

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 24, 2019 - 2:00 PM

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

Regular Meeting

NORMAN YEE, PRESIDENT

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.

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, September 24, 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, Fewer, Haney, Mandelman, Mar, Peskin, Safai, Stefani, Walton, and Yee were noted present.

Supervisor Ronen was noted not present.

A quorum was present.

COMMUNICATIONS

CITY DEPARTMENT HIGHLIGHTS

Charles Sheehan (Department of the Environment) provided highlights, and SFGovTV presented a video clip, on the work and efforts being made towards the Zero Waste initiative to drastically reduce the amount of discards to landfill or high-temperature destruction.

Supervisor Ronen was noted present at 2:03 p.m.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

UNFINISHED BUSINESS

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)

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

Ordinance No. 218-19

FINALLY PASSED 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)

Ordinance No. 219-19

FINALLY PASSED 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.

Ordinance No. 220-19

FINALLY PASSED by the following vote:

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

Recommendations of the Rules Committee

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.)

Motion No. M19-136

APPROVED by the following vote:

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

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.)

Motion No. M19-137

APPROVED by the following vote:

Ayes: 9 - Brown, Fewer, Haney, Mar, Ronen, Safai, Stefani, Walton, Yee

Noes: 2 - Mandelman, Peskin

NEW BUSINESS

Recommendations of the Budget and Finance Committee

President Yee requested File Nos. 190895, 190896, 190897, and 190898 be called together.

190895 [Authorizing Certificates of Participation - Multiple Capital Improvement Projects - Not to Exceed \$94,600,000]

Sponsors: Mayor; Peskin

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series from time to time, on a tax-exempt or taxable basis, evidencing and representing an aggregate principal amount not to exceed \$94,600,000 to finance and refinance the acquisition of certain real property located at 814-820 Bryant Street and 470 Sixth Street within the City and related site demolition, preparation and improvement, and the repayment of certain taxable commercial paper notes of the City issued for such purposes, and the acquisition of certain additional property located at 1828 Egbert Avenue within the City and related site demolition, preparation and improvement; approving the form of Supplement to the 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 Supplements to Property Lease and Project Lease, each between the City and the Trustee, for the lease and lease back of all or a portion of 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)

PASSED ON FIRST READING by the following vote:

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

190896 [Authorizing Certificates of Participation - Multiple Capital Improvement Projects - Not to Exceed \$62,000,000]**Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series from time to time, on a tax-exempt or taxable basis, evidencing and representing an aggregate principal amount not to exceed \$62,000,000 to finance and refinance the acquisition of certain real property located within the City for the improvement and equipping of certain existing real property and improvements owned and maintained by the City, including but not limited to the improvement and equipping of the existing Hall of Justice facilities located at 850 Bryant Street within the City and adjacent and related facilities, and the retirement of certain commercial paper notes of the City issued on an interim basis for such purposes; approving the form of 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 Supplements to Property Lease and Project Lease, each between the City and the Trustee, for the lease and lease back of all or a portion of 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)

PASSED ON FIRST READING by the following vote:

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

190897 [Appropriation - Certificates of Participation to the General Services Agency to Fund Tenant Improvement Costs for the Hall of Justice Improvement Project - \$62,000,000 - FY2019-2020]**Sponsor: Mayor**

Ordinance appropriating \$62,000,000 of Certificates of Participation to the General Services Agency to fund tenant improvements involving the construction, acquisition, improvement, renovation, and retrofitting of City-owned properties as needed for the Hall of Justice Improvement Project enabling staff and offices to be consolidated in acquired City-owned properties in FY2019-2020; and placing \$62,000,000 on Controller's Reserve, pending sales of Certificates of Participation, and \$3,000,000 of project funds are placed on Budget and Finance Committee Reserve pending submission of an expenditure plan for the contingency funds. (Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

190898 [Appropriation - Certificates of Participation to the General Services Agency to Fund Site Acquisition Costs for the Hall of Justice Relocation Project - \$78,600,000 - FY2019-2020]

Sponsors: Mayor; Peskin

Ordinance appropriating \$78,600,000 of Certificates of Participation to the General Services Agency to purchase the property located at 1828 Egbert Avenue and to fund the related demolition, site preparation, and other acquisition costs for the Hall of Justice Relocation Project in FY2019-2020; and placing \$78,600,000 on Controller's Reserve pending sales of Certificates of Participation.

