

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, February 4, 2020 - 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

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

##### **Budget and Appropriations Committee**

Supervisors Fewer, Walton, Mandelman, Yee, Ronen

Wednesday

1:00 PM

##### **Budget and Finance Committee**

Supervisors Fewer, Walton, Mandelman

Wednesday

10:00 AM

##### **Government Audit and Oversight Committee**

Supervisors Mar, Peskin, Haney

1st and 3rd Thursday

10:00 AM

##### **Joint City, School District, and City College Select Committee**

Supervisors Haney, Fewer, Mar (Alt), Commissioners Moliga, Collins, Cook (Alt), Trustees Randolph, Williams, Selby (Alt)

2nd Friday

10:00 AM

##### **Land Use and Transportation Committee**

Supervisors Peskin, Safai, Preston

Monday

1:30 PM

##### **Public Safety and Neighborhood Services Committee**

Supervisors Mandelman, Stefani, Walton

2nd and 4th Thursday

10:00 AM

##### **Rules Committee**

Supervisors Ronen, Stefani, Mar

Monday

10:00 AM

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

---

**Members Present:** Sandra Lee Fewer, Matt Haney, Rafael Mandelman, Gordon Mar, Aaron Peskin, Dean Preston, 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, February 4, 2020, with President Norman Yee presiding.*

*President Yee called the meeting to order at 2:02 p.m.*

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

*On the call of the roll, Supervisors Mandelman, Mar, Preston, Safai, Stefani, Walton and Yee were noted present. Supervisors Fewer, Haney, Peskin, and Ronen were noted not present.*

*Supervisors Fewer, Haney, Peskin, and Ronen were noted present at 2:04 p.m.*

*A quorum was present.*

## **COMMUNICATIONS**

*There were no communications.*

## **AGENDA CHANGES**

*There were no agenda changes.*

## **CONSENT AGENDA**

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

#### **191123 [Appropriation - Revenue Bonds Proceeds - Capital Improvement Projects - Airport Commission - \$3,888,069,311 - FY2019-2020]**

**Sponsor: Mayor**

Ordinance appropriating \$3,888,069,311 of proceeds from the sale of revenue bonds or commercial paper for capital improvement projects to the Airport Commission for FY2019-2020; and placing \$3,888,069,311 on Controller's Reserve pending receipt of proceeds of indebtedness. (Fiscal Impact)

**Ordinance No. 009-20**

**FINALLY PASSED**

**191178 [Appropriation \$29,978,864 in Port Revenue Bond Refunding Proceeds - De-Appropriation \$1,920,024 in Series 2010A and Series 2010B - Re-Appropriation \$31,898,888 in Series 2020A and Series 2020B at the Port - FY2019-2020]**

**Sponsor: Mayor**

Ordinance appropriating \$29,978,864 of one or more series of bond refunding proceeds, de-appropriating \$1,920,024 of revenue bonds, Series 2010A and Series 2010B, and re-appropriating \$31,898,888 of refunding revenue bonds, Series 2020A and Series 2020B; and placing these funds on Controller's reserve subject to the refunding of certain Port of San Francisco bonds for FY2019-2020.

(Fiscal Impact)

**Ordinance No. 010-20**

**FINALLY PASSED**

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

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

**Ordinance No. 011-20**

**FINALLY PASSED**

**191251 [De-Appropriation and Re-Appropriation in Hetch Hetchy Power - \$10,369,224 - Power Asset Acquisition Analysis Project - Public Utilities Commission - FY2019-2020]**

**Sponsor: Mayor**

Ordinance de-appropriating \$10,369,224 of capital projects appropriations and re-appropriating \$10,369,224 in Hetch Hetchy Power for the Power Asset Acquisition Analysis Project of the Public Utilities Commission for FY2019-2020.

(Fiscal Impact)

**Ordinance No. 012-20**

**FINALLY PASSED**

**191262 [Real Property Acquisition - Highway Offramp Improvements and Real Property - Southwest of Third Street and Meade Avenue]****Sponsor: Walton**

Ordinance authorizing the Director of Property to acquire and accept the State of California's relinquishment of all its right, title, and interest in the sidewalk, roadway, and other right-of-way improvements and real property comprising a portion of State Highway Route 101 located northeast of the Bayshore Boulevard overcrossing and southwest of the intersection of Third Street and Meade Avenue; authorizing the placement of such sidewalk, roadway, and other right-of-way improvements and real property, upon acquisition, under the jurisdiction of Public Works; authorizing additional official City actions required to complete the State's relinquishment of such sidewalk, roadway, and other right-of-way improvements and real property; waiving the required 90-days notice of intention to relinquish set forth in State law; adopting the Planning Department's determination that such acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting the Planning Department's determination under the California Environmental Quality Act.

