

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, September 17, 2019 - 2:00 PM**

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

### **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*

### 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

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

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

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*The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, September 17, 2019, with President Norman Yee presiding.*

*President Yee called the meeting to order at 2:01 p.m.*

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

*On the call of the roll, Supervisors Brown, Haney, Mar, Peskin, Safai, Stefani, Walton, and Yee were noted present.*

*Supervisors Fewer, Mandelman, and Ronen were noted not present.*

*A quorum was present.*

## **COMMUNICATIONS**

*There were no communications.*

## **AGENDA CHANGES**

*There were no agenda changes.*

*Supervisors Fewer, Mandelman, and Ronen were noted present at 2:03 p.m.*

## **CONSENT AGENDA**

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

#### **190460 [Waiver of Banner Fee - Retroactive - SOMA Pilipinas Filipino Cultural Heritage District]**

**Sponsor: Haney**

Ordinance retroactively waiving the banner fees under the Public Works Code for up to 300 banners placed on City-owned poles by SOMA Pilipinas, for an indefinite period beginning September 24, 2018, to celebrate the culture and visibility of the Filipino Cultural Heritage District.

**Ordinance No. 214-19**

**FINALLY PASSED**

**190835 [Appropriation - 2012 General Obligation Parks Bond Proceeds - \$3,100,000 - 2015 General Obligation Housing Bond Proceeds - \$92,725,000 - FY2019-2020]****Sponsors: Mayor; Fewer**

Ordinance appropriating \$3,100,000 of proceeds from the 2012 General Obligation Parks Bond, Series 2019C, to the Port of San Francisco and appropriating \$92,725,000 of proceeds from the 2015 General Obligation Housing Bond, Series 2019D, to the Mayor's Office of Housing and Community Development in FY2019-2020 and placing \$95,825,000 on Controller's Reserve pending the sale of the bonds.

(Fiscal Impact)

**Ordinance No. 215-19****FINALLY PASSED****190836 [Appropriation - Fund Balance - San Francisco Seawall Earthquake Safety and Disaster Prevention Program - \$11,500,000 - FY2019-2020]****Sponsors: Mayor; Peskin**

Ordinance appropriating \$11,500,000 of fund balance to the Port for the San Francisco Seawall Earthquake Safety and Disaster Prevention Program in FY2019-2020.

(Fiscal Impact)

**Ordinance No. 216-19****FINALLY PASSED****Recommendation of the Land Use and Transportation Committee****190812 [Planning Code - Allowing Long-Term Parking of and Overnight Camping in Vehicles and Ancillary Uses at 2340 San Jose Avenue]****Sponsors: Safai; Yee, Ronen, Brown, Walton, Haney and Mandelman**

Ordinance amending the Planning Code to allow temporary long-term parking of and overnight camping in vehicles, and ancillary uses including administrative offices, restrooms, showering or bathing facilities, kitchen or other food preparation facilities, and eating areas at 2340 San Jose Avenue, Assessor's Parcel Block No. 6973, Lot No. 039, subject to compliance with all other Municipal Code requirements, including but not limited to requirements of the Overnight Safe Parking Pilot Program; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**Ordinance No. 213-19****FINALLY PASSED****The foregoing items were acted upon by the following vote:**

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

## REGULAR AGENDA

### UNFINISHED BUSINESS

#### Recommendation of the Budget and Finance Committee

**190837 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2019-2020]**

**Sponsor: Mayor**

Ordinance levying property taxes at a combined rate of \$1.1801 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco County Office of Education, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District; and establishing a pass-through rate of \$0.0660 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2020.  
(Fiscal Impact)

**Ordinance No. 217-19**

**FINALLY PASSED by the following vote:**

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

### NEW BUSINESS

#### Recommendations of the Budget and Finance Committee

**190649 [Finding of Fiscal Feasibility - Airport Shoreline Protection Program - San Francisco International Airport]**

Resolution finding the proposed updated Airport Shoreline Protection Program at the San Francisco International Airport fiscally feasible and responsible pursuant to San Francisco Administrative Code, Chapter 29. (Airport Commission)  
(Fiscal Impact)

