marketing of agricultural products to consumers; replace the County Agricultural Commissioner with the Director of Property as the operator of City-operated farmers' markets and flea markets; eliminate the allocation of space at farmers' markets for the distribution of surplus commodities to needy persons; increase the permit fees for certified producers and other vendors; and increase the permit fees for farmers' market operators. (City Administrator)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
25. [190926](#) **[Administrative Code - Acquisition, Retention, and Use of Surveillance Technology]**  
**Sponsor: Peskin**  
Ordinance amending Chapter 19B of the Administrative Code, governing the City's acquisition, retention, and use of surveillance technology, to allow the acquisition and retention of face recognition technology under certain conditions; to preclude legal relief for alleged violations of Chapter 19B that the City timely cured following notice; and to authorize the City Administrator to adopt implementing standards to guide departments in compliance with Chapter 19B's restrictions on the acquisition, retention, and use of surveillance technology.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
26. [191000](#) **[Administrative Code - Right to Affordable Housing Unit in a Revitalized Housing Development]**  
**Sponsors: Mayor; Walton, Mar, Safai, Ronen, Haney, Stefani, Yee, Brown, Fewer and Peskin**  
Ordinance amending the Administrative Code to clarify the right of current households to occupy replacement housing units, provide a priority to former households of an existing public housing development to return to a revitalized housing development, and provide a priority to current and former households of an existing public housing development to occupy a new affordable housing unit.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
27. [191105](#) **[Administrative Code - Extending Eviction Control to Units Constructed After 1979]**  
**Sponsors: Haney; Fewer, Ronen and Walton**  
Ordinance amending the Administrative Code to apply eviction controls to units that are exempt from rent increase limitations because they first received a certificate of occupancy after June 13, 1979, or have undergone a substantial rehabilitation; clarifying the law's application to units with pending notices to vacate; extending the City's current residential rental unit fee to these units; making non-substantive, technical changes; and making findings as required by the Tenant Protection Act of 2019.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

28. [191174](#) **[Police Code - Cannabis Regulation]**  
Ordinance amending the Police Code to, among other things, 1) create a Cannabis Nursery Permit; 2) prohibit equity applicants from applying for a Cannabis Business Permit through a cooperative; 3) clarify where in the processing order the Office will review and process Cannabis Business Permit applications from holders of Temporary Cannabis Business Permits and Medical Cannabis Dispensaries; 4) prohibit Cannabis Retailers from using business names likely to attract minors as customers or mislead the public into believing that the business is authorized to sell products to minors; 5) remove the requirement that a Cannabis Business Permit application be denied following any violation of Article 16 of the Police Code, and instead require permit denial after a refusal to remediate an Article 16 violation of which they have been notified by the Office; 6) require Cannabis Distributors to notify the Office when they learn that Cannabis products in their possession have failed state testing standards; and affirming the Planning Department's determination under the California Environmental Quality Act. (City Administrator)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
29. [191095](#) **[Appointment, Park, Recreation, and Open Space Advisory Committee - James Falino]**  
Motion appointing James Falino, term ending February 1, 2020, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)
- Question: Shall this Motion be APPROVED?**
30. [191146](#) **[Appointment, Commission on Aging Advisory Council - Diane Wesley Smith]**  
Motion appointing Diane Wesley Smith, term ending March 31, 2020, to the Commission on the Aging Advisory Council. (Rules Committee)
- Question: Shall this Motion be APPROVED?**
31. [191193](#) **[Appointment, Close Juvenile Hall Working Group - Kandy Kalani Ifopo]**  
Motion appointing Kandy Kalani Ifopo, for an indefinite term, to the Close Juvenile Hall Working Group. (Rules Committee)
- Question: Shall this Motion be APPROVED?**
32. [191196](#) **[Appointments, Our City, Our Home Oversight Committee - Shanell Williams, Julie Leadbetter, Julia D'Antonio, and Jennifer Friedenbach]**  
Motion appointing Shanell Williams, Julie Leadbetter, Julia D'Antonio, and Jennifer Friedenbach, terms ending April 22, 2021, to the Our City, Our Home Oversight Committee. (Rules Committee)
- Question: Shall this Motion be APPROVED?**
33. [191198](#) **[Reappointments, Assessment Appeals Board No. 1 - Jeffrey Morris and Eugene Valla]**  
Motion reappointing Jeffrey Morris and Eugene Valla, terms ending September 5, 2022, to the Assessment Appeals Board No. 1. (Rules Committee)
- Question: Shall this Motion be APPROVED?**