**Ordinance No. 013-20****FINALLY PASSED****Recommendations of the Government Audit and Oversight Committee****191204 [Settlement of Lawsuit - PJ Dayacamos - \$57,500]**

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

**Ordinance No. 014-20****FINALLY PASSED****191205 [Settlement of Lawsuit - Tureko Straughter and K.R., a minor - \$160,000]**

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

**Ordinance No. 015-20****FINALLY PASSED****191206 [Settlement of Lawsuit - Scanvinski Jerome Hymes - \$35,000]**

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

**Ordinance No. 016-20****FINALLY PASSED**

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

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

**Ordinance No. 017-20**

**FINALLY PASSED**

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

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

**Ordinance No. 018-20**

**FINALLY PASSED**

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

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

**Ordinance No. 019-20**

**FINALLY PASSED**

**191236 [Settlement of Lawsuit - Katherine Cantwell - \$150,000]**

Ordinance authorizing settlement of the lawsuit filed by Katherine Cantwell against the City and County of San Francisco for \$150,000; the lawsuit was filed on February 27, 2018, in San Francisco Superior Court, Case No. CGC-18-564646; entitled Katherine Cantwell v. Mohammad Waraich et al.; the lawsuit involves alleged personal injury from a vehicle versus pedestrian collision. (City Attorney)

**Ordinance No. 020-20**

**FINALLY PASSED**

**191238 [California Code of Civil Procedure, Section 998 - Offer to Compromise Litigation - Kellan Dunn - \$45,000]**

Ordinance authorizing the service of an Offer to Compromise under Code of Civil Procedure, Section 998, in the lawsuit filed by Kellan Dunn against the City and County of San Francisco, to include a payment from the City and County of San Francisco of up to \$45,000 plus reasonable attorneys' fees and costs to be determined by the Court; the lawsuit was filed on May 9, 2018, in San Francisco Superior Court, Case No. CGC-18-566427; entitled Kellan Dunn v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

**Ordinance No. 021-20**

**FINALLY PASSED**

**200001 [Settlement of Lawsuit - Rosa Rivera Keel - \$75,000]**

Ordinance authorizing settlement of the lawsuit filed by Rosa Rivera Keel against the City and County of San Francisco for \$75,000; the lawsuit was filed on October 4, 2018, in San Francisco Superior Court, Case No. CGC-18-570303; entitled Rosa Rivera Keel v. City and County of San Francisco; the lawsuit involves an alleged personal injury on a City crosswalk. (City Attorney)

**Ordinance No. 022-20**

**FINALLY PASSED**

**200002 [Settlement of Lawsuit - William Maier - \$198,000]**

Ordinance authorizing settlement of the lawsuit filed by William Maier against the City and County of San Francisco for \$198,000; the lawsuit was filed on February 2, 2018, in Superior Court of the State of California, County of San Francisco, Case No. CGC-18-564070, entitled William "Bill" Maier v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

**Ordinance No. 023-20**

**FINALLY PASSED**

**200003 [Settlement of Lawsuit - Tiffany Cross, Tiana Reddic, Arron Mathews, Acacia McNeal, Shalonda Adams, Crystal Anthony, and Darlene Rouse - \$225,000]**

Ordinance authorizing settlement of the lawsuit filed by Tiffany Cross, Tiana Reddic, Arron Mathews, Acacia McNeal, Shalonda Adams, Crystal Anthony, and Darlene Rouse against the City and County of San Francisco for \$225,000; the lawsuit was filed on October 3, 2018, in United States District Court, Case No. 18-cv-06097; entitled Tiffany Cross, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violations. (City Attorney)

**Ordinance No. 024-20**

**FINALLY PASSED**

**200004 [Settlement of Lawsuit - Luz de Verano Cervantes - \$49,500]**

Ordinance authorizing settlement of the lawsuit filed by Luz de Verano Cervantes against the City and County of San Francisco for \$49,500; the lawsuit was filed on May 16, 2018, in San Francisco Superior Court, Case No. CGC-18-566598; entitled Luz de Verano Cervantes v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a motor vehicle collision. (City Attorney)

**Ordinance No. 025-20**

**FINALLY PASSED**

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

### **191284 [Health Code - Sugar-Sweetened Beverage Warning for Advertisements]**

**Sponsor: Walton**

Ordinance amending the Health Code by amending the Sugar-Sweetened Beverage (SSB) Warning Ordinance to 1) update the statement of findings and purpose; 2) revise the definition of Advertiser; 3) reduce the required warning size; 4) modify the required warning text; 5) require use of a translated version of the warning text on certain SSB advertisements in languages other than English; 6) remove exemptions for certain types of SSB advertisements; and 7) revise the enforcement provisions.

**Ordinance No. 026-20**

**FINALLY PASSED**

**The foregoing items were acted upon by the following vote:**

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **From the Board**

*President Yee requested File Nos. 191166 and 191172 be called together.*

### **191166 [Levying Taxes - Special Tax District No. 2019-1 (Pier 70 Condominiums)]**

**Sponsor: Mayor**

Ordinance levying special taxes within City and County of San Francisco Special Tax District No. 2019-1 (Pier 70 Condominiums).

**Ordinance No. 027-20**

**FINALLY PASSED by the following vote:**

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

### **191172 [Levying Special Taxes - Special Tax District No. 2019-2 (Pier 70 Leased Properties)]**

**Sponsor: Mayor**

Ordinance levying special taxes within City and County of San Francisco Special Tax District No. 2019-2 (Pier 70 Leased Properties).

**Ordinance No. 028-20**

**FINALLY PASSED by the following vote:**

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

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

### **191261 [Appropriation - General Reserve - City College of San Francisco Operating Support - \$2,700,000 - FY2019-2020]**

**Sponsors: Walton; Mar, Haney, Fewer and Preston**

Ordinance appropriating \$2,700,000 of the General Reserve to support City College of San Francisco class reinstatement, upon condition of an executed agreement for this use in FY2019-2020.

(Fiscal Impact)

(Supervisor Mandelman dissented in Committee.)