**Resolution No. 395-19**

**ADOPTED by the following vote:**

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

**190847 [Grant Agreement - Retroactive - Environmental Protection Agency - 900 Innes Remediation Project - \$1,200,000]****Sponsor: Mayor**

Resolution retroactively authorizing the Recreation and Park Department to enter into an agreement with the United States Environmental Protection Agency for the receipt of \$1,200,000 for the 900 Innes Remediation Project, for a term of January 1, 2018, through September 30, 2020, pursuant to Charter, Section 9.118(a). (Recreation and Park Department)

**Resolution No. 396-19****ADOPTED by the following vote:**

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

**190851 [Accept and Expend Grant - California Victim Compensation Board - Criminal Restitution Compact - Not to Exceed \$267,372]****Sponsors: Mayor; Stefani**

Resolution authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$89,124 for the period of July 1, 2019, through June 30, 2020; \$89,124 for the period of July 1, 2020, through June 30, 2021; and \$89,124 for the period of July 1, 2021, through June 30, 2022, for a total not to exceed amount of \$267,372 from the California Victim Compensation Board for the grant period of July 1, 2019, through June 30, 2022, to continue the Criminal Restitution Compact should the parties agree to an amendment as allowed under the provisions of the grant agreement. (District Attorney)

**Resolution No. 397-19****ADOPTED by the following vote:**

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

**Recommendations of the Government Audit and Oversight Committee****190660 [Campaign and Governmental Conduct Code - Public Campaign Financing]****Sponsors: Mar; Safai, Fewer, Ronen, Mandelman and Haney**

Ordinance amending the Campaign and Governmental Conduct Code to increase the matching ratio for campaign contributions raised by candidates participating in the City's public financing program and the amount of public funds available for those candidates.

(Pursuant to Campaign and Governmental Conduct Code, Section 1.103, this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

(Fiscal Impact)

*Supervisors Ronen and Mandelman requested to be added as co-sponsors.*

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

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

**190680 [Administrative Code - Heart Trouble and Pneumonia Presumptions for Fire and Police Retirement Benefits]**

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

Ordinance amending the Administrative Code to amend heart trouble and pneumonia presumptions for firefighter and police officer industrial disability and death as a result of duty retirement benefits.

(Pursuant to Charter, Section A8.500, this matter shall require a vote of three-fourths (9 votes) of all members of the Board of Supervisors to approve passage of this ordinance.)

(Fiscal Impact)

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

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

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

*President Yee requested File Nos. 190366, 190424, 190580, and 190664 be called together.*

**190366 [Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District - Annual Report for FY2017-2018]**

**Sponsor: Peskin**

Resolution receiving and approving an annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FY2017-2018, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600 et seq.), Section 36650, and the Districts' management agreements with the City, Section 3.4.

**Resolution No. 398-19**

**ADOPTED by the following vote:**

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

**190424 [Noe Valley Community Benefit District - Annual Report - FY2017-2018]**

**Sponsor: Mandelman**

Resolution receiving and approving the annual report for the Noe Valley Community Benefit District for FY2017-2018, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4. (Department of Economic and Workforce Development)

**Resolution No. 399-19**

**ADOPTED by the following vote:**

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

**190580 [Top of Broadway Community Benefit District - Annual Report - FY2017-2018]****Sponsor: Peskin**

Resolution receiving and approving an annual report for the Top of Broadway Community Benefit District for FY2017-2018, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4. (Department of Economic and Workforce Development)

**Resolution No.** 400-19

**ADOPTED by the following vote:**

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

**190664 [Ocean Avenue Community Benefit District - Annual Report - FY2017-2018]****Sponsor: Yee**

Resolution receiving and approving the annual report for the Ocean Avenue Community Benefit District for FY2017-2018, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4. (Department of Economic and Workforce Development)

