

Board of Supervisors



City Hall
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TDD No. 554-5227

Legislation Introduced at Roll Call

Tuesday, July 17, 2018

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

180753 [Business and Tax Regulations Code - Administration of Early Care and Education Commercial Rents Tax]

Sponsors: Kim; Yee

Ordinance amending the Business and Tax Regulations Code to add provisions to administer the Early Care and Education Commercial Rents Tax, and to make other non-substantive changes. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

180754 [Administrative Code - Civic Design Review Fee]

Sponsors: Peskin; Brown

Ordinance amending the Administrative Code to modify the Civic Design Review fee from a deposit of \$2,500 plus the time and materials costs to a flat fee of \$12,800 per project, establish a process for an annual cost-of-living fee adjustment, set a timeline for fee payment, describe the method for determining fees for projects involving multiple structures situated together as part of a larger development plan, and describe circumstances that may qualify for fee waiver or reduction. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

180755 [Administrative Code - Arts Commission Traveling Exhibitions]

Sponsors: Peskin; Brown

Ordinance amending the Administrative Code to authorize the Arts Commission to charge a fee for organizing traveling exhibitions. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

180756 [Various Codes - Authority to Require New or Upgraded Fire Safety Systems in Multi-Unit Residential Buildings with Recurring or Continuing Fire Hazards]

Sponsors: Ronen; Mandelman

Ordinance amending the Building, Housing, Fire, and Administrative Codes to authorize the Building and Fire Departments to require the installation of a new fire safety system or the improvement or upgrade of an existing system to current code requirements in a residential building of three or more dwelling units to remedy recurring or continuing fire hazards that substantially endanger the health and safety of the residents or the general public; amending the Rent Ordinance to prohibit landlords from increasing rents to cover the costs of compliance; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board to forward this Ordinance to the California Building Standards Commission upon final passage. ASSIGNED UNDER 30 DAY RULE to Rules Committee, to be referred to the Land Use and Transportation Committee.

180757 [Health Code - Massage Practitioner and Business Permits]

Sponsors: Tang; Yee

Ordinance amending the Health Code to comprehensively revise the regulation of massage practitioners, massage establishments, massage outcall services, and sole practitioner massage establishments by, among other things: 1) authorizing the Director of Health ("Director") to access local, state, and federal criminal history information of permit applicants and permit holders; 2) eliminating temporary massage practitioner permits; 3) clarifying the administrative process by which permit applicants and permit holders may appeal a decision to deny, suspend, or revoke a permit; 4) authorizing the Director to deny a massage establishment permit to an applicant who has been convicted of any offense related to prostitution or solicitation of prostitution; 5) adding or revising massage establishment operating standards relating to vermin, employee areas, locked doors, residential use, and advertising; 6) prohibiting a massage business from operating a massage school on the same premises as a massage establishment; 7) establishing a massage establishment reinspection fee of \$191 per hour; 8) updating administrative and permit penalties; 9) authorizing the imposition of a lien on a property that has contributed to a violation of Article 29 of the Health Code ("Article 29") to collect unpaid administrative penalties, enforcement costs, fines, interest, and attorneys' fees; 10) authorizing the City Attorney to institute civil proceedings for injunctive and monetary relief for violations of Article 29; 11) declaring violations of select provisions of Article 29 to be public nuisances; and 12) discontinuing the acceptance of applications for massage practitioner permits effective January 1, 2019. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

RESOLUTIONS

180758 [Commemorative Street Plaque - Tina Modotti - 1952 Taylor Street]

Sponsor: Peskin

Resolution authorizing the placement of a street plaque commemorating Tina Modotti at the sidewalk of her family home at 1952 Taylor Street, in accordance with Public Works Code, Sections 789, et seq., the Commemorative Street Plaque Ordinance, and accepting the named plaque as a gift to the City and County of San Francisco from the Tina Modotti Committee. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

- 180759 [Urging Divestment by Insurance Companies From Coal and Tar Sands Industries]**
Sponsor: Peskin
Resolution urging industry companies to divest from coal and tar sands industries; and to end the underwriting of activities in furtherance of the extraction or use of coal and tar sands. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 180760 [Approval of a 180-Day Extension for Planning Commission Review of 2101 Lombard Street Special Use District (File No. 180388)]**
Sponsor: Stefani
Resolution retroactively extending by 180 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 180388) amending the Planning Code and the Zoning Map to establish the 2101 Lombard Street Special Use District; 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 the Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 180761 [Approval of a 90-Day Extension for Planning Commission Review of Planning Code, Zoning Map - Amend Zoning Map and Abolish Legislated Setback on 19th Avenue Between Quintara and Rivera Streets (File No. 180389)]**
Sponsor: Tang
Resolution retroactively extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 180389) amending the Planning Code and Zoning Map by abolishing a nine-foot legislated setback on the west side of 19th Avenue between Quintara Street and Rivera Street, and revising the Zoning Map to rezone from RH-1 (Residential, House; One-Family) to RM-2 (Residential, Mixed; Moderate Density) Assessor's Parcel Block No. 2198, Lot No. 031 (1021 Quintara Street), and to rezone from RH-2 (Residential, House; Two-Family) to RM-2 (Residential, Mixed; Moderate Density) Assessor's Parcel Block No. 2198, Lot No. 001 (located at the intersection of 19th Avenue and Quintara Street), Lot No. 033 (2121-19th Avenue), Lot No. 034 (2145-19th Avenue), and Lot No. 037 (2115-19th Avenue); 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 under Planning Code, Section 302. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUEST FOR HEARING