(Fiscal Impact)

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. 190704 and 190705 be called together.

190704 [Lease Agreement - Emporio Rulli, Inc. dba G.R. Chocolate Boutique - \$150,000 Minimum Annual Guarantee]

Resolution approving the Terminal 1 Retail Concession Lease No. 3 - Lease No. 18-0395, between Emporio Rulli, Inc. dba G.R. Chocolate Boutique and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, with a minimum annual guarantee of \$150,000 for the first year of the Lease, to commence upon approval by the Board of Supervisors. (Airport Commission)

Resolution No. 408-19

ADOPTED by the following vote:

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

190705 [Lease and Operating Agreement - Smarte Carte Inc. - \$6,493,853]

Resolution approving the Airport Luggage Cart Lease and Operating Agreement No. 19-0069, between Smarte Carte Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of three years, with one three-year option to extend, in an amount not to exceed \$6,493,853 to commence upon approval by the Board of Supervisors. (Airport Commission)

Resolution No. 409-19

ADOPTED by the following vote:

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

190768 [Contract Amendment - Heluna Health - Comprehensive Outreach and Case Management Programming - Not to Exceed \$39,133,942]**Sponsor: Mayor**

Resolution approving the fifth amendment to the contract between the City and County of San Francisco and Heluna Health to provide comprehensive outreach and case management programming to meet the needs of people experiencing homelessness in San Francisco known as the San Francisco Homeless Outreach Team, to extend the contract agreement term for an additional 20 months from November 1, 2019, for a total term of August 1, 2014, through June 30, 2021, and to increase the contract amount by \$15,367,886 for a total contract amount of \$39,133,942. (Department of Homelessness and Supportive Housing)
(Fiscal Impact)

Resolution No. 410-19**ADOPTED by the following vote:**

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

190809 [Contract - Bar None Auction - Auctioning Services - \$1,300,000 Anticipated Revenue]

Resolution authorizing the Office of Contract Administration to enter into a contract for auctioning services with Bar None Auction with an anticipated revenue of \$1,300,000 for a term of October 1, 2019, through September 30, 2022. (Office of Contract Administration)

Resolution No. 411-19**ADOPTED by the following vote:**

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

190850 [Sale of Transferable Development Rights - War Memorial Complex - 301 and 401 Van Ness Avenue]**Sponsors: Mayor; Brown**

Resolution authorizing the Director of Property to sell up to 550,000 gross square feet of remaining transferable development rights ("TDR") previously authorized from the War Memorial Complex, located at 301 and 401 Van Ness Avenue, at fair market value; and to execute and record Certificates of Transfer and to take such additional actions as may be necessary to effectuate one or more TDR transfers in accordance with Planning Code, Section 128.

Resolution No. 412-19**ADOPTED by the following vote:**

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

190883 [Office of the Treasurer & Tax Collector to Examine Confidential California Department of Tax and Fee Administration Records]

Resolution authorizing officers and employees of the Office of the Treasurer & Tax Collector of the City and County of San Francisco to examine sales or transactions and use tax records of the California Department of Tax and Fee Administration, pursuant to California Revenue and Taxation Code, Section 7056. (Treasurer-Tax Collector)

Resolution No. 413-19**ADOPTED by the following vote:**

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

190900 [Certificates of Participation - 49 South Van Ness Project - Official Statement]**Sponsor: Mayor**

Resolution approving the form of and authorizing the distribution of a preliminary Official Statement relating to the execution and delivery of City and County of San Francisco Certificates of Participation for the 49 South Van Ness Project, and authorizing the preparation, execution and delivery of a final Official Statement; and ratifying the approvals and terms and conditions of a previous Ordinance, and related matters, as defined herein.