**Resolution No.** 401-19

**ADOPTED by the following vote:**

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

**Recommendation of the Land Use and Transportation Committee****190708 [Environment Code - 100% Renewable Energy Required for On-Site Electricity Demands in Nonresidential Buildings of 50,000 Square Feet or More]****Sponsors: Mayor; Brown, Safai, Peskin, Haney, Ronen and Mandelman**

Ordinance amending the Environment Code to require all nonresidential buildings of 50,000 square feet or more to provide all on-site electricity demands from 100% greenhouse gas-free or renewable sources and to authorize the Director of the Department of the Environment to adopt rules and regulations for implementation of the requirements; and affirming the Planning Department's determination under the California Environmental Quality Act.

*Supervisors Ronen and Mandelman requested to be added as co-sponsors.*

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

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

## **Recommendations of the Rules Committee**

### **190678 [Appointments, Commission of Animal Control and Welfare - Russell Tenofsky, Jane Tobin, and Michael Angelo Torres]**

Motion appointing Russell Tenofsky, Jane Tobin, and Michael Angelo Torres, terms ending April 30, 2021, to the Commission of Animal Control and Welfare. (Rules Committee)

**Motion No.** M19-134

**APPROVED by the following vote:**

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

*President Yee requested File Nos. 190863 and 190864 be called together.*

### **190863 [Mayoral Appointment, Historic Preservation Commission - Chris Foley]**

Motion approving the Mayor's nomination for appointment of Chris Foley to the Historic Preservation Commission, for a term ending December 31, 2020. (Clerk of the Board) (Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: August 16, 2019.)

(Supervisor Ronen dissented in committee.)

**Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 24, 2019. The motion carried by the following vote:**

Ayes: 8 - Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Walton, Yee

Noes: 3 - Brown, Safai, Stefani

### **190864 [Mayoral Appointment, Historic Preservation Commission - Lydia So]**

Motion approving the Mayor's nomination for appointment of Lydia So to the Historic Preservation Commission, for a term ending December 31, 2022. (Clerk of the Board) (Charter, Section 4.135, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, the nominee shall be deemed approved. Transmittal date: August 16, 2019.)

(Supervisor Ronen dissented in committee.)

**Supervisor Peskin, seconded by Supervisor Mandelman, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 24, 2019. The motion carried by the following vote:**

Ayes: 8 - Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Walton, Yee

Noes: 3 - Brown, Safai, Stefani

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

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

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

*President Yee introduced, welcomed, and presented a Certificate of Honor to the Very Reverend Father Barouyr Shernezian, Parish Priest of the St. Gregory The Illuminator Armenian Apostolic Church, as he departs San Francisco for his next assignment and in recognition of his many accomplishments during his time here as a spiritual advisor and mentor.*

*Supervisor Fewer introduced, welcomed, and presented a Certificate of Honor to Peer Resources on the occasion of their 40th anniversary, and in recognition of their accomplishments providing support and training to empower youth to see themselves as leaders in order to effectuate change throughout the community. Supervisors Walton and Haney shared in this commendation.*

*President Yee introduced, welcomed, and presented a Certificate of Honor to Joan Salvador, International Relations Officer of GABRIELA, in recognition of her international advocacy and efforts calling for women's rights in urban and underprivileged communities, particularly throughout the Philippines.*

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Speaker; shared various religious concerns.*

*Pete Bennett; shared his experience after volunteering to be a witness to a crime.*

*Francisco Da Costa; shared concerns regarding public participation.*

*Walter Paulson; shared his yo-yo proficiency with the Board and sang his appreciation for the City of San Francisco.*

*Magic; expressed support of the Resolution supporting the Close the Camps - Free Our Children Coalition (File No. 190937).*

*Dr. Ahimsa Porter Sumchai; shared concerns regarding the toxicity levels in the Bayview Hunters Point neighborhood.*

*Aaron Barrett; shared concerns regarding the toxicity levels in the Bayview Hunters Point neighborhood and the need for environmental cleanup.*