**FINALLY PASSED** by the following vote:

Ayes: 7 - Fewer, Haney, Mar, Preston, Ronen, Safai, Walton

Noes: 4 - Mandelman, Peskin, Stefani, Yee

### **191269 [Accept and Expend Grant - Retroactive - San Francisco Bay Area Rapid Transit District - Pit Stop Public Toilet Program - \$257,500]**

**Sponsor: Mayor**

Resolution retroactively authorizing Public Works to accept and expend a grant of up to \$257,500 from the San Francisco Bay Area Rapid Transit District (BART) for the Pit Stop Public Toilet Program for the period of July 1, 2019, through June 30, 2020. (Public Works)

(Fiscal Impact)

**Supervisor Preston, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of February 11, 2020. The motion carried by the following vote:**

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

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

### **191257 [Planning Code - Jackson Square Special Use District - Exemption from Limitation on Proposed Limited Restaurant Uses]**

**Sponsor: Peskin**

Ordinance amending the Planning Code to allow authorization of a Limited Restaurant use in the Jackson Square Special Use District that does not comply with the current requirements for a Limited Restaurant use if a building permit application furthering the establishment of such use was filed by July 19, 2018; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**Ordinance No. 029-20**

**FINALLY PASSED** by the following vote:

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



## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

**200008 [California Constitution Appropriations Limit - FY2019-2020 - \$5,528,830,486]**

Resolution establishing the appropriations limit of \$5,528,830,486 for FY2019-2020, pursuant to California Constitution, Article XIII B. (Controller)  
(Fiscal Impact)

**Resolution No.** 055-20

**ADOPTED by the following vote:**

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

**200009 [Real Property Lease - Mission 1275 SF LLC and Baskin Investment Group LLC - 1271-1275 Mission Street - \$577,500 Annual Base Rent]**

Resolution authorizing and approving the lease of 1271-1275 Mission Street, commonly known as 1275 Mission Street, consisting of approximately 8,750 square feet of office space for San Francisco Digital Services, with Mission 1275 SF LLC and Baskin Investment Group LLC, limited liability companies and tenants in common, as landlord, for a six-year term with two five-year options for renewal, to commence on or around February 1, 2020, at an initial monthly base rent of \$48,125 for a total annual rent of \$577,500 with 3% annual adjustments thereafter; and making findings that the proposed lease is in conformance with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Real Estate Department)  
(Fiscal Impact)

**Resolution No.** 056-20

**ADOPTED by the following vote:**

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

**200010 [Grant Agreement Amendment - Institute on Aging - Community Living Fund - Not to Exceed \$11,641,294]**

Resolution approving a second amendment to the grant agreement between the City and County of San Francisco and Institute on Aging for the provision of the Community Living Fund, to increase the amount of the grant by \$1,076,558 for a total amount not to exceed \$11,641,294 to commence February 1, 2020, with no change to the term length of July 1, 2019, through June 30, 2021. (Human Services Agency)  
(Fiscal Impact)

**Resolution No.** 057-20

**ADOPTED by the following vote:**

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

President Yee requested File Nos. 200025, 200026, and 200027 be called together.

**200025 [Accept and Expend Grant - Retroactive - California Office of Emergency Services - Hose Tender - \$1,000,000]**

**Sponsors: Mayor; Fewer**

Resolution retroactively authorizing the Fire Department to accept and expend a grant in the amount of \$1,000,000 from the California Office of Emergency Services to purchase one hose tender for the performance period of July 1, 2019, through June 30, 2022, and waiving indirect costs. (Fire Commission)

**Resolution No. 058-20**

**ADOPTED by the following vote:**

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

**200026 [Accept and Expend Grant - Retroactive - Federal Emergency Management Agency - Marine Equipment - \$341,625]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Fire Department to accept and expend a grant in the amount of \$341,625 from the Federal Emergency Management Agency to purchase marine equipment for the performance period of September 1, 2019, through August 31, 2022, and waiving indirect costs. (Fire Department)

**Resolution No. 059-20**

**ADOPTED by the following vote:**

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

**200027 [Accept and Expend Grant - Retroactive - Federal Emergency Management Agency - Rescue Tools and Equipment - \$612,129.09]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Fire Department to accept and expend a grant in the amount of \$612,129.09 from the Federal Emergency Management Agency to purchase rescue tools and equipment, for the performance period of September 5, 2019, through September 4, 2020, and waiving indirect costs. (Fire Department)

**Resolution No. 060-20**

**ADOPTED by the following vote:**

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

**200028 [Accept and Expend Grant - California Bureau of Cannabis Control - Local Equity Grant Funding Program - \$1,338,683.13]**

**Sponsors: Mayor; Walton, Mandelman and Preston**

Resolution authorizing the San Francisco Office of Cannabis to accept and expend a grant award in the amount of \$1,338,683.13 from the California Bureau of Cannabis Control for the Local Equity Grant Funding program for the period of February 1, 2020, through January 31, 2021; authorizing the Office of Cannabis to execute the agreement with the Bureau of Cannabis Control, and any extensions, amendments, or contracts subsequent thereto on behalf of the City and County of San Francisco; and indemnifying the Bureau of Cannabis Control for liability arising out of the performance of this contract.

**Resolution No. 061-20**

**ADOPTED by the following vote:**

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

**200041 [Multifamily Housing Revenue Bonds - 55 Mason Street - Not to Exceed \$61,600,000]****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 \$61,600,000 for 55 Mason Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$61,600,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

**Resolution No. 062-20****ADOPTED by the following vote:**

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

**200045 [Ground Lease Amendment - Refinance Property - Turk & Eddy Associates, L.P - 249 Eddy Street and 161-165 Turk Street]****Sponsor: Mayor**

Resolution approving and authorizing the amendment and restatement of an existing long term ground lease with Turk & Eddy Associates, LP, on City-owned land at 249 Eddy Street, and 161-165 Turk Street ("Property") in order to refinance a 100% affordable, 82-unit multifamily rental housing development (plus one staff unit) for low-income persons ("Project"); and authorizing the Director of Property and Director of Mayor's Office of Housing and Community Development to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein.