34. [191199](#) **[Reappointments, Assessment Appeals Board No. 2 - John Lee, Mervin Conlan, and Yosef Tahbazof]**  
Motion reappointing John Lee, Mervin Conlan, and Yosef Tahbazof, terms ending September 5, 2022, to the Assessment Appeals Board No. 2. (Rules Committee)  
**Question: Shall this Motion be APPROVED?**
35. [191200](#) **[Reappointments, Assessment Appeals Board No. 3 - Shawn Ridgell and James Reynolds]**  
Motion reappointing Shawn Ridgell and James Reynolds, terms ending September 5, 2022, to the Assessment Appeals Board No. 3. (Rules Committee)  
**Question: Shall this Motion be APPROVED?**

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

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

## **Board of Supervisors Sitting as a Committee of the Whole**

*(Hearing scheduled pursuant to Resolution No. 474-19 (File No. 190969), approved on November 15, 2019.)*

36. [190970](#) **[Hearing - Committee of the Whole - Street Vacation and Conveyance - India Basin - December 10, 2019]**  
Hearing of the Board of Supervisors sitting as a Committee of the Whole on December 10, 2019, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance (File No. 190971) ordering the vacation of streets in the India Basin Project site, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline; reserving temporary public utility and access rights in favor of the City and temporary easement rights for existing PG&E gas and overhead electrical facilities; authorizing the City to quitclaim its interest in approximately 3.8 acres within Earl Street, Hudson Avenue, and Arelious Walker Drive to India Basin Investment LLC; authorizing the City to transfer approximately 1.1 acres within Arelious Walker Drive, Hudson Avenue, Earl Street, and Galvez Avenue to the State for purposes of having such property reconveyed to the City to be held by the Port, in trust, through implementation of the India Basin Public Trust Exchange; 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 the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein, including transmittal of the Ordinance by the Clerk of the Board of Supervisors to the Assessor Recorder for recording; scheduled pursuant to Resolution No. 474-19 (File No. 190969), approved on November 5, 2019. (Clerk of the Board)  
**Question: Shall this Hearing be HEARD AND FILED?**

## **Committee of the Whole Adjourn and Report**

**Referred Without Recommendation from the Land Use and Transportation Committee**

*Present: Supervisors Peskin, Safai, Haney*

37. **190971** **[Street Vacation and Conveyance - India Basin Project]**  
**Sponsors: Mayor; Walton**  
Ordinance ordering the vacation of streets in the India Basin Project site, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline; reserving temporary public utility and access rights in favor of the City and temporary easement rights for existing PG&E gas and overhead electrical facilities; authorizing the City to quitclaim its interest in approximately 3.8 acres within Earl Street, Hudson Avenue, and Arelious Walker Drive to India Basin Investment LLC; authorizing the City to transfer approximately 1.1 acres within Arelious Walker Drive, Hudson Avenue, Earl Street, and Galvez Avenue to the State for purposes of having such property reconveyed to the City to be held by the Port, in trust, through implementation of the India Basin Public Trust Exchange; 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 the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein, including transmittal of the Ordinance by the Clerk of the Board of Supervisors to the Assessor Recorder for recording.

