

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 1, 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

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, October 1, 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, Mar, Peskin, Ronen, Safai, Stefani, Walton, and Yee were noted present.

Supervisors Haney and Mandelman were noted not present.

A quorum was present.

Supervisor Mandelman was noted present at 2:02 p.m.

COMMUNICATIONS

There were no communications.

AGENDA CHANGES

There were no agenda changes.

Supervisor Haney was noted present at 2:04 p.m.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

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)

FINALLY PASSED

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)

FINALLY PASSED**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)

FINALLY PASSED**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)

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

190778 [Settlement of Unlitigated Claim - Farmers Insurance Exchange - \$300,472 - Appropriation - Water Enterprise Fund Balance]

Ordinance approving the settlement of the unlitigated claim filed by Farmers Insurance Exchange against the City and County of San Francisco for \$300,472; the claim was filed on September 7, 2018; the claim involves alleged property damage arising from a water main break; and appropriating \$300,472 from the San Francisco Public Utilities Commission Water Enterprise fund balance for payment of settlement. (City Attorney)

PASSED ON FIRST READING

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)

FINALLY PASSED

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)

FINALLY PASSED

190806 [Settlement of Lawsuit - Innsbruck, LP - \$1,557,420 Plus Interest]

Ordinance authorizing settlement of the lawsuit filed by Innsbruck, LP against the City and County of San Francisco for \$1,557,420 plus interest; the lawsuit was filed on May 14, 2018, in San Francisco Superior Court, Case No. CGC-18-566560; entitled Innsbruck, LP v. City and County of San Francisco, et al.; the lawsuit involves a transfer tax refund. (City Attorney)

PASSED ON FIRST READING

190807 [Settlement of Lawsuit - Plaza GB, LP - \$1,294,995 Plus Interest]

Ordinance authorizing settlement of the lawsuit filed by Plaza GB, LP against the City and County of San Francisco for \$1,294,995 plus interest; the lawsuit was filed on May 14, 2018, in San Francisco Superior Court, Case No. CGC-18-566558; entitled Plaza GB, LP v. City and County of San Francisco, et al.; the lawsuit involves a transfer tax refund. (City Attorney)

PASSED ON FIRST READING

190870 [Settlement of Lawsuit - Yvonne Marie Ellis - \$33,000]

Ordinance authorizing settlement of the lawsuit filed by Yvonne Marie Ellis against the City and County of San Francisco for \$33,000; the lawsuit was filed on June 6, 2018, in San Francisco Superior Court, Case No. CGC-18-567012; entitled Yvonne Marie Ellis v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City street. (City Attorney)

PASSED ON FIRST READING

190871 [Settlement of Lawsuit - Michael Pannone - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by Michael Pannone against the City and County of San Francisco for \$30,000; the lawsuit was filed on October 5, 2017, in San Francisco Superior Court, Case No. CGC-17-561728; entitled Michael Pannone v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision. (City Attorney)

PASSED ON FIRST READING

190872 [Settlement of Lawsuit - Katharine Savin - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Katharine Savin against the City and County of San Francisco for \$40,000; the lawsuit was filed on October 4, 2016, in United States District Court, Northern District of California, Case No. 16-cv-05627-JST, entitled Katharine Savin v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

PASSED ON FIRST READING

190873 [Settlement of Lawsuit - The Roman Catholic Archbishop of San Francisco, et al. - City to Receive \$913,970 from U.S. Pipe & Foundry Company]

Ordinance authorizing settlement of the lawsuit filed by The Roman Catholic Archbishop of San Francisco, et al. against the City and County of San Francisco for payment of \$913,970 by U.S. Pipe & Foundry Company to the City; the lawsuit was filed on April 11, 2013, in United States District, Case No. 13-cv-2220 MEJ; entitled The Roman Catholic Archbishop of San Francisco, et al. v. City and County of San Francisco, et al.; the lawsuit involves dangerous condition of public property and inverse condemnation. (City Attorney)