Resolution No. 406-19

ADOPTED by the following vote:

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

190901 [Designation of Agents Authorized to Obtain Disaster and Emergency Assistance Funding]**Sponsor: Mayor**

Resolution authorizing agents to act on behalf of the City and County of San Francisco for all matters pertaining to state and federal disaster and emergency assistance funding.

Resolution No. 414-19

ADOPTED by the following vote:

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

190902 [Apply for Grant Application - United States Department of Housing and Urban Development - Continuum of Care Program - Not to Exceed \$51,175,586]**Sponsors: Mayor; Brown**

Resolution approving the 2019 grant application for the United States Department of Housing and Urban Development Continuum of Care Program with an amount not to exceed \$51,175,586; and fulfilling the Board of Supervisors review and approval process for all annual or otherwise recurring grants of \$5,000,000 or more. (Department of Homelessness and Supportive Housing)
(Fiscal Impact)

Resolution No. 405-19

ADOPTED by the following vote:

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

Recommendations of the Rules Committee**190285 [Administrative Code - Indigenous Peoples Day]****Sponsor: Brown**

Ordinance amending the Administrative Code to update and revise the legislative findings in support of Indigenous Peoples Day.

PASSED ON FIRST READING by the following vote:

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

190683 [Administrative Code - Conversion of Large Tourist Hotels]**Sponsors: Peskin; Ronen, Mar and Walton**

Ordinance amending the Administrative Code to re-enact and revise the Tourist Hotel Conversion Ordinance, which restricted the conversion of hotel rooms in large tourist hotels to condominiums, and delete the sunset provision; and affirming the Planning Department's determination under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

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

190840 [Administrative Code - Street-Level Drug Dealing Task Force]**Sponsors: Haney; Ronen, Walton and Mar**

Ordinance amending the Administrative Code to establish the Street-Level Drug Dealing Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding policies to address harms related to street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods; and setting forth the membership and duties of the Task Force.

Supervisor Haney, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 5, Lines 21-22, by adding 'Department of Emergency Management'; on Page 6, Lines 8-10, by adding ' and (7) Success rates of diversion and workforce development programs aimed at people involved in street-level drug dealing.' The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Supervisor Mandelman Excused from Voting

Supervisor Ronen, seconded by Supervisor Safai, moved that Supervisor Mandelman be excused from voting on File No. 190894. The motion carried by the following vote:

Ayes: 10 - Brown, Fewer, Haney, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

Excused: 1 - Mandelman

190894 [Appointment, Association of Bay Area Governments, Executive Board Regional Planning Committee - Supervisor Rafael Mandelman]

Motion appointing Supervisor Rafael Mandelman, for a two year term to be determined, to the Association of Bay Area Governments Executive Board Regional Planning Committee. (Clerk of the Board)

Motion No. M19-138**APPROVED by the following vote:**

Ayes: 10 - Brown, Fewer, Haney, Mar, Peskin, Ronen, Safai, Stefani, Walton, Yee

Excused: 1 - Mandelman

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

Supervisor Ronen, seconded by Supervisor Safai, 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

LATINX HERITAGE MONTH

President Yee opened the special commendation period and Supervisor Ronen provided introductory remarks regarding Latinx Heritage Month. Supervisors then introduced, welcomed, and presented Certificates of Honor to the following individuals for their accomplishments and continued community support, as referenced below:

*Supervisor Ronen recognized Armando Vasquez;
Supervisor Safai recognized Ingrid Mezquita;
Supervisor Brown recognized Ruben Marquez aka Ruby;
Supervisor Fewer recognized Yadira Sanchez;
Supervisor Haney recognized Krea Gomez;
Supervisor Mandelman recognized Guillermina Castellanos;
Supervisor Mar recognized Angela Campos;
Supervisor Peskin recognized Sarah Souza;
Supervisor Stefani recognized Luis "Alberto" and "LiLi" Mier;
Supervisor Walton recognized Yolanda Gutierrez; and
President Yee recognized Zonia Torres.*

Appointment of President Pro Tempore

At the request of President Yee, Supervisor Safai assumed the chair at 3:25 p.m. The President resumed the chair at 3:28 p.m.