**Resolution No. 063-20****ADOPTED by the following vote:**

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

**Recommendations of the Land Use and Transportation Committee****180969 [Plumbing Code - Cross-Connection Control]**

Ordinance amending the Plumbing Code to delete the local amendment to the California Plumbing Code referring to the San Francisco Public Utilities Commission's Rules and Regulations in the section on cross-connection control, and to add local cross-connection controls for beverage dispensers and industrial water chillers and a testing requirement for backflow prevention assemblies or devices; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage. (Building Inspection Commission)

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

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

**190458 [Planning, Administrative Codes - North of Market Affordable Housing Fees and Citywide Affordable Housing Fund]****Sponsor: Mayor**

Ordinance amending the Planning Code and the Administrative Code to abolish the North of Market Affordable Housing Fund, and have certain affordable housing fees collected in conjunction with the North of Market Residential Special Use District deposited in the Citywide Affordable Housing Fund; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

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

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

**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, if a natural person, or a natural person who is a verified Equity Applicant, was identified as an applicant or as a person who would be "engaged in the management of the medical cannabis dispensary," on the original Article 33 permit application submitted on or before January 5, 2018, 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.

**Supervisor Peskin, seconded by Supervisor Haney, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of February 25, 2020. The motion carried by the following vote:**

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

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

*President Yee requested File Nos. 191176 and 191177 be called together.*

**191176 [Liquor License Transfer - 685 Market Street - The Lark Bar]**

Resolution determining that the premise-to-premise transfer of a Type-48 on-sale general public premises liquor license to Destination Bars, Inc., doing business as The Lark Bar, located at 685 Market Street, Suite A (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)

**Resolution No. 064-20****ADOPTED by the following vote:**

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

**191177 [Liquor License Transfer and Issuance - 685 Market Street - Cask]**

Resolution determining that the premise-to-premise transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license, and the issuance of a Type-86 instructional tasting license to Future Beverage Inc., doing business as Cask, located at 685 Market Street, Suite B (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)

**Resolution No.** 065-20

**ADOPTED by the following vote:**

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

**Recommendations of the Rules Committee****191237 [Administrative Code - Public Health Group Purchasing Organizations]**

Ordinance amending the Administrative Code to authorize the Department of Public Health to become a member of any Healthcare Group Purchasing Organization (GPO) and to enter into contracts with Healthcare GPO suppliers and distributors to purchase commodities and services without requiring competitive bidding and without approval of the City Purchaser. (Public Health Department)

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

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

**191256 [Administrative Code - Naming Second Floor Rotunda in City Hall for Buck Delventhal]**

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

Ordinance amending the Administrative Code to name the rotunda on the second floor of City Hall in memory of former Deputy City Attorney Buck Delventhal.

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

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

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

**191258 [Administrative Code - Hotel Conversion Ordinance]**

**Sponsor:** Peskin

Ordinance repealing Ordinance Nos. 38-17 and 102-19, and reenacting certain provisions by amending the Administrative Code to update the Hotel Conversion Ordinance, including: adding or refining definitions of comparable unit, conversion, and low-income household; revising procedures for permits to convert residential units; harmonizing fees and penalty provisions with the Building Code; eliminating seasonal short-term rentals for residential hotels that have violated provisions of the Hotel Conversion Ordinance in the previous year; authorizing the Department of Building Inspection to issue administrative subpoenas; and affirming the Planning Department's determination under the California Environmental Quality Act.

**Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED ON FIRST READING to the Board of Supervisors meeting of February 25, 2020. The motion carried by the following vote:**

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

**200065 [Reappointment, Small Business Commission - Miriam Zouzounis]**

Motion reappointing Miriam Zouzounis, term ending January 6, 2024, to the Small Business Commission. (Rules Committee)

**Motion No.** M20-012

**APPROVED by the following vote:**

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

**200066 [Reappointment, Bicycle Advisory Committee - Marc Brandt]**

Motion reappointing Marc Brandt, term ending November 19, 2020, to the Bicycle Advisory Committee. (Rules Committee)

**Motion No.** M20-013

**APPROVED by the following vote:**

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

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

**Supervisor Mandelman, seconded by Supervisor Walton, 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.**

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

*Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Patrick and Lola of Courtney's Produce, a beloved District 8 Legacy Business, in recognition for their service to the community providing fresh cut flowers and Irish deli delicacies, while keeping their business clean and inviting for all.*

*Supervisor Walton introduced, welcomed, and presented a Certificate of Honor to Ellouise Patton with the Bayview Hunters Point Citizen Advisory Committee in recognition of her accomplishments and continued community support for over 30 years providing opportunities to residents who are economically and socially disadvantaged.*

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

*President Yee requested File Nos. 191309, 191310, 191311, and 191312 be called together.*

**191309 [Hearing - Appeal of Determination of Exemption From Environmental Review - SFMTA Page Street Bikeway Improvements Pilot Project]**

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on September 6, 2019, approved on November 19, 2019, for the San Francisco Municipal Transportation Agency's proposed Page Street Bikeway Improvements Pilot Project involving a 12-month pilot to study the effects of several traffic circulation changes to the area bounded by Fell Street to the north, Market, Gough, and Otis Streets to the south, Fillmore Street to the west, and Gough Street to the east; construction includes re-striping travel lanes and addition of signage located within the Western Addition neighborhood and the Hayes Valley Residential Historic District. (District 5) (Appellants: Mary Miles, on behalf of the Coalition for Adequate Review) (Filed December 18, 2019) (Clerk of the Board)