PASSED ON FIRST READING

190874 [Settlement of Unlitigated Claim - Property & Casualty Company of Hartford - \$73,273 - Appropriation - Water Enterprise Fund Balance]

Ordinance approving the settlement of the unlitigated claim filed by Property & Casualty Insurance Company of Hartford against the City and County of San Francisco for \$73,273; the claim was filed on August 30, 2018; the claim involves alleged property damage arising from a water main break; and appropriating \$73,273 from the San Francisco Public Utilities Commission Water Enterprise fund balance for payment of settlement. (City Attorney)

PASSED ON FIRST READING

190875 [Settlement of Lawsuit - Kai Kopp - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Kai Kopp against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 28, 2016, in San Francisco Superior Court Case No. CGC-16-551183; entitled Kai Kopp v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury in a City park. (City Attorney)

PASSED ON FIRST READING

190876 [Settlement of Lawsuit - Abuon Mayen - \$225,000 - Appropriation - Water Enterprise Fund Balance]

Ordinance authorizing settlement of the lawsuit filed by Abuon Mayen against the City and County of San Francisco for \$225,000; the lawsuit was filed on March 6, 2018, in San Francisco Superior Court, Case No. CGC-18-566751; entitled Abuon Mayen v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a vehicle collision; and appropriating \$225,000 from the San Francisco Public Utilities Commission Water Enterprise fund balance for payment of settlement. (City Attorney)

PASSED ON FIRST READING

190781 [Settlement of Unlitigated Claim - Shambhala Healing Center Incorporated - \$29,250.72]

Resolution approving the settlement of the unlitigated claim filed by Shambhala Healing Center Incorporated against the City and County of San Francisco for \$29,250.72; the claim was filed on May 1, 2019; the claim involves alleged property damaged due to sewer flooding. (City Attorney)

ADOPTED

190884 [Settlement of Unlitigated Claim - Federal Insurance Company - \$47,766.59]

Resolution approving the settlement of the unlitigated claim filed by Federal Insurance Company against the City and County of San Francisco for \$47,766.59; the claim was filed on February 13, 2019; the claim involves alleged property damage due to flooding from a ruptured water service line. (City Attorney)

ADOPTED

190885 [Settlement of Unlitigated Claim - The Mint Collection HOA - \$35,147.30]

Resolution approving the settlement of the unlitigated claim filed by The Mint Collection HOA against the City and County of San Francisco for \$35,147.30; the claim was filed on September 7, 2018; the claim involves alleged property damaged due to sewer flooding. (City Attorney)

ADOPTED

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.

FINALLY PASSED

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.

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 Rules Committee

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.

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

President Yee requested File Nos. 190877, 190878, and 190933 be called together.

190877 [Contract Amendment - CCT Technologies, Inc. - Technology Marketplace - Not to Exceed \$23,000,000]

Resolution authorizing the Office of Contract Administration to enter into a First Amendment for Technology Marketplace purchases between the City and County of San Francisco and CCT Technologies Inc., dba ComputerLand, a Tier 1 contractor of the Technology Marketplace 2.0, to increase the contract amount by \$3,000,000 for a total contract amount not to exceed \$23,000,000 with no change to the three-year term to expire on December 31, 2021, with two one-year options to extend at the sole and absolute discretion of the City. (Office of Contract Administration) (Fiscal Impact)

ADOPTED by the following vote:

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

190878 [Contract Amendment - XTech JV - Technology Marketplace - Not to Exceed \$44,000,000]

Resolution authorizing the Office of Contract Administration to enter into a First Amendment for Technology Marketplace purchases between the City and County of San Francisco and XTech JV, a Tier 1 contractor of the Technology Marketplace 2.0, to increase the contract amount by \$24,000,000 for a total contract amount not to exceed \$44,000,000 with no change to the three-year term to expire on December 31, 2021, with two one-year options to extend at the sole and absolute discretion of the City. (Office of Contract Administration) (Fiscal Impact)