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



## COMMITTEE REPORTS

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

*The following items will be considered by the Budget and Finance Committee at a Special Meeting on Friday, December 6, 2019, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, December 10, 2019.*

38. [191148](#) **[Administrative Code - Mental Health SF]**  
**Sponsors: Mayor; Ronen, Haney, Mar, Walton, Yee, Brown, Safai, Fewer, Peskin, Mandelman and Stefani**  
Ordinance amending the Administrative Code to establish Mental Health SF, a mental health program designed to provide access to mental health services, substance use treatment, and psychiatric medications to all adult residents of San Francisco with mental illness and/or substance use disorders who are homeless, uninsured, or enrolled in Medi-Cal or Healthy San Francisco; to establish an Office of Private Health Insurance Accountability to advocate on behalf of privately insured individuals not receiving timely and appropriate mental health care under their private health insurance; to provide that Mental Health SF shall not become operative until either the City's budget has exceeded the prior year's budget by 13%, or the voters have approved a tax that will sufficiently finance the program, or the Board of Supervisors has approved the appropriation of general funds to finance the program; and to establish the Mental Health SF Implementation Working Group to advise the Mental Health Board, the Department of Public Health, the Health Commission, the San Francisco Health Authority, and the Board of Supervisors on the design and implementation of Mental Health SF.  
  
(Fiscal Impact)  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
39. [191131](#) **[Accept and Expend Grant - California Department of Housing and Community Development - Westside Community Development Planning Grant - \$300,000]**  
**Sponsor: Fewer**  
Resolution authorizing the Mayor's Office of Housing and Community Development to accept and expend a grant in the amount of \$300,000 from the California Department of Housing and Community Development to provide funding to support the growth, expansion, or creation of a Westside based nonprofit community organization dedicated to preserving and expanding affordable housing, as well as supporting small businesses and nonprofit organizations on the west side of San Francisco (Districts 1, 4, and 7) for the period to commence upon Department of Housing and Community Development approval through June 30, 2022. (Mayor's Office of Housing and Community Development)  
**Question: Shall this Resolution be ADOPTED?**

40. [191140](#) **[Prevailing Wage Rates - Various Workers Pursuant to Administrative Code, Section 6.22(e) and Sections 21C.1 through 21C.11]**

Resolution fixing prevailing wage rates for 1) workers performing work under City contracts for public works and improvements; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; 6) workers performing moving services under City contracts at facilities owned or leased by the City; 7) workers engaged in exhibit, display, or trade show work at special events on property owned by the City; 8) workers engaged in broadcast services on property owned by the City; 9) workers engaged in loading or unloading into or from a commercial vehicle on City property of materials, goods, or products in connection with a show or special event, or engaged in driving a commercial vehicle into which or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event; 10) workers engaged in security guard services under City contracts or at facilities or on property owned or leased by the City; and 11) motor bus service contracts. (Civil Service Commission)

(Fiscal Impact)

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

41. [191151](#) **[Multifamily Housing Revenue Bonds - 53 Colton Street - Not to Exceed \$38,700,000]**

**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 \$38,700,000 for 53 Colton 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 \$38,700,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

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

*The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Thursday, December 5, 2019, at 10:00 a.m. The Chair intends to request the Committee to send the following item as a Committee Report on Tuesday, December 10, 2019.*

42. [191138](#) **[Settlement of Lawsuit - Manconia Green - \$82,500]**  
Ordinance authorizing settlement of the lawsuit filed by Manconia Green against the City and County of San Francisco for \$82,500; the lawsuit was filed on July 25, 2017, in the San Francisco County Superior Court, Case No. CGC-17-560392; entitled Manconia Green v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

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

*The following items will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, December 9, 2019, at 1:30 p.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, December 10, 2019.*

43. [190973](#) **[Health Code - Approving a New Location for a Permittee's Medical Cannabis Dispensary Permit]**

**Sponsor: Haney**

Ordinance amending the Health Code to authorize the Director of the Department of Public Health to allow an existing Medical Cannabis Dispensary permittee to operate under that permit at a new location, provided the permittee has been verified by the Office of Cannabis as an Equity Applicant under the Police Code, the permittee has been evicted from the location associated with the permit or been notified by the landlord that the lease would be terminated or not renewed, the new location has an existing authorization for Medical Cannabis Dispensary Use, the permittee has complied with all requirements of Article 33 of the Health Code (the Medical Cannabis Act) with respect to the new location, and the permittee satisfies the provisions of Article 33 regarding authorization by the Office of Cannabis to sell Adult Use Cannabis; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