*President Yee opened the public hearing and inquired as to whether any member of the public wished to address the Committee of the Whole relating to the CEQA Appeal (File Nos. 191309, 191310, 191311, and 191312). Mary Miles on behalf of the Coalition for Adequate Review (Appellant); provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Otto Duffy; spoke in support of the appeal. Mark Dreger (San Francisco Municipal Transportation Agency) (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Laura Lynch (Planning Department) and Andrea Ruiz Esquide (Office of City Attorney); provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. David Robinson; Kristen Tieche (San Francisco Bicycle Advisory Committee); Brian Haagsman (Walk San Francisco); Speaker; Robin Levitt (Hayes Valley Neighborhood Association); Bert Hill (San Francisco Bicycle Advisory Committee); Jason Ally; Robert Frutman; spoke in opposition of the appeal. Mary Miles (Appellant); provided a rebuttal and further requested the Board to approve the appeal. President Yee closed public comment and declared the public hearing heard and filed.*

**HEARD AND FILED**

**191310 [Affirming the Categorical Exemption Determination - SFMTA Page Street Bikeway Improvements Pilot Project]**

Motion affirming the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency Page Street Bikeway Improvements Pilot Project is categorically exempt from further environmental review. (Clerk of the Board)

**Motion No. M20-014**

**APPROVED by the following vote:**

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

**191311 [Conditionally Reversing the Categorical Exemption Determination - SFMTA Page Street Bikeway Improvements Pilot Project]**

Motion conditionally reversing the determination by the Planning Department that the San Francisco Municipal Transportation Agency Page Street Bikeway Improvements Pilot Project is categorically exempt from further environmental review, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

**TABLED by the following vote:**

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

**191312 [Preparation of Findings to Reverse the Categorical Exemption Determination - SFMTA Page Street Bikeway Improvements Pilot Project]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed San Francisco Municipal Transportation Agency Page Street Bikeway Improvements Pilot Project is categorically exempt from further environmental review. (Clerk of the Board)

**TABLED by the following vote:**

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

## COMMITTEE REPORTS

*President Yee requested File Nos. 191280 and 191252 be called together.*

### Recommendations of the Land Use and Transportation Committee

**191280 [Amended and Restated Land Disposition and Acquisition Agreement - Exchange of 639 Bryant Street for 2000 Marin Street]**

**Sponsor: Haney**

Ordinance approving an Amended and Restated Land Disposition and Acquisition Agreement with 2000 Marin Property, L.P. for the City's transfer of real property at 639 Bryant Street (Assessor's Parcel Block No. 3777, Lot No. 052) under the jurisdiction of the San Francisco Public Utilities Commission in exchange for real property at 2000 Marin Street (Assessor's Parcel Block No. 4346, Lot No. 003), subject to several conditions, including the reimbursement of certain transaction costs; waiving the Administrative Code, Section 23.3, appraisal and fair market value requirements; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings under the California Environmental Quality Act, including the adoption of a Mitigation Monitoring and Reporting Program.

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

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



**191252 [Resolution of Intent for Street Vacation - 301 Mission Street - Millennium Tower]****Sponsor: Mayor**

Resolution declaring the intent of the Board of Supervisors to order the vacation of the sidewalk portion of streets on the south side of Mission Street, at the intersection of Mission and Fremont Streets, and on the east side of Fremont Street at the same intersection to allow a structural upgrade of the 301 Mission Street high-rise building known as Millennium Tower; and setting a hearing date for the Board of Supervisors to sit as a Committee of the Whole on March 3, 2020, for all persons interested in the proposed vacation of said street areas.

**Resolution No.** 034-20

**ADOPTED** by the following vote:

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

**Recommendation of the Rules Committee****200073 [MPresidential Appointment, Planning Commission - Maria Theresa Imperial]**

Motion approving/rejecting the President of the Board of Supervisors Norman Yee's nomination of Maria Theresa Imperial to the Planning Commission, for a term ending July 1, 2020. (Clerk of the Board)

(Charter, Section 4.105, 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, then the nominee shall be deemed approved. Transmittal date: January 29, 2020.)

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

**ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Linda Chapman; spoke on concerns about residential hotels and shared stories on conversions to night clubs.*

*Speaker; spoke about concerns on the plight of taxi drivers who are medallion holders and congratulated Supervisor Preston for his recent election.*

*Speaker; spoke about concerns on the plight of taxi drivers who are medallion holders.*

*Joe Kelly; spoke as a concerned citizen for the medallion holders and deep disappointment for the lack of use of bike lines.*

*Jess Wynn; shared on concerns on the funding allotted for higher education.*

*Rodger Scott (AFT 2121); spoke on concerns of living wage in San Francisco.*

*Terry; spoke on the lack of housing and the current plans of Mayor's Office of Housing and Community Development.*

*Marissa Noel; shared concerns on evictions and below market rate housing.*

*Edwin Carmano Cruz; expressed support for the Resolution urging the United States Department of Homeland Security to ensure Oumar Yaide's safe return to San Francisco (File No. 200095).*

*Haley Kay; expressed support for the Resolution urging the United States Department of Homeland Security to ensure Oumar Yaide's safe return to San Francisco (File No. 200095).*