ADOPTED by the following vote:

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

190933 [Accept and Expend In-Kind Gift - Retroactive - Consulting Services, Various Providers - Valued at \$750,400]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Technology to accept an in-kind gift of consulting services valued at \$750,400 from various providers during FY2018-2019. (Department of Technology)

ADOPTED by the following vote:

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

190903 [Accept and Expend In-Kind Grant - Retroactive - San Francisco Parks Alliance - Community Events, Staff Development, Recreation Programming - FY2017-2018 - Valued at Approximately \$111,541]

Sponsors: Mayor; Stefani

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant from the San Francisco Parks Alliance to fund community events, staff development, recreation programming, and other activities during FY2017-2018 for the period of July 1, 2017, through June 30, 2019, that together are valued at approximately \$111,541. (Recreation and Park Department)

ADOPTED by the following vote:

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

190930 [Apply for Grant - California Department of Health Care Services - Housing Funds for Whole Person Care Pilot Program - Not to Exceed \$8,130,059]

Sponsors: Mayor; Mandelman

Resolution approving the Department of Public Health to apply for the one-time Housing Funds for Whole Person Care pilot program from the California Department of Health Care Services in an amount not to exceed \$8,130,059 from January 1, 2020, through June 30, 2025; and designating the Department of Homelessness and Supportive Housing as the single point of contact for the Housing Funds for Whole Person Care pilot allocation. (Public Health Department)

ADOPTED by the following vote:

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

190931 [Accept and Expend Grant - Retroactive - North Valley Consortium Workforce Development Board - Prison to Employment Initiative - \$387,105]

Sponsors: Mayor; Walton

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$387,105 from the Bay-Peninsula Regional Planning Unit fiscal agent, the North Valley Consortium Workforce Development Board, for expansion of an in-custody job center and coordination of post-release job training and workforce development programs, for the period of September 1, 2019, through March 31, 2022. (Department of Economic and Workforce Development)

ADOPTED by the following vote:

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

190932 [Accept and Expend Grant - California Department of Pesticide Regulation - Pest Prevention in Affordable Housing Sites - \$160,651]

Sponsors: Mayor; Brown

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$160,651 from the California Department of Pesticide Regulation for the purpose of evaluating the success of pest prevention efforts in affordable housing for the period of October 1, 2019, through September 30, 2022. (Environment)

ADOPTED by the following vote:

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

190934 [Loan Agreement - 4840 Mission Housing Associates LP - 4840 Mission Street - Not to Exceed \$18,510,000]**Sponsors: Mayor; Safai**

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development to execute documents relating to a loan to provide financing for predevelopment activities for the construction of a 100% affordable 137-unit multifamily rental housing project known as 4840 Mission, including the payoff of an acquisition loan, completion of additional architectural design and design consultant work, and other predevelopment activities, in an aggregate amount not to exceed \$18,510,000; approving the form of and authorizing the execution of a first amendment to the loan agreement, an amended and restated promissory note, and an amendment to the deed of trust; ratifying and approving any action heretofore taken in connection with the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and finding that the loan is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Mayor's Office of Housing and Community Development)
(Fiscal Impact)

ADOPTED by the following vote:

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

190935 [Multifamily Housing Revenue Bonds - 1049 Golden Gate Avenue, 949-959 Laguna Street, 900-940 McAllister Street, and 1010-1030 Buchanan Street (Frederick Douglas Haynes Apartments) - Not to Exceed \$47,760,000]**Sponsor: Brown**

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 pursuant to a plan of financing in an aggregate principal amount not to exceed \$47,760,000 for 1049 Golden Gate Avenue, 949-959 Laguna Street, 900-940 McAllister Street, and 1010-1030 Buchanan Street (Frederick Douglas Haynes Apartments); 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 \$47,760,000; 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.

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

President Yee requested File Nos. 190786, 190788, 190790, and 190701 be called together.