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

190779 [Settlement of Lawsuit - Gregory Saputelli - \$120,000]

Ordinance authorizing settlement of the lawsuit filed by Gregory Saputelli against the City and County of San Francisco for \$120,000; the lawsuit was filed on January 17, 2018, in San Francisco Superior Court, Case No. CGC-18-563713; entitled Gregory Saputelli v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney)

PASSED ON FIRST READING by the following vote:

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

190780 [Settlement of Lawsuit - Ana Landis Velazquez - \$125,000]

Ordinance authorizing settlement of the lawsuit filed by Ana Landis Velazquez against the City and County of San Francisco for \$125,000; the lawsuit was filed on January 26, 2017, in San Francisco Superior Court, Case No. CGC-17-556697; entitled Ana Landis Velazquez v. City and County of San Francisco; the lawsuit involves an alleged personal injury on a City Street. (City Attorney)

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Rules Committee

190899 [Administrative Code - Compliance with Right to Return for Temporarily Displaced Tenants]

Sponsors: Peskin; Brown

Ordinance amending the Administrative Code to add a preference in City affordable housing programs to tenants temporarily evicted from rental units for capital improvements or rehabilitation work; requiring landlords who regain possession of such rental units to provide evidence of complying with a tenant's right to re-occupy such tenant's rental unit; and restricting the issuance of a certificate of final completion unless a landlord provides such evidence.

(This item was not sent as a committee report.)

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Privilege of the floor was granted unanimously to Jose Luis Pavon and Beatriz Enciso who provided posthumous remarks and shared in the In Memoriam for the late Luis Alberto Quiñonez.

PUBLIC COMMENT

Speaker; shared various religious concerns.

Speaker; shared concerns regarding the plight of taxi medallion holders and their issues with the Municipal Transportation Agency.

Eric Marks; shared various service and program ideas.

Namin Shabad; shared concerns regarding the plight of taxi medallion holders and their issues with the Municipal Transportation Agency.

Speaker; shared concerns regarding the plight of taxi medallion holders and their issues with the Municipal Transportation Agency.

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Matthew Sutter; shared concerns regarding the plight of taxi medallion holders and their issues with the Municipal Transportation Agency.

Speaker; shared concerns regarding the plight of taxi medallion holders and their issues with the Municipal Transportation Agency.

Susan Delrecky; expressed concerns regarding climate change.

Sara Greenwald; expressed concerns regarding climate change.

Speaker; expressed concerns regarding climate change.

Constance Kopps; encouraged the use of reusable products.

Speaker; shared concerns regarding the plight of taxi medallion holders and their issues with the Municipal Transportation Agency.

Tom Gilberty; shared concerns regarding global climate change, parking availability, gun control, and the harm of vaping.

Otto Duffy; shared concerns regarding global climate change.

Speaker; shared various thoughts and experiences.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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.

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

Resolution No. 416-19

ADOPTED

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.

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

Resolution No. 417-19**ADOPTED****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.

Motion No. M19-139**APPROVED****190944 [Final Map No. 9537- Sunnydale HOPE SF Project, Final Map Phase One]**

Motion approving phased Final Map No. 9537, Sunnydale HOPE SF Project, Final Map Phase One, relating to portions of the Sunnydale HOPE SF Project, the re-subdivision of existing Assessor's Parcel Block Nos. 6311 and 6312, Lot Nos. 01, resulting in six lots intended for housing and public right-of-way uses, subject to specified conditions; approving a Public Improvement Agreement related to the Final Map; and acknowledging findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M19-140**APPROVED****The foregoing items were acted upon by the following vote:**

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

Severed from the For Adoption Without Committee Reference Agenda

President Yee requested that File No. 190951 be severed so that it may be considered separately.