44. [191016](#) **[Planning Code - 100% Affordable Housing and Educator Housing Streamlining Program]**

**Sponsors: Fewer; Mar, Peskin, Haney, Safai and Walton**

Ordinance amending the Planning Code to require at least half of residential units in Educator Housing projects to have two or more bedrooms, to eliminate the requirement that Educator Housing projects have a minimum amount of three-bedroom units, conditioned on the passage of Proposition E in the November 5, 2019, Municipal Consolidated Election; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

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

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

45. [191017](#) **[Housing Code - Heat Requirements in Residential Rental Units]**  
**Sponsor: Peskin**  
Ordinance amending the Housing Code to revise the requirements for heating in residential rental units; and affirming the Planning Department's determination under the California Environmental Quality Act.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
46. [191106](#) **[Administrative Code - Annual Report on Job Growth and Housing Production]**  
**Sponsors: Mar; Haney and Fewer**  
Ordinance amending the Administrative Code to require an annual report analyzing the fit between housing needs associated with job growth by wages in San Francisco and housing production by affordability in the City.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
47. [191107](#) **[Business and Tax Regulations Code - Extending Temporary Suspension of Business Registration and Fee for Transportation Network Company Drivers and Taxi Drivers]**  
**Sponsor: Peskin**  
Ordinance amending the Business and Tax Regulations Code to extend through FY2020-2021 the temporary suspension of the application of the business registration and fee requirements to transportation network company drivers and taxi drivers.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
48. [191085](#) **[Interim Zoning Controls - Conditional Use Authorization for Conversion of Unpermitted Residential Care Facilities]**  
**Sponsor: Mandelman**  
Resolution modifying interim zoning controls established in Resolution No. 430-19, which require a Conditional Use authorization for Residential Care Facilities, to clarify that those interim zoning controls apply to certain Residential Care Facilities, including facilities lacking required permits; 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.
- Question: Shall this Resolution be ADOPTED?**
- The following items will be considered by the Rules Committee at a Regular Meeting on Monday, December 9, 2019, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, December 10, 2019.*
49. [191072](#) **[Administrative Code - Budget Approval Process]**  
**Sponsors: Fewer; Mar and Mandelman**  
Ordinance amending the Administrative Code to modify the process for the City's adoption of the annual budget by requiring City agencies to hold public hearings prior to submission of their proposed budgets to the Controller and the Mayor; requiring the Mayor to submit to the Board of Supervisors a description of the Mayor's budget priorities after holding a public hearing regarding those priorities; and requiring the Controller to maintain a public website with information about the City's budget process.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

**50. [191088](#) [Amending Board Rules of Order - Budget Process]**

**Sponsors: Fewer; Mar and Mandelman**

Motion amending the Board of Supervisors Rules of Order to rename the five-member Budget and Finance Committee as the Budget and Appropriations Committee, and to require that Committee to hold special hearings regarding the Mayor’s budget instructions and budget priorities.

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

**51. 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.*

**52. 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. M19-171 (File No. 191159) approved on November 19, 2019.)*

## CONFERENCE WITH CITY ATTORNEY - Existing Litigation

53. [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)

**Closed Session: The Board of Supervisors shall confer with the City Attorney.**

*[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 54 through 65

54. [191228](#) **[Commending Supervisor Vallie Brown]**  
**Sponsor: Board of Supervisors**  
Resolution commending and honoring Supervisor Vallie Brown for her decades of dedicated service to San Francisco and for her distinguished service as a Member of the San Francisco Board of Supervisors.  
  