*Renay; shared concerns regarding the toxicity levels in the Bayview Hunters Point neighborhood and the need for environmental cleanup.*

*Sabrina Hall; shared concerns regarding the toxicity levels in the Bayview Hunters Point neighborhood and the need for environmental cleanup.*

*Gloria Berry; shared concerns regarding the toxicity levels in the Bayview Hunters Point neighborhood and the need for environmental cleanup.*

*Bradley Angel; shared concerns regarding the toxicity levels in the Bayview Hunters Point neighborhood and the need for environmental cleanup.*

*A.J. Napolis; expressed support of the Resolution supporting the Close the Camps - Free Our Children Coalition (File No. 190937).*

*Hyon Lee; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Speaker; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Speaker; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Lynette Oh; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Christina Siu; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Yun Choi; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Anny Hong; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Speaker; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Speaker; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Tyler Kang; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Lina Park; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Jordan Brown Kang; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Sarah Kim-Lee; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Ellen; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Don Persky; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Drew K. Min; expressed support of the Resolution recognizing Korean Chuseok Day and honoring the Korean Center, Inc. (File No. 190939).*

*Matthew Sutter; shared concerns regarding the plight of taxi medallion holders due to*

transportation network companies and the Municipal Transportation Agency.  
Speaker; shared concerns regarding the plight of taxi medallion holders due to transportation network companies and the Municipal Transportation Agency.  
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David Smith; shared concerns regarding the plight of taxi medallion holders due to transportation network companies and the Municipal Transportation Agency.  
Speaker; shared concerns regarding the plight of taxi medallion holders due to transportation network companies and the Municipal Transportation Agency.  
Speaker; shared concerns regarding the plight of taxi medallion holders due to transportation network companies and the Municipal Transportation Agency.  
Tom Gilbert; shared his travel experiences and concerns regarding the federal budget.

### **Appointment of President Pro Tempore**

*At the request of President Yee, Supervisor Mandelman assumed the chair at 3:29 p.m. The President resumed the chair at 3:34 p.m.*

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

### **190937 [Supporting the Demands and Actions of the Close the Camps - Free Our Children Coalition]**

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

Resolution supporting the demands and actions of the Close the Camps - Free Our Children coalition, which aims to draw attention to the systemic mistreatment of immigrants at the United States border and is working towards closing the inhumane immigrant detention camps and freeing innocent children and families.

*Supervisors Mandelman and Safai requested to be added as co-sponsors.*

**Resolution No. 402-19**

**ADOPTED**

### **190938 [Supporting the Letter to Pacific Gas & Electric Company Expressing Interest in Purchasing Electric Distribution Assets]**

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

Resolution supporting the non-binding indication of interest sent to Pacific Gas & Electric Company on September 6, 2019, proposing to purchase the assets needed to provide electric distribution service to all customers in San Francisco for \$2,500,000,000.

**Resolution No. 403-19**

**ADOPTED**

**190939 [Korean Chuseok Day - September 13, 2019]****Sponsors: Stefani; Mandelman**

Resolution recognizing September 13, 2019, as Korean Chuseok Day and honoring the Korean Center, Inc. for its contributions to the Korean-American community in the City and County of San Francisco.

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

**Resolution No. 404-19****ADOPTED****190922 [Final Map 9812 - 3620 Cesar Chavez Street]**

Motion approving Final Map 9812, a 24 residential unit and one commercial unit, mixed-use condominium project, located at 3620 Cesar Chavez Street, being a subdivision of Assessor's Parcel Block No. 6568, Lot No. 032; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M19-135****APPROVED****The foregoing items were acted upon by the following vote:**

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

**IMPERATIVE AGENDA**

*There were no imperative agenda items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

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

## CHARTER AMENDMENT

### **190945 [Charter Amendment - Retiree Health Benefits - Housing Authority Employees]**

**Sponsors: Mayor; Walton, Peskin, Stefani, Yee, Safai, Ronen and Brown**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide retiree health care benefits to employees of the Housing Authority of the City and County of San Francisco ("Housing Authority") who started working for the City and County of San Francisco on or after March 7, 2019, and before March 1, 2021, without a break in service between employment with the Housing Authority and employment with the City and County of San Francisco; and affirming the Planning Department's determination under the California Environmental Quality Act; at an election to be held on March 3, 2020.