190786 [Board Response - Civil Grand Jury Report - Act Now Before it is Too Late: Aggressively Expand and Enhance Our High-Pressure Emergency Firefighting Water System]

Sponsor: Mar

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2018-2019 Civil Grand Jury Report, entitled "Act Now Before it is Too Late: Aggressively Expand and Enhance Our High-Pressure Emergency Firefighting Water System;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Supervisor Mar requested to be added as the primary sponsor.

ADOPTED by the following vote:

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

190788 [Board Response - Civil Grand Jury Report - Improving Continuity Review for Increased Public Accountability: The 2018-2019 San Francisco Civil Grand Jury Continuity Report]

Sponsor: Mar

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2018-2019 Civil Grand Jury Report, entitled "Improving Continuity Review for Increased Public Accountability: The 2018-2019 San Francisco Civil Grand Jury Continuity Report;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Supervisor Mar requested to be added as the primary sponsor.

ADOPTED by the following vote:

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

190790 [Board Response - Civil Grand Jury Report - Pedestrian Safety in the Era of Electric Mobility Devices]

Sponsor: Mar

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2018-2019 Civil Grand Jury Report, entitled "Pedestrian Safety in the Era of Electric Mobility Devices;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Supervisor Mar requested to be added as the primary sponsor.

ADOPTED by the following vote:

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

180701 [Follow-Up Board Response - Civil Grand Jury Report - Mitigating the Housing Crisis: Accessory Dwelling Units and Modular Housing]

Motion responding to the Civil Grand Jury's request to provide a status update on the Board of Supervisor's response to Recommendation Nos. R2 and R3 contained in the 2017-2018 Civil Grand Jury Report, entitled "Mitigating the Housing Crisis: Accessory Dwelling Units and Modular Housing." (Government Audit and Oversight Committee)

Motion No. M19-141

APPROVED by the following vote:

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

Recommendations of the Land Use and Transportation Committee**180637 [Acacia Street - Dedication as Public Right-of-Way and Acceptance of Sidewalk and Roadway Improvements for Maintenance and Liability]**

Ordinance accepting Acacia Street and the irrevocable offer of improvements on Acacia Street for City maintenance and liability, subject to specified limitations; dedicating Acacia Street and improvements thereon to public use, declaring this area as shown on official Public Works drawings as open public right-of-way, and designating it for street and roadway purposes; establishing official sidewalk widths, public right-of-way widths, and street grades for Acacia Street; accepting two Public Works Orders making recommendations and certifications related to the Acacia Street improvements; authorizing official acts in connection with this Ordinance, as defined herein; adopting the Planning Department's determinations under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

PASSED ON FIRST READING by the following vote:

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

190908 [Interim Zoning Controls - Conditional Use Authorization for Conversion of Residential Care Facilities to Other Uses]

Sponsors: Mandelman; Yee, Safai, Haney, Peskin, Ronen, Fewer and Brown

Resolution imposing interim zoning controls for 18 months to require a Conditional Use authorization and specified findings for a proposed change of use from a Residential Care Facility; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

ADOPTED by the following vote:

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

Recommendation of the Rules Committee

190497 [Administrative Code - Mental Health Board/Behavioral Health Commission]

Sponsors: Stefani; Mandelman

Ordinance amending the Administrative Code to change the name of the Mental Health Board to the Behavioral Health Commission; to include in the definition of a "consumer" one who receives substance use services; and to permit a consumer who is an employee in a behavioral health public or private agency and who does not have any interest, influence, or authority over any financial or contractual matter concerning the employer, to be appointed to the Commission.

PASSED ON FIRST READING by the following vote:

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

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

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

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

Supervisor Brown introduced, welcomed, and presented a Certificate of Honor to Rika Chambers, Executive Director (Collective Impact), in recognition of her many years of service providing leadership to the youth in District 5 and throughout San Francisco. Supervisor Walton shared in this commendation.