12/04/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
55. [191188](#) **[Supporting United States House Resolution No. 763 (Deutch) - The Energy and Carbon Dividend Act of 2019]**  
**Sponsors: Mandelman; Mar, Fewer and Yee**  
Resolution supporting United States House Resolution No. 763, authored by United States Representative Theodore E. Deutch, the Energy Innovation and Carbon Dividend Act of 2019, to encourage market-driven innovation of clean energy technologies and market efficiencies which will reduce harmful pollution and leave a healthier, more stable, and more prosperous nation for future generations.  
  
11/19/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
56. [191225](#) **[Declaration of Election Results - November 5, 2019 - Consolidated Municipal Election]**  
**Sponsor: Yee**  
Resolution declaring the results of the Consolidated Municipal Election of November 5, 2019.  
  
12/04/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**

57. [191202](#) **[Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments - March 3, 2020, Consolidated Presidential Primary Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters for the March 3, 2020, Consolidated Presidential Primary Election. (Clerk of the Board)

11/22/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

58. [191226](#) **[Board of Supervisors Regular Meeting Schedule - 2020]**

Motion establishing the 2020 Board of Supervisors Regular Meeting Schedule pursuant to Board of Supervisors Rules of Order, Sections 4.2, and 4.2.1, by cancelling the Regular Board meetings of January 21, February 18, May 26, and October 13, and November 24; and all Regular Board and Committee meetings during the spring, summer and winter breaks from March 30 through April 3, August 3 through September 7, and December 16, 2020, through January 4, 2021; and further suspending portions of Board Rule 4.2 to effectuate certain dates within the regular meeting schedule to augment the flow of business. (Clerk of the Board)

12/04/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

59. [191214](#) **[Final Map 7970 - 700, 706, and 738 Mission Street, and 86 Third Street]**

Motion approving Final Map 7970, a merger and four lot vertical subdivision, a 146 unit residential condominium project within lot 1, located at 700, 706, and 738 Mission Street, and 86 Third Street, being a merger and subdivision of Assessor's Parcel Block No. 3706, Lot Nos. 093, 275, and 300; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

11/15/2019; RECEIVED FROM DEPARTMENT.

12/04/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

60. [191215](#) **[Final Map 9047 - 875 California Street]**

Motion approving Final Map 9047, a 44 residential unit condominium project, located at 875 California Street, being a merger and subdivision of Assessor's Parcel Block No. 0256, Lot Nos. 016 and 017; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

11/15/2019; RECEIVED FROM DEPARTMENT.

12/04/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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



- 61. [191216](#) [Final Map 9380 - 1849 Chestnut Street]**  
Motion approving Final Map 9380, a six residential condominium project, located at 1849 Chestnut Street, being a subdivision of Assessor's Parcel Block No. 0493, Lot No. 025; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)
- 11/15/2019; RECEIVED FROM DEPARTMENT.
- 12/04/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 62. [191217](#) [Final Map 9612 - 4334 Geary Boulevard]**  
Motion approving Final Map 9612, a six residential unit and one commercial unit, mixed-use condominium project, located at 4334 Geary Boulevard, being a subdivision of Assessor's Parcel Block No. 1439, Lot No. 021; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)
- 11/15/2019; RECEIVED FROM DEPARTMENT.
- 12/04/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 63. [191218](#) [Final Map 9626 - 950 Tennessee Street]**  
Motion approving Final Map 9626, a 100 unit residential condominium project, located at 950 Tennessee Street, being a subdivision of Assessor's Parcel Block No. 4107, Lot No. 001B; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)
- 11/15/2019; RECEIVED FROM DEPARTMENT.
- 12/04/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 64. [191219](#) [Final Map 9811 - 2465 Van Ness Avenue]**  
Motion approving Final Map 9811, a 43 unit mixed-use condominium project (two commercial and 41 residential units), located at 2465 Van Ness Avenue, being a merger and resubdivision of Assessor's Parcel Block No. 0546, Lot Nos. 001 and 002; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)
- 11/25/2019; RECEIVED FROM DEPARTMENT.
- 12/04/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

65. [191220](#) **[Final Map 9943 - 3324-3330 19th Street]**  
Motion approving Final Map 9943, a two lot vertical subdivision condominium project (lot 1 being a four residential unit), located at 3324-3330 19th Street, being a subdivision of Assessor's Parcel Block No. 3590, Lot No. 014; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

11/25/2019; RECEIVED FROM DEPARTMENT.