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.

Supervisors Stefani, Yee, and Safai requested to be added as co-sponsors.

Resolution No. 415-19

ADOPTED 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.

ORDINANCES

190866 [Fire Code - Repealing 2016 Code, Adopting 2019 Code]

Sponsor: Mayor

Ordinance repealing the existing San Francisco Fire Code in its entirety and enacting a new San Francisco Fire Code consisting of the 2019 California Fire Code and portions of the 2018 International Fire Code, together with amendments specific to San Francisco with an operative date of January 1, 2020; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

09/16/19; RECEIVED FROM DEPARTMENT.

09/24/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/24/2019. Mayor Breed assumed sponsorship of the Ordinance.

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.

09/24/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/24/2019.

190972 [Environment Code - Electrification of Municipal Facilities]**Sponsors: Brown; Mandelman, Peskin, Haney and Ronen**

Ordinance amending the Environment Code to require new construction and major renovations of municipal buildings to exclude natural gas and include exclusively all-electric energy sources; and affirming the Planning Department's determination under the California Environmental Quality Act. (Fiscal Impact; No Budget and Legislative Analyst Report)

09/24/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/24/2019.

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.

09/24/19; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 10/24/2019.

190974 [Green Building Code - Energy Performance in Newly Constructed Buildings]**Sponsor: Mandelman**

Ordinance amending the Green Building Code to establish energy performance requirements for certain new building construction; adopting environmental findings, and findings of local conditions under the California Health and Safety Code and the California Public Resources Code; and directing the Clerk of the Board of Supervisors to forward the Ordinance to state agencies as required by state law.

09/24/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/24/2019.

RESOLUTIONS

190969 [Resolution of Intention to Vacate Streets - India Basin]

Sponsors: Mayor; Walton

Resolution declaring the intention of the Board of Supervisors to order 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; and setting the hearing date for all persons interested in the proposed vacation of said street areas.

09/24/19; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

190975 [Apply for Grant Application - Centers for Disease Control and Prevention - Integrated HIV Surveillance and Prevention Programs for Health Departments - \$7,008,377]

Sponsors: Mayor; Mandelman

Resolution authorizing the Department of Public Health to submit a one-year application for Calendar Year 2020 to continue to receive funding for the Integrated HIV Surveillance and Prevention Programs for Health Departments from the Centers of Disease Control and Prevention, and requesting \$7,008,377 in HIV prevention funding for San Francisco from January 1, 2020, through December 31, 2020. (Public Health Department)

09/24/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

190976 [Apply for Grant Application - Health Resources Services Administration - Ryan White Act HIV/AIDS Emergency Relief Grant Program - \$16,126,350]

Sponsors: Mayor; Mandelman

Resolution authorizing the Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program from the Health Resources Service Administration; and requesting \$16,126,350 in HIV Emergency Relief Program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2020, through February 28, 2021. (Public Health Department)

09/24/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

190977 [Multifamily Housing Revenue Bonds - 410 China Basin Street (Mission Bay South Block 9) - Not to Exceed \$56,700,000]**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 \$56,700,000 for 410 China Basin Street (Mission Bay South Block 9); 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 \$56,700,000; 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.

09/24/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

190978 [Multifamily Housing Revenue Bonds - 385 Eddy Street (Hamlin Hotel) - Not to Exceed \$26,967,500]**Sponsor: Mayor**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$26,967,500 for the purpose of providing financing for the acquisition and rehabilitation of a 67-unit, affordable multifamily rental housing project located at 385 Eddy Street (Hamlin Hotel) within the City; approving the form of and authorizing the execution of a trust indenture providing terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein, and related matters, as defined herein.