09/17/19; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2019.

## ORDINANCES

### **190710 [Health, Business and Tax Regulations Codes - Food Preparation and Service Establishment Categories, Disclosures, and Permit Fees]**

**Sponsor: Peskin**

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

06/18/19; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 7/18/2019.

06/27/19; REFERRED TO DEPARTMENT.

07/26/19; RESPONSE RECEIVED.

09/17/19; SUBSTITUTED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**190946 [Administrative Code - Definition of Tourist or Transient Use Under Hotel Conversion Ordinance]****Sponsor: Peskin**

Ordinance amending the Administrative Code to amend the definition of Tourist or Transient Use under the Residential Hotel Unit Conversion Ordinance, from a term of tenancy of less than 30 days to a term of tenancy of less than seven days, through December 31, 2021, and starting on January 1, 2022, back to a term of tenancy of less than 30 days, to provide a two year amortization period applicable to hotels currently regulated under the Ordinance; to provide a process by which the owners or operators of regulated hotels can request that the amortization period be longer, on a case-by-case basis; and affirming the Planning Department's determination under the California Environmental Quality Act.

09/17/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/17/2019.

**190947 [Public Works Code - Major Encroachment Permit - 3333 California Street Project]****Sponsor: Stefani**

Ordinance approving a major encroachment permit for Laurel Heights Partners, LLC ("Permittee") to occupy portions of Presidio Avenue, Masonic Avenue, Pine Street, Euclid Avenue, Mayfair Drive, and Laurel Street adjacent to 3333 California Street (Assessor's Parcel Block No. 1032, Lot No. 003) for the purpose of installing and maintaining landscape planters, differentiated paving, corner bulb-outs, and other improvements; waiving conflicting requirements under Public Works Code, Sections 800 et seq. and 810A, in connection with Permittee's implementation of the encroachment permit and project development; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/17/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/17/2019.

**190948 [Transportation Code - Lombard Street Reservation and Pricing Pilot Program]****Sponsor: Stefani**

Ordinance amending Division I of the Transportation Code to adopt rules and regulations for vehicular access and congestion management for Lombard Street between Leavenworth and Hyde Streets including a reservation and pricing pilot program and associated fee; and affirming the Planning Department's determination under the California Environmental Quality Act.

09/17/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/17/2019.

**190949 [Administrative Code - Extension of Pedestrian Safety Advisory Committee]****Sponsors: Yee; Mar, Ronen, Walton and Fewer**

Ordinance amending the Administrative Code to extend the sunset date for the Pedestrian Safety Advisory Committee by one year, to October 1, 2020, and requiring the Committee to recommend changes to its structure and duties.

09/17/19; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2019.

## RESOLUTIONS

### **190950 [Issuance of Bonds - California Municipal Finance Authority - HealthRIGHT 360 - Not to Exceed \$65,000,000]**

**Sponsor: Brown**

Resolution approving in accordance with Internal Revenue Code of 1986, Section 147(f), as amended, the issuance of revenue bonds or a loan by the California Municipal Finance Authority in one or more series pursuant to a plan of financing and in an aggregate issue price not to exceed \$65,000,000 ("Bonds") to refinance all or a portion of certain outstanding debt obligations that originally financed and refinanced the acquisition, construction, improvement, equipping and furnishing of facilities located at 890 Hayes Street, 815 Buena Vista West, 214 Haight Street, 1563 Mission Street, 1735 Mission Street, and 154 Coleridge Street within the City and County of San Francisco ("City"), owned and managed by HealthRIGHT 360, a California nonprofit public benefit corporation, in connection with the provision of residential treatment services in the City; finance additional improvements to and equipping and maintenance of such facilities; pay capitalized interest on the Bonds; fund a reserve fund for the Bonds; and pay certain expenses incurred in connection with the issuance of the Bonds. (Controller)

09/17/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **190951 [Urging the Governor to Sign California State Assembly Bill No. 857 (Chiu and Santiago) - Public Banks Act]**

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

Resolution urging the Governor to sign into law California State Assembly Bill No. 857, authored by State Assembly Members David Chiu and Miguel Santiago, the "Public Banks Act," to provide a pathway for the creation of municipal and regional public banks.