12/04/2019; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

## 66. 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****191203 [Authorizing Agreements - Purchase of Electricity and Related Products and Services for CleanPowerSF - Public Utilities Commission - Waiver of Certain Administrative Code and Environment Code Provisions]**

Ordinance delegating authority under Charter, Section 9.118, to the General Manager of the Public Utilities Commission to enter into agreements with terms in excess of ten years or requiring expenditures of \$10,000,000 or more for power and related products and services required to supply San Francisco's community choice aggregation program, CleanPowerSF, subject to specified conditions; authorizing the use of pro forma agreements for the purchase and sale of power and related products; and authorizing deviations from certain contract requirements in the Administrative Code and the Environment Code. (Public Utilities Commission)

11/26/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

**191204 [Settlement of Lawsuit - PJ Dayacamos - \$57,000]**

Ordinance authorizing settlement of the lawsuit filed by PJ Dayacamos against the City and County of San Francisco for \$57,500; the lawsuit was filed on May 8, 2017, in the United States District Court, Northern District of California, Case No. 3:17-cv-02644-JSC; entitled PJ Dayacamos v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

11/18/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**191205 [Settlement of Lawsuit - Tureko Straughter and K.R., a minor - \$160,000]**

Ordinance authorizing settlement of the lawsuit filed by Tureko Straughter and K.R., a minor, against the City and County of San Francisco for \$160,000; the lawsuit was filed on August 22, 2018, in the United States District Court, Case No. 18-cv-03651; entitled Tureko Straughter, individually and as the guardian for minor K.R.; and K.R., a minor, by and through his guardian Tureko Straughter; the lawsuit involves alleged civil rights violations. (City Attorney)

11/25/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**191206****[Settlement of Lawsuit - Scanvinski Jerome Hymes - \$35,000]**

Ordinance authorizing settlement of the lawsuit filed by Scanvinski Jerome Hymes against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 28, 2016, in United States District Court - Northern District of California, Case No. 16-cv-04288 JSC; entitled Scanvinski Jerome Hymes v. Milton Bliss, et al.; the lawsuit involves alleged excessive force and personal injuries by Sheriff's deputies. (City Attorney)

11/25/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**191207****[Settlement of Lawsuit - Claudia High-Matthews - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Claudia High-Matthews against the City and County of San Francisco for \$40,000; the lawsuit was filed on May 25, 2018, in San Francisco Superior Court, Case No. CGC-18-566804; entitled Claudia High-Matthews v. City and County of San Francisco; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney)

12/02/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**191208****[Amended Settlement of Unlitigated Claim - United States Environmental Protection Agency - Yosemite Slough Sediment Site - \$821,839; Related Appropriation - Wastewater Enterprise Fund Balance]**

Ordinance approving an amendment to the 2016 settlement of United States Environmental Protection Agency's ("EPA") unlitigated claim against the City and County of San Francisco approved by Resolution No. 350-16; no formal claim has been filed; the amendment resolves EPA's claims against the City to perform additional pre-design technical studies in support of cleanup of the Yosemite Slough Sediment Site; the amendment requires the City to perform two technical studies at an estimated cost of \$821,839; additional material terms of the amended settlement are that the City will contract with a third party environmental consultant to perform the studies, the City will assume responsibility for completion of the work pursuant to the amendment, the City will assume responsibility and indemnify EPA for any stipulated penalties or claims arising in connection with performance of the additional work under the amendment, and the City will reimburse EPA for its future response costs related to the additional work; and appropriating \$821,839 from the Public Utilities Commission Wastewater Enterprise fund balance for payment of the costs. (City Attorney)