09/24/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

190979 [Multifamily Housing Revenue Notes - 242 Hahn Street (Sunnydale Block 6) - Not to Exceed \$106,680,000]**Sponsors: Mayor; Walton**

Resolution authorizing the execution and delivery of a multifamily housing revenue note (tax-exempt) in an aggregate principal amount not to exceed \$76,680,000 and of a multifamily housing revenue note (taxable) in an aggregate principal amount not to exceed \$30,000,000 for the purpose of providing financing for the construction of a 167-unit multifamily rental housing project located at 242 Hahn Street (Sunnydale Block 6); approving the form of and authorizing the execution of funding loan agreement providing the terms and conditions of the loans from the funding lender to the City and the execution and delivery of the notes; approving the form of and authorizing the execution of a project loan agreement providing the terms and conditions of the loans from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the back-to-back loans, the notes and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

09/24/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

190980 [Loan Agreement - Block 6 Housing Partners, L.P. - Sunnydale HOPE SF Block 6 - Not To Exceed \$18,647,014]**Sponsors: Mayor; Walton**

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development to execute an Amended and Restated Loan Agreement with Block 6 Housing Partners, L.P., a California limited partnership, for a total loan amount not to exceed \$18,647,014 to finance the construction of a 167-unit multifamily rental housing development for low-income households, which will be known as Sunnydale HOPE SF Block 6; and adopting findings that the loan agreement is consistent with the adopted Mitigation Monitoring and Reporting Program under the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

09/24/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

190981 [Contract Amendment - Tiburon, Inc. - Computer Aided Dispatch System Software Maintenance - Not to Exceed \$7,153,056]**Sponsor: Mayor**

Resolution approving an amendment to the Agreement between the City and County of San Francisco and Tiburon Inc., to increase the amount by \$1,905,904 for a total amount not to exceed \$7,153,056 and extending the term by five years for a total contract term of June 29, 2012, through November 30, 2024.

(Fiscal Impact)

09/24/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

190982 [Urging the Rent Board to Adopt Fair Guidelines for the Use of “Reasonable Reliance” in the Evaluation of Operating and Maintenance Pass-Throughs]
Sponsors: Brown; Peskin, Fewer, Yee, Ronen and Haney

Resolution urging the Rent Stabilization and Arbitration Board to adopt fair and objective guidelines, upholding the spirit of the Rent Ordinance outlined in Chapter 37 of the Administrative Code, for the use of “reasonable reliance” in the evaluation of operating and maintenance pass-through petitions, including specific criteria demonstrating their reliance on additional rent increases to pay for increased expenses.

09/24/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

190983 [Greater Rincon Hill Community Benefit District - Name Change to The East Cut Community Benefit District - Annual Report - FY2017-2018]
Sponsor: Haney

Resolution changing the name of the Greater Rincon Hill Community Benefit District to The East Cut Community Benefit District (The East Cut CBD); receiving and approving the annual report for The East Cut CBD 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.

09/24/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

190984 [Public Health Crisis on Drug Overdoses and Drug Use]
Sponsors: Haney; Walton

Resolution declaring a public health crisis on drug overdoses and drug use and urging the Department of Public Health to present a comprehensive plan on how to address this crisis.

09/24/19; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

190985 [Approval of a 30-Day Extension for Planning Commission Review of Exemption from Density Limits for Affordable and Unauthorized Units; Residential Care Facilities (File No. 190757)]
Sponsor: Mandelman

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 190757) amending the Planning Code to provide an exception from density limit calculations for all affordable units in projects not seeking and receiving a density bonus, permit the legalization of all unauthorized dwelling units notwithstanding a history of no-fault evictions, and principally permit residential care facilities for seven or more persons in all RH (Residential, House) zoning districts; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

09/24/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

190986 [Italian American Heritage Month - October]
Sponsors: Stefani; Peskin, Walton and Safai

Resolution recognizing October of each year to be Italian American Heritage Month in honor of the countless Italian American individuals and organizations who have contributed to the City and County of San Francisco.