09/17/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **190952 [Urging the United States Census Bureau to Provide Non-English Paper Questionnaires for Language Groups of 100,000 or More]**

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

Resolution urging the United States Census Bureau to provide non-English paper questionnaires for language groups of 100,000 or more in the United States during the 2020 Census, including Chinese, Korean, Vietnamese and Russian.

09/17/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **190953 [Urging the Department of Public Health to Rescind Their Relocation Notice for Adult Residential Facility Residents]**

**Sponsors: Haney; Ronen, Walton, Mar, Fewer, Safai and Brown**

Resolution urging the Department of Public Health to rescind their 60-day notice for adult residential facility residents to relocate; and supporting adult residential facility residents and workers.

09/17/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**190954 [Condemning the United States Department of Agriculture's Proposed Rule Change that Threatens Food Security]****Sponsors: Walton; Ronen, Brown, Stefani, Mar, Fewer, Yee and Mandelman**

Resolution condemning a proposed rule change by the United States Department of Agriculture (USDA) that would end categorical eligibility for Supplemental Nutrition Assistance Program benefits and cause more than 3,000,000 people nationwide to be more food insecure; urging the USDA to withdraw said rule change; and asking the Human Services Agency to explain the negative effects such a change will cause.

09/17/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**MOTION****190955 [Committee of the Whole - Findings and Recommendations Regarding Law Enforcement Practices - October 22, 2019]****Sponsors: Fewer; Walton**

Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on October 22, 2019, at 3:00 p.m., for the Members of the Board of Supervisors to hear and receive updates on the progress and implementation status of the United States Department of Justice recommendations regarding reforms within the Police Department.

09/17/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**REQUESTS FOR HEARING****190956 [Hearing - Appropriate Amortization Period to Implement Hotel Conversion Ordinance]****Sponsor: Peskin**

Hearing to receive public input on the appropriate amortization period to implement the City's Hotel Conversion Update; and requesting the Mayor's Office of Housing and Community Development, Department of Building Inspection, and Department of Homelessness and Supportive Housing to report.

09/17/19; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**190957 [Hearing - Department of Police Accountability Operations]****Sponsors: Walton; Haney**

Hearing to receive an update of the Department of Police Accountability's operations and the Police Department's implementation of Department of Justice recommendations; and requesting the Department of Police Accountability and Police Department to report.

09/17/19; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

## **Introduced at the Request of a Department**

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

## **PROPOSED ORDINANCES**

### **190916 [Settlement of Attorney's Fee Claim - Contest Promotions, LLC - City to Receive \$500,000]**

Ordinance authorizing settlement by payment of \$500,000 to the City and County of San Francisco, of the City's claim for attorney's fees and costs arising from the lawsuit that Contest Promotions, LLC, filed against the City; the lawsuit was filed on August 26, 2015, in San Francisco Superior Court, Case No. CGC-15-547630; entitled Contest Promotions, LLC vs. City and County of San Francisco; San Francisco Superior Court Case No. CPF-16-514771 was filed on February 9, 2016, and the actions were consolidated; the lawsuit involves a dispute about the City's compliance with a prior settlement agreement between the parties, and the constitutionality of sections of the Planning Code regulating on-site and off-site commercial signs. (City Attorney)

09/03/19; RECEIVED FROM DEPARTMENT.