- 180762 [Closed Session - Anticipated Litigation - Tax Measures Adopted by the Voters at the June 5, 2018 Municipal Election - July 24, 2018]**
Closed Session for the Board of Supervisors to convene on July 24, 2018, at 3:00 p.m., pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(2), for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation in which the City may be a plaintiff or a defendant, regarding the adoption of Proposition C (Additional Tax on Commercial Rents Mostly to Fund Child Care and Education) and Proposition G (Parcel Tax for San Francisco Unified School District) on the June 5, 2018, ballot, scheduled pursuant to Motion No. M18-096, approved July 17, 2018. (Clerk of the Board). 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

180720 [Planning Code - Landmark Designation - 228-248 Townsend Street (aka New Pullman Hotel)]

Ordinance amending the Planning Code to designate 228-248 Townsend Street (aka New Pullman Hotel), Assessor's Parcel Block No. 3787, Lot No. 018, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

180721 [Planning Code - Landmark Designation - 457 Bryant Street (aka Piledrivers, Bridge, and Structural Ironworkers Local No. 77 Union Hall)]

Ordinance amending the Planning Code to designate 457 Bryant Street (aka Piledrivers, Bridge, and Structural Ironworkers Local No. 77 Union Hall), Assessor's Parcel Block No. 3775, Lot No. 085, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

180722 [Planning Code - Landmark Designation - 500-504-4th Street (aka Hotel Utah)]

Ordinance amending the Planning Code to designate 500-504-4th Street (Hotel Utah), Assessor's Parcel Block No. 3777, Lot No. 001, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

180723 [Planning Code - Clyde and Crooks Warehouse Historic District]

Ordinance amending the Planning Code to add a new Appendix O to Article 10, Preservation of Historical, Architectural, and Aesthetic Landmarks, to create the Clyde and Crooks Warehouse Historic District, encompassing an area generally bounded by Brannan Street to the north, Third Street to the east, Townsend Street to the south, and Lusk Street to the West; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

180724 [Planning Code - Mint-Mission Conservation District]

Ordinance amending the Planning Code to add a new Appendix K to Article 11, Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic Importance in the C-3 (Downtown Commercial) Districts, to create the Mint-Mission Conservation District, which includes certain properties in the area bounded by Fifth Street, Stevenson Street, Minna Street, and Sixth Street, specifically Assessor's Parcel Block No. 3704, Lot Nos. 003, 010, 012, 013, 015, 017, 018, 019, 020, 021, 022, 024, 028, 029, 034, 035, 059, 079, 113, and 144, and Assessor's Parcel Block No. 3725, Lot Nos. 087 and 088, and designates contributory and significant buildings within that District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

180725 [Planning Code - Designation of Various Properties as Significant and Contributory in the C-3 District Based on Architectural, Historic and Aesthetic Value]

Ordinance amending the Planning Code to change the designation of these properties located in the C-3 (Downtown Commercial) District from no rating to Category 1 (Significant) pursuant to Article 11 of the Planning Code, based on architectural, historic, and aesthetic value: 360-4th Street (aka Southern Police Station), 539 Bryant Street (aka Shreve and Company Factory), 340-350 Townsend Street (aka Paul Wood Warehouse), 601-4th Street (aka Heubline Wine Distribution Warehouse), and 500-504-4th Street (aka Hotel Utah); to change the designation of these properties located in the C-3 District from no rating to Category III (Contributory) pursuant to Article 11 of the Planning Code, based on architectural, historic and aesthetic value: 104-106 South Park Street (aka Omiya Hotel/Gran Oriente Filipino), 117-125-6th Street (aka The Rose Hotel), 135-6th Street/495 Minna Street (aka Sunnyside Hotel), 139-149-6th Street (aka Mint Hotel), 157-161-6th Street (aka Sunset Hotel), 169-183-6th Street (aka Adler Hotel), 194-198-5th Street (aka Hotel George), 224 Townsend Street (aka Worthington Company Warehouse), 228 Townsend Street (aka Pullman Hotel), 355 Brannan Street, 361-365 Brannan Street, 457 Bryant Street (aka Pile Driver, Bridge and