09/24/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

190987 [Accept and Expend Grant - Retroactive - Every Kid Counts College Savings Program - Office of Financial Empowerment Kindergarten to College Program - \$926,892]

Sponsor: Walton

Resolution retroactively authorizing the Office of the Treasurer & Tax Collector to accept and expend a grant in the amount of \$926,892 from the California Student Aid Commission Every Kid Counts College Savings Program for the Office of Financial Empowerment Kindergarten to College Program for conducting outreach to families and provide incentives for families to contribute to college savings accounts for the period of May 1, 2019, through June 30, 2021. (Treasurer-Tax Collector)

09/24/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

190988 [Urging the Municipal Transportation Agency to Issue Permits to California State Assembly Bill No. 5-Compliant Entities Seeking to Operate in San Francisco]
Sponsors: Yee; Walton, Peskin, Mar, Stefani, Brown, Haney, Fewer, Safai, Ronen and Mandelman

Resolution urging the Municipal Transportation Agency to consider compliance with California State Assembly Bill No. 5 when issuing permits to emerging technology entities, contractors, vendors, and any business entity required to have a permit in order to operate in the City and County of San Francisco.

09/24/19; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUESTS FOR HEARING

190989 [Hearing - Budget and Legislative Analyst Report - Jobs-Housing Fit]

Sponsor: Mar

Hearing on the Budget and Legislative Analyst's Job-Housing Fit report that evaluates the current and planned housing stock in San Francisco relative to projected jobs at different income levels, determines if existing and planned housing is adequate and affordable for projected population growth, and provides information on the contributions of the City's Jobs Housing Linkage program and affordable housing programs on jobs-housing fit; and requesting the Office of the Budget and Legislative Analyst, Mayor's Office of Housing and Community Development, and Planning Department to report.

09/24/19; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

190991 [Hearing - Committee of the Whole - Findings and Recommendations Regarding Law Enforcement Practices - October 22, 2019]

Hearing of the Board of Supervisors sitting as a Committee of the Whole 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; scheduled pursuant to Motion No. M19-139, approved on September 24, 2019. (Clerk of the Board)

09/24/19; RECEIVED AND ASSIGNED to Board of Supervisors.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES**190867 [Settlement of Lawsuit - California Department of Public Health - City to Pay \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against California Department of Public Health for \$100,000 and a reduction of the citation from AA to A; the lawsuit was filed on April 13, 2017, in San Francisco Superior Court Case No. CGC-17-558162; entitled City and County of San Francisco v. California Department of Public Health; the lawsuit involves affirmative litigation for relief from citation and fine. (City Attorney)

09/10/19; RECEIVED FROM DEPARTMENT.

09/24/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

190868 [Settlement of Lawsuit - Lorena Pedraza - \$175,000]

Ordinance authorizing settlement of the lawsuit filed by Lorena Pedraza against the City and County of San Francisco for \$175,000; the lawsuit was filed on September 19, 2018, in San Francisco Superior Court, Case No. CGC-18-569880; entitled Lorena Pedraza v. City and County of San Francisco; the lawsuit involves alleged medical negligence. (City Attorney)

09/11/19; RECEIVED FROM DEPARTMENT.

09/24/19; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTION**190943 [Contract Agreement - Retroactive - State Department of Health Care Services - Substance Use Disorder Services - \$171,714,918 - FYs 2019-2022]**

Resolution retroactively authorizing the Department of Public Health, Behavioral Health Services, to enter into a multi-year organized delivery system intergovernmental agreement for substance use disorder services with the State Department of Health Care Services, in the amount of \$171,714,918 for the term of July 1, 2019, through June 30, 2022; and authorizing and designating the Department of Public Health County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. (Public Health Department)

09/16/19; RECEIVED FROM DEPARTMENT.

09/24/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Phil Arnold - Entire Board

Tannis Reinhertz - Supervisor Mandelman

Luis Alberto Quiñonez - Supervisor Ronen

ADJOURNMENT

There being no further business, the Board adjourned at the hour 5:14 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 29, 2019.

Angela Calvillo, Clerk of the Board