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to the St. Francis Hospitality Hour Program, accepted by Randy Thueme, in recognition of their dedicated work providing much needed meals to people in the neighborhood.

Supervisor Ronen introduced, welcomed, and presented a Certificate of Honor to the San Francisco Mime Troupe, accepted by Michael "Gene" Sullivan and Ellen Callas, on the occasion of their 60th anniversary and in recognition of their efforts producing theater that presents a working-class analysis of the events that shape our society. Supervisor Peskin shared in this commendation.

Supervisor Fewer presented a posthumous Certificate of Honor for Phil Arnold - accepted by his wife, Monique Zmuda, and daughter, Adrienne Bechelli - in recognition of his lifetime of achievements as a father, husband, and friend, and his exemplary career in public service advocating for parks and recreation, open space, and disadvantaged residents of San Francisco.

COMMITTEE REPORTS

Recommendation of the Public Safety and Neighborhood Services Committee

190059 [Liquor License Transfer - 32-3rd Street - Night Market]

Resolution determining that the premise-to-premise transfer of a Type-48 on-sale general public premises liquor license to 32 3rd Street L-PSHIP, doing business as Night Market located at 32-3rd Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

ADOPTED 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; clarifying that temporary evictions for capital improvements are intended to cover work that would make the unit hazardous, unhealthy, and/or uninhabitable; and modifying the standards that the Rent Board must consider when reviewing a request to authorize a temporary eviction for capital improvements to last more than three months.

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Speaker; shared various religious concerns.

Tony Delorio; expressed support of the Resolution urging the Municipal Transportation Agency to comply with Assembly Bill No. 5 when issuing permits (File No. 190988).

John Freudemeyer; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Speaker; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Briana Martaloso; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Emma Nicole; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Molly Epstein; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Elmira Tanner; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Edward Lopez; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Greg Hyde; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Mina Geysler; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Anastasia Mell; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Samantha Echess; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Leslie Goldberg; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Brian Wheat; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Apuna Halabani; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Brittany Michaelson; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Elisa Manovich; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Alexander; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Rocky; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Priya Savani; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Tom Gilberty; shared concerns regarding criminal animal abuse, and the need for gun control.

Julie; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Tiffany Orthington; shared concerns regarding criminal animal abuse by factory farms and the need for industry regulations.

Walter Paulson; shared various images and sang support of ending criminal animal abuse.

Speaker; shared their experience in public housing and the need for additional compliance inspections.

Speaker; shared their various thoughts and experiences.

Claudia Stevens; shared her experience losing her daughter, Danielle Keller, to domestic violence.

After public comment was closed, President Yee reopened public comment to allow additional individuals the opportunity to address the Board; there was no objection from the Board.

Reese Isbell; expressed support of the Resolution urging the Rent Board to adopt fair and objective guidelines (File No. 190982).

Speaker; expressed support of the Resolution urging the Rent Board to adopt fair and objective guidelines (File No. 190982).

Nia Robia; expressed support of the Resolution urging the Rent Board to adopt fair and objective guidelines (File No. 190982).

Patrick Shannen; expressed support of the Resolution urging the Rent Board to adopt fair and objective guidelines (File No. 190982).

Dane Lockhart; expressed support of the Resolution urging the Rent Board to adopt fair and objective guidelines (File No. 190982).

James; expressed support of the Resolution urging the Rent Board to adopt fair and objective guidelines (File No. 190982).

Brad; expressed support of the Resolution urging the Rent Board to adopt fair and objective guidelines (File No. 190982).

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

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CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

190889 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - September 3, 2019]

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

Supervisor Peskin, seconded by Supervisor Safai, moved that this Closed Session be TABLED. The motion carried by the following vote:

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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.

ADOPTED 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

Supervisor Brown requested that File No. 190982 be severed so that it may be considered separately.

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.