11/25/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**191221****[Settlement of Lawsuit - Peggy Ung - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Peggy Ung against the City and County of San Francisco for \$50,000; the lawsuit was filed on November 8, 2017, in San Francisco Superior Court, Case No. CGC-17-562378; entitled Peggy Ung v. Yong L. Wang, et al.; the lawsuit involves alleged personal injury on a City sidewalk; other material terms of the settlement are that the City, Yong L. Wang, Michelle Wang, and Farmers Insurance Company mutually waive any and all rights they may have against each other for indemnity concerning the lawsuit. (City Attorney)

12/02/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**191209 [Lease Agreement - Park Café Group, Inc. - Harvey Milk Terminal 1 Boarding Area C Food and Beverage Kiosk Lease, A Small Business Enterprise Set-Aside - \$240,000 Minimum Annual Guarantee]**

Resolution approving the Harvey Milk Terminal 1 Boarding Area C Food and Beverage Kiosk Lease, A Small Business Enterprise Set-Aside, Lease No. 19-0244 between Park Café Group, Inc., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years and a minimum annual guarantee of \$240,000 for the first year of the Lease to commence following Board approval. (Airport Commission)

11/08/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**191210 [Lease Agreement - Sidewalk Juice, SFO, LLC - Terminal 3 Boarding Area F Food and Beverage Kiosk Lease, A Small Business Enterprise Set-Aside - \$136,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 3 Boarding Area F Food and Beverage Kiosk Lease, A Small Business Enterprise Set-Aside, Lease No. 19-0245 between Sidewalk Juice, SFO, LLC, as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years and a minimum annual guarantee of \$136,000 for the first year of the Lease to commence following Board approval. (Airport Commission)

11/08/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**191211 [Lease Agreement - Elevate Gourmet Brands-SC Group - Terminal 3 Boarding Area F Gourmet Grab and Go Market Lease - \$250,000 Minimum Annual Guarantee]**

Resolution approving the Terminal 3 Boarding Area F Gourmet Grab and Go Market Lease, Lease No.19-0247 between Elevate Gourmet Brands-SC Group, a joint venture between Elevate Gourmet Brands, Inc. and Skyview Concessions, Inc., as joint tenants, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years and a minimum annual guarantee of \$250,000 for the first year of the Lease, to commence following Board approval. (Airport Commission)

11/08/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**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)

11/15/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**191213 [Settlement of Unlitigated Claim - Spotify USA Inc. - \$217,290.29]**

Resolution approving the settlement of the unlitigated claim filed by Spotify USA Inc. against the City and County of San Francisco for \$217,290.29; the claim was filed on July 15, 2019; the claim involves a refund of payroll expense and gross receipts taxes, penalties, and interest (City Attorney)

11/25/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**191222 [Settlement of Unlitigated Claim - Clinton Bailey - \$49,076.68]**

Resolution approving the settlement of the unlitigated claim filed by Clinton Bailey against the City and County of San Francisco for \$49,076.68; the claim was filed on February 19, 2016; the claim involves an employment dispute. (City Attorney)

12/02/2019; RECEIVED FROM DEPARTMENT.

12/10/2019; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**191194 [Petitions and Communications]**

Petitions and Communications received from November 11, 2019, through December 2, 2019, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 10, 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 Mayor's Office of Housing and Community Development, pursuant to Ordinance No. 216-18, submitting their report on Prioritization of 100% Affordable Housing Projects for Q1 FY2019-2020. Copy: Each Supervisor. (1)

From the City Administrator, pursuant to Administrative Code, Section 6.27, regarding extending the deadline to negotiate a Citywide Project Labor Agreement with the San Francisco Building and Construction Trades Council. Copy: Each Supervisor. (2)

From San Francisco Public Utilities Commission, pursuant to Resolution No. 227-18, submitting their quarterly report on the status of application to Pacific Gas and Electric for service. Copy: Each Supervisor. (3)

From the Office of the Controller, pursuant to Administrative Code, Section 2.10, submitting the updates on the San Francisco Civil Grand Jury's recommendations for FY2015-2016 through FY2017-2018. Copy: Each Supervisor. (4)