09/17/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **190917 [Settlement of Lawsuit - Fidelis Cybersecurity, Inc. - City to Receive \$850,978]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Fidelis Cybersecurity, Inc. and others for \$850,978; the lawsuit was filed on November 27, 2018, in San Francisco Superior Court, Case No. CGC-18-571572; entitled City and County of San Francisco and the People of the State of California v. Fidelis Cybersecurity, Inc.; Maarek Zalatimo (aka Mark Zalatimo); Heather Zalatimo; Jeff Jorgenson, and Does One through Ten; the lawsuit involves the sale of products to the City in violation of conflict of interest laws; other material terms of the settlement are that Fidelis will pay the settlement amount over 18 months and that the City will return hardware purchased from Fidelis within 30 days. (City Attorney)

09/09/19; RECEIVED FROM DEPARTMENT.

09/17/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **190918 [Settlement of Lawsuit - Cheryl Jarne - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Cheryl Jarne against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 2, 2018, in San Francisco Superior Court, Case No. CGC-18-564726; entitled Cheryl Jarne v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney)

09/09/19; RECEIVED FROM DEPARTMENT.

09/17/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

### **190919 [Jurisdictional Transfer and Exchange of City Property - Municipal Transportation Agency - Real Estate Division - 1419 Bryant Street - 1200-15th Street - \$0]**

Resolution approving the jurisdictional transfer of 1419 Bryant Street, a portion of Assessor's Parcel Block No. 3904, Lot No. 002, consisting of approximately 48,000 square feet, currently under the jurisdiction of the Municipal Transportation Agency (MTA) to the Real Estate Division on behalf of Animal Care and Control (ACC), and 1200-15th Street, Assessor's Parcel Block No. 3925, Lot No. 002, consisting of 15,260 square feet improved with an office building of approximately 29,116 rentable square feet, commonly known as the City's Animal Shelter, currently under the jurisdiction of the ACC to the MTA, subject to the terms and conditions of a Memorandum of Understanding between MTA and ACC; approving the transfer price of \$0; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing other actions in furtherance of this Resolution, as defined herein. (Real Estate Department)

09/04/19; RECEIVED FROM DEPARTMENT.

09/17/19; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

### **190920 [Lease Amendment - Lexington Lion San Francisco, LP - 350 Rhode Island Street-North - \$2,600,000 Rent Credit]**

Resolution authorizing the execution and acceptance of the First Amendment to Lease of that certain lease dated September 28, 2017 ("Lease"), by and between Lexington Lion San Francisco, LP, a Delaware Limited Partnership, and the City and County of San Francisco, for the real property located at 350 Rhode Island Street-North, facilitating the provision of a rent credit to City in the amount of \$2,600,000 in consideration for a waiver of certain real estate expense pass-through protections afforded to the City under the Lease, to commence upon approval by the Board of Supervisors. (Real Estate Department)  
(Fiscal Impact)

09/09/19; RECEIVED FROM DEPARTMENT.

09/17/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **190921 [Contract - Retroactive - Sentinel Offenders Services, LLC - Home Detention and Electronic Monitoring Services - \$3,400,000]**

Resolution retroactively approving the Sheriff Department's contract with Sentinel Offenders Services, LLC to administer a Home Detention and Electronic Monitoring Program, for a term of three years from August 1, 2019, through July 31, 2022, with two one-year options to renew, for a total contract amount of \$3,400,000. (Sheriff)  
(Fiscal Impact)

09/05/19; RECEIVED FROM DEPARTMENT.

09/17/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **Requests Granted**

*From: Supervisor Walton*

*To: City Attorney*

*Requesting/Inquiring: To draft an ordinance prohibiting the Juvenile Probation Department from using Juvenile Hall to provide any type of programming that incarcerates youth "post adjudication."*

*From: Supervisors Walton, Peskin, Haney, Ronen, Fewer*

*To: City Attorney*

*Requesting/Inquiring: To prepare an appropriation ordinance for the Office of the Controller placing the remaining non-salary budget for the Juvenile Probation Department for fiscal year 2019-2020 on Board of Supervisors Reserve.*

### **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 4:27 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on October 22, 2019.*

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Angela Calvillo, Clerk of the Board