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

ADOPTED by the following vote:

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

Supervisor Safai, seconded by Supervisor Fewer, moved to rescind the previous vote to allow additional public comment. The motion carried by the following vote:

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

ADOPTED by the following vote:

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

Supervisor Stefani requested that File No. 190986 be severed so that it may be considered separately.

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.

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

ADOPTED by the following vote:

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

President Yee requested that File No. 190988 be severed so that it may be considered separately.

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.

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.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

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

190959 [Building Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

Ordinance repealing the 2016 Building Code in its entirety and enacting a 2019 Building Code consisting of the 2019 California Building Code and the 2019 California Residential Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

09/23/19; RECEIVED FROM DEPARTMENT.

10/01/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/31/2019.

190960 [Existing Building Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

Ordinance repealing the 2016 Existing Building Code in its entirety and enacting a 2019 Existing Building Code consisting of the 2019 California Existing Building Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

09/23/19; RECEIVED FROM DEPARTMENT.

10/01/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/31/2019.

190961 [Electrical Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

Ordinance repealing the 2016 Electrical Code in its entirety and enacting a 2019 Electrical Code consisting of the 2019 California Electrical Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

09/23/19; RECEIVED FROM DEPARTMENT.

10/01/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/31/2019.

190962 [Mechanical Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

Ordinance repealing the 2016 Mechanical Code in its entirety and enacting a 2019 Mechanical Code consisting of the 2019 California Mechanical Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

09/23/19; RECEIVED FROM DEPARTMENT.

10/01/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/31/2019.

190963 [Plumbing Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

Ordinance repealing the 2016 Plumbing Code in its entirety and enacting a 2019 Plumbing Code consisting of the 2019 California Plumbing Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

09/23/19; RECEIVED FROM DEPARTMENT.

10/01/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/31/2019.

190964 [Green Building Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

Ordinance repealing the 2016 Green Building Code in its entirety and enacting a 2019 Green Building Code consisting of the 2019 California Green Building Standards Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law. (Building Inspection Commission)

09/23/19; RECEIVED FROM DEPARTMENT.

10/01/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/31/2019.

190965 [Various Codes - Renaming Office of Cannabis to Office of Cannabis Regulation - Cannabis Regulation]

Ordinance amending the Administrative, Police, Health, Planning, Business and Tax Regulations, and Campaign and Government Codes to change the name of the Office of Cannabis to the Office of Cannabis Regulation ("Office"); amending the Police Code to create a Cannabis Nursery Permit; prohibit equity applicants from applying for a Cannabis Business Permit through a cooperative; clarify where in the processing order the Office will review and process Cannabis Business Permit applications from holders of Temporary Cannabis Business Permits and Medical Cannabis Dispensaries; prohibit Cannabis Retailers from using business names likely to attract minors as customers or mislead the public into believing that the business is authorized to sell products to minors; remove the requirement that a Cannabis Business Permit application be denied following any violation of Article 16 of the Police Code, and instead require permit denial after a refusal to remediate an Article 16 violation of which they have been notified by the Office; require Cannabis Distributors to notify the Office when they learn that Cannabis products in their possession have failed state testing standards; and affirming the Planning Department's determination under the California Environmental Quality Act. (City Administrator)

09/23/19; RECEIVED FROM DEPARTMENT.

10/01/19; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/31/2019.

PROPOSED RESOLUTION

190966 [Sale of City-Owned Real Property - Property on West Lucille Avenue in Fresno County, CA - Richard S. Storti, Jr. - \$170,000]

Resolution approving and authorizing the Real Estate Division to sell City-owned real property located on West Lucille Avenue, west of Coalinga in Fresno County, California (Assessor's Parcel No. 083-020-012), to Richard S. Storti, Jr. for \$170,000; affirming the Planning Department's determination under the California Environmental Quality Act; adopting the Planning Department's findings that the sale is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the Purchase and Sale Agreement and this Resolution, as defined herein. (Real Estate Department)

09/23/19; RECEIVED FROM DEPARTMENT.

10/01/19; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour 4:28 p.m.