*Rose Emiliano; expressed support for the Resolution urging the United States Department of Homeland Security to ensure Oumar Yaide's safe return to San Francisco (File No. 200095).*

*Atwo Bane; expressed support for the Resolution urging the United States Department of Homeland Security to ensure Oumar Yaide's safe return to San Francisco (File No. 200095).*

*Sandy Vallenciano; expressed support for the Resolution urging the United States Department of Homeland Security to ensure Oumar Yaide's safe return to San Francisco (File No. 200095).*

*Hallan; expressed support for the Resolution urging the United States Department of Homeland Security to ensure Oumar Yaide's safe return to San Francisco (File No. 200095).*

*Mia Lawrence; expressed support for the Resolution urging the United States Department of Homeland Security to ensure Oumar Yaide's safe return to San Francisco (File No. 200095).*

*Sara Lee; expressed support for the Resolution urging the United States Department of Homeland Security to ensure Oumar Yaide's safe return to San Francisco (File No. 200095).*

*Tom Gilberty; spoke on the impeachment trials of President Donald Trump, the recent loss of Kobe Bryant, and the San Francisco Forty-Niners' loss at Superbowl LIV.*

*Harry Bernstein; spoke about minutes of the San Francisco Board of Supervisors' meeting dated January 28, 2020.*

*Ada Ficial; spoke on transparency and accountability within the City and County of San Francisco.*

*Otto Duffy; spoke on the use of fossil fuels and his concerns of how embedded they are with everyday life.*

*Harry Bernstein; spoke on concerns of living wage in San Francisco.*

*Peter Warfield (Equity for Older Students); spoke about concerns for the future City College of San Francisco and their financial stability.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **200014 [Final Map 9984 - 2444 Lombard Street]**

Motion approving Final Map 9984, a 43 residential unit and four commercial unit, mixed-use condominium project, located at 2444 Lombard Street, being a subdivision of Assessor's Parcel Block No. 0936, Lot No. 014; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

**Motion No. M20-015**

**APPROVED by the following vote:**

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

## **Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Ronen requested that File No. 200095 be severed so that it may be considered separately.*

### **200095 [Urging a Safe Return of Oumar Yaide to San Francisco]**

**Sponsors: Ronen; Mandelman, Haney, Fewer, Yee, Walton, Mar, Preston and Stefani**  
Resolution urging the United States (U.S.) Department of Homeland Security, U.S. Senators Dianne Feinstein and Kamala Harris, and all interested federal agencies to ensure Oumar Yaide's safe return to San Francisco to reunite with his chosen family.

*Supervisor Preston and Stefani requested to be added as co-sponsors.*

**Resolution No. 066-20**

**ADOPTED by the following vote:**

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, 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**

### **200113 [Planning, Building Codes - Reauthorization and Extension of Fee Waiver - Legalization of Unauthorized Dwelling Units]**

**Sponsor: Mar**

Ordinance amending the Planning and Building Codes to reauthorize the waiver of fees related to granting legal status to existing dwelling units constructed without required permits and extending the waiver through December 31, 2024; requiring annual reports on the fee waiver program; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

(Fiscal Impact; No Budget and Legislative Analyst Report)

02/04/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/5/2020.

**200114 [Planning Code - North Beach Special Use District - Consolidation of Ground-Floor Storefronts]****Sponsor: Peskin**

Ordinance amending the Planning Code to allow the consolidation of ground-floor storefronts in the North Beach Special Use District to accommodate the expansion of an existing Police Department station; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

02/04/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/5/2020.

**191150 [Building Code - Mandatory Disability Access Improvements for Places of Public Accommodation - Extension of Time Deadlines]****Sponsor: Yee**

Ordinance amending the Building Code to extend for the time for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship, to extend the period for granting extensions from those deadlines, and to extend the time for the Department of Building Inspection's Report to the Board of Supervisors.

11/12/19; ASSIGNED to Land Use and Transportation Committee.

11/20/19; REFERRED TO DEPARTMENT.

11/22/19; RESPONSE RECEIVED.

02/04/20; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

## RESOLUTIONS

**200115 [Lease of Real Property - The Salvation Army - 1156 Valencia Street - Initial Base Annual Rent of \$404,000 - \$300,000 Leasehold Improvements]****Sponsors: Mayor; Mandelman**

Resolution approving and authorizing the Director of Property, on behalf of the Department of Public Health, to lease real property located at 1156 Valencia Street from The Salvation Army at an initial base rent of \$404,000 per year, for a term of three years with an estimated commencement date of March 1, 2020, and estimated to expire on February 28, 2023, plus two one-year options to extend; authorizing the reimbursement of \$300,000 towards the cost of Leasehold Improvements; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the Lease and this Resolution, as defined herein.

(Fiscal Impact)

02/04/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**200116 [Accept and Expend Grant - Retroactive - Tipping Point Community - HB MH1921 HMM104 Hummingbird Place - Tipping Point - \$3,000,000]**

**Sponsors: Mayor; Mandelman**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$3,000,000 from the Tipping Point Community to participate in a program, entitled "HB MH1921 HMM104 Hummingbird Place - Tipping Point," for the creation of a new psychiatric respite center, for a two year period beginning January 16, 2020, through January 15, 2022. (Public Health Department)

02/04/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**200117 [Resolution of Intention - Establishing the Mission Rock Special Tax District No. 2020-1 (Mission Rock Facilities and Services) - April 7, 2020, at 3:00 p.m.]**

**Sponsor: Mayor**

Resolution declaring the intention to establish the City and County of San Francisco Special Tax District No. 2020-1 (Mission Rock Facilities and Services) and a future annexation area; ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole, on April 7, 2020, at 3:00 p.m.; determining other matters in connection therewith, as defined herein; and making findings under the California Environmental Quality Act.