From the Department of Elections, submitting notice of the Ballot Simplification Committee meetings for the March 3, 2020, Consolidated Presidential Primary Election. Copy: Each Supervisor. (5)

From the Office of the Treasurer and Tax Collector, pursuant to California State Government Code, Section 53646, submitting the CCSF Pooled Investment Report, October 2019. Copy: Each Supervisor. (6)

From the City Administrator, submitting the Federal Emergency Management Agency's publication of the Final Flood Insurance Rate Map for San Francisco. Copy: Each Supervisor. (7)

From the Office of United States Senator Diane Feinstein, regarding Resolution No. 256-19, the San Francisco Board of Supervisors' support for House Resolution No. 6, the American Dream and Promise Act of 2019. File No. 190550. Copy: Each Supervisor. (8)

From Katherine Howard, regarding the appointment of Sue Diamond to the Planning Commission. File No. 191034. Copy: Each Supervisor. (9)

From Anastasia Glikshtern, regarding the hearing to examine the planting, removal, and maintenance of trees on public sites in San Francisco. File No. 190451. Copy: Each Supervisor. (10)

From Steven Neunhoffer, regarding Resolution No. 382-19, declaring the National Rifle Association a domestic terrorist organization. Copy: Each Supervisor. (11)

From Christopher Monz, regarding the policy of including VA benefits for housing help. Copy: Each Supervisor. (12)

From Kori-Renee Hart, regarding a business permit dispute for Palm City Wines. Copy: Each Supervisor. (13)

From Anonymous, regarding the legality of delaying or preventing disclosure of the Department of Police Accountability records. Copy: Each Supervisor. (14)

From Gurinder Kalra, regarding the Municipal Transportation Agency's parking and curb management at 2415 and 2421 Buchanan Street. Copy: Each Supervisor. (15)

From Denise Louie, regarding the Recreation and Park Department's practice of managing trees for wildfire prevention. File Nos. 191092 and 190451. Copy: Each Supervisor. (16)

From Richard Rhodes, regarding the use of assessing tenant pass-through charges. Copy: Each Supervisor. (17)

From concerned citizens, regarding the proposed Ordinance amending the Business and Tax Regulations Code and Administrative Code to impose an excise tax on persons keeping ground floor commercial space in certain neighborhood commercial districts and certain neighborhood commercial transit districts vacant. File No. 191005. 2 letters. Copy: Each Supervisor. (18)

From Allen Jones, regarding oversight of Juvenile Hall overtime. Copy: Each Supervisor. (19)

From Chris W., regarding BART and MUNI fare evaders. Copy: Each Supervisor. (20)

From concerned citizens, regarding the Balboa Reservoir Project. Copy: Each Supervisor. (21)

From Ed Cota, regarding Supervisor Fewer's remarks while at Mr. Boudin's election headquarters. Copy: Each Supervisor. (22)

From Mary Rogus, regarding the property located 988 Howard Street Plaza apartments. Copy: Each Supervisor. (23)

From Shirley Johnson, regarding the proposed Ordinance on parking reform and parking controls. File No. 190794. Copy: Each Supervisor. (24)

From Chaitanya Diwadkar, regarding trees in McLaren Park. Copy: Each Supervisor. (25)

From Monte White, regarding the Fair Chance Ordinance in San Francisco. Copy: Each Supervisor. (26)

From Rishi Chopra, submitting their resignation from the Sunshine Ordinance Task Force. Copy: Each Supervisor. (27)

From concerned citizens, regarding class reduction at City College of San Francisco. 2 letters. Copy: Each Supervisor. (28)

From concerned citizens regarding the property located at 3333 California Street. File Nos. 190947, 190844, 190845. 26 letters. Copy: Each Supervisor. (29)

\*\* From Anonymous, regarding a request to amend the Sunshine Ordinance to require television broadcasting of all Commissions, Boards and the Sunshine Ordinance Task Force. Copy: Each Supervisor. (30)

## **ADJOURNMENT**