02/04/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**200118 [Resolution of Intention - Incurring Bonded Indebtedness and Other Debt for Mission Rock Special Tax District No. 2020-1 (Mission Rock Facilities and Services) - Not to Exceed \$3,700,000,000 - April 7, 2020, at 3:00 p.m.]**

**Sponsor: Mayor**

Resolution declaring the intention to incur bonded indebtedness and other debt in an aggregate principal amount not to exceed \$3,700,000,000 for the City and County of San Francisco Special Tax District No. 2020-1 (Mission Rock Facilities and Services); ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole, on April 7, 2020, at 3:00 p.m.; and determining other matters in connection therewith, as defined herein.

02/04/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**200126 [Supporting Activists Facing Prosecution in Sonoma County - Conditions of Animals in Factory Farms]**

**Sponsors: Haney; Preston**

Resolution supporting the non-violent activists facing prosecution in Sonoma County over their attempt to expose the conditions of animals in factory farms.

02/04/20; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**200127 [Accept and Expend Grant - State of California, Department of Parks and Recreation - Boating Safety and Enforcement Equipment - FY2019-2020 - \$65,828]**

**Sponsor: Mar**

Resolution authorizing the San Francisco Police Department (SFPD) to accept and expend a grant in the amount of \$65,828 from the State of California, Department of Parks and Recreation, Division of Boating and Waterways for the SFPD Marine Unit to procure equipment and gear for the project period to commence following Board approval through November 30, 2020. (Police Department)

02/04/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**200128 [Supporting California Senate Bill No. 281 (Wiener) - Agricultural District 1a: Firearm and Ammunition Sales at the Cow Palace]****Sponsors: Stefani; Mandelman**

Resolution supporting California State Senate Bill No. 281, Agricultural District 1a: Firearm and Ammunition Sales at the Cow Palace, authored by Senator Scott Wiener and principally coauthored by Assembly Members David Chiu and Phil Ting, which promotes the general welfare and public safety by prohibiting the sale of firearms or ammunition in the buildings that comprise the Cow Palace property.

02/04/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**MOTIONS****200129 [Board of Supervisors Budget Process - FYs 2020-2021 and 2021-2022]****Sponsors: Fewer; Walton, Ronen, Yee, Mandelman and Preston**

Motion establishing goals for the Board of Supervisors' Budget and Appropriations Committee, and the process to guide the Board's deliberations on the City budget, for FYs 2020-2021 and 2021-2022.

02/04/20; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**200130 [Request for Proposals - Special Investigation Services]****Sponsors: Haney; Mar, Ronen and Preston**

Motion directing the Clerk of the Board to initiate a Request for Proposals process for Special Investigation services.

02/04/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**200131 [Calling Joint Special Meeting with the Public Utilities Commission - Closed Session - Existing Litigation - Pacific Gas and Electric Company - March 10, 2020, at 4:00 p.m.]**

**Sponsors: Peskin; Ronen**

Motion calling a joint special meeting with the Board of Supervisors and the Public Utilities Commission on March 10, 2020, at 4:00 p.m., and that the Board of Supervisors convene in a joint closed session at the joint special meeting with the Public Utilities Commission, 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. EL 19-38-000, 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. EL 15-3-000, 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. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. R.19-09-016, filed January 10, 2019.

**200132 [Amending Board Rules - Administration of Oaths and Issuance of Subpoena Duces Tecum]**

**Sponsors: Peskin; Ronen, Mar and Haney**

Motion amending the Board of Supervisors Rules of Order to set forth the process for administration of oaths to individuals testifying before the Board, and to authorize the Government Audit and Oversight Committee to administer oaths and issue subpoenas duces tecum.

02/04/20; RECEIVED AND ASSIGNED to Rules Committee.

## REQUESTS FOR HEARING

**200133 [Hearing - San Francisco Housing Conservatorship Preliminary Evaluation Report]**  
**Sponsor: Mandelman**

Hearing to discuss the San Francisco Housing Conservatorship Preliminary Evaluation Report; and requesting the Department of Public Health and Office of the Public Conservator to report.

02/04/20; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**200134 [Hearing - Public Works Core Functions and Internal Administrative Policies]****Sponsors: Peskin; Preston**

Hearing on the Public Works' core department functions as they relate to capital infrastructure project delivery, operations, and contracting, as well as an overview of the Department's administrative decision-making policies and process; and requesting Public Works, the City Attorney, the Controller, and the Budget and Legislative Analyst to report.

02/04/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**200135 [Hearing - Committee of the Whole - Street Vacation - Millennium Tower 301 Mission Perimeter Pile Upgrade Project - March 3, 2020, at 3:00 p.m.]**

Hearing of the Board of Supervisors sitting as a Committee of the Whole on March 3, 2020, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance (File No. 191253) ordering the vacation of the sidewalk portion of streets on the south side of Mission Street at the intersection of Mission and Fremont Streets and on the east side of Fremont Street at the same intersection to allow a structural upgrade of the 301 Mission Street high-rise building known as Millennium Tower, subject to certain conditions; rededicating the area subject to the street vacation to public use for street and right-of-way purposes after the City's issuance of an easement for the abovementioned structural upgrade; adopting environmental findings under the California Environmental Quality Act; adopting findings that the vacation and rededication of the street area are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance; scheduled pursuant to Resolution No. 34-20 (File No. 191252), approved on February 7, 2020. (Clerk of the Board)

02/04/20; 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****200077 [Planning, Various Codes - Technical Corrections]**

Ordinance amending the Planning Code to correct typographical errors, update outdated cross-references, and make non-substantive revisions to clarify or simplify Code language; amending Article 4 to move the language regarding timing of fee payments to the beginning of the Article and cross-reference it in the individual impact fee sections, and to add an additional fee waiver based on the replacement of gross floor area in buildings damaged or destroyed by fire or other calamity; amending the Administrative, Health, and Police Codes to correct outdated Planning Code cross-references; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302. (Planning Commission)

01/23/20; RECEIVED FROM DEPARTMENT.

02/04/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/5/2020.



**200078 [Settlement of Lawsuit - San Francisco SRO Hotel Coalition, et al. - \$300,000]**

Ordinance authorizing settlement of the lawsuit filed by San Francisco SRO Hotel Coalition, Hotel Des Arts, LLC, and Brent Haas against the City and County of San Francisco for \$300,000; the lawsuit was filed on May 8, 2017, in San Francisco Superior Court, Case No. CPF-17-515656; entitled San Francisco SRO Hotel Coalition, et al. v. City and County of San Francisco, et al.; the settlement resolves a claim for attorney's fees and costs following Petitioners' challenge to Ordinance No. 38-17 on the grounds, in part, that San Francisco's approval of Ordinance No. 38-17 violated the California Environmental Quality Act, and Ordinance No. 38-17 violated petitioners' constitutional rights. (City Attorney)

01/17/20; RECEIVED FROM DEPARTMENT.

02/04/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**200079 [Settlement of Lawsuit - Jennie Feldman - \$150,000]**

Ordinance authorizing settlement of the lawsuit filed by Jennie Feldman against the City and County of San Francisco for \$150,000; the lawsuit was filed on July 3, 2019, in San Francisco Superior Court, Case No. CGC-19-577368; entitled Jennie Feldman v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from a falling tree branch. (City Attorney)

01/17/20; RECEIVED FROM DEPARTMENT.

02/04/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**200080 [Settlement of Lawsuit - Virginia Ernster - \$70,000]**

Ordinance authorizing settlement of the lawsuit filed by Virginia Ernster against the City and County of San Francisco for \$70,000; the lawsuit was filed on May 21, 2019, in San Francisco Superior Court, Case No. CGC-19-576126; entitled Virginia Ernster and Martin Ernster v. City and County of San Francisco, Cristina Couch; the lawsuit involves an alleged personal injury from a vehicle collision. (City Attorney)

01/17/20; RECEIVED FROM DEPARTMENT.

02/04/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**200081 [Settlement of Lawsuit - Jamie Sanchez and Yovanna Sanchez - \$27,500]**

Ordinance authorizing settlement of the lawsuit filed by Jamie Sanchez and Yovanna Sanchez against the City and County of San Francisco for \$27,500; the lawsuit was filed on May 21, 2019, in San Francisco Superior Court, Case No. CGC-19-576118; entitled Jamie Sanchez, et al. v. City and County of San Francisco, et al.; the lawsuit involves a vehicle collision. (City Attorney)

01/23/20; RECEIVED FROM DEPARTMENT.

02/04/20; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

### **200082 [Modification to License and Services Agreement - Airport Research and Development Foundation - Application-Based Commercial Ground Transportation Trip Fee Collection Services - Aggregate Amount Not to Exceed \$1,682,000]**

Resolution approving Modification No. 2 to License and Services Agreement No. 50037 between the City and County of San Francisco, acting by and through its Airport Commission, and Airport Research and Development Foundation, a not-for-profit corporation, to extend the services term of the Agreement for use of application-based commercial ground transportation trip fee collection services for three years through March 12, 2023; reduce the cap of the Administrative Services Fee from \$250,000 to an amount not to exceed \$144,000 annually for the period of March 13, 2020, through March 12, 2023, for an aggregate amount not to exceed \$1,682,000 for the total term of March 12, 2015, through March 12, 2023; and provide for one two-year renewal option to extend. (Airport Commission)  
(Fiscal Impact)

01/23/20; RECEIVED FROM DEPARTMENT.

02/04/20; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **200083 [Transfer of Redevelopment Agency Real Property Assets - Office of Community Investment and Infrastructure - Public Works, Mayor's Office of Housing and Community Development, and Recreation and Park Department]**

Resolution authorizing and approving the acceptance of certain real property assets from the Office of Community Investment and Infrastructure to the City and County of San Francisco; placing parcels under the jurisdiction of Public Works (Assessor's Parcel Block (Block) No. 5203, Lot Nos. 037 and 044; Block No. 4570, Lot Nos. 020, 021, and 028; and Block No. 3751, Lot Nos. 167 and 168); placing parcels under the Mayor's Office of Housing and Community Development (Block No. 5423A, Lot 009; and Block No. 3731, Lot Nos. 240 and 241); placing property commonly known as the Adam Rogers Park Addition under the jurisdiction of the Recreation and Park Department; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings under the California Environmental Quality Act. (City Administrator)

01/27/20; RECEIVED FROM DEPARTMENT.

02/04/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

## **In Memoriams**

*Robert Watke - Supervisor Peskin*

*Jackie Jones - Supervisor Ronen*

*Mother Essie LaVeda McGraw Webb-Jones - Supervisor Walton*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour 4:56 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 March 10, 2020.*

---

Angela Calvillo, Clerk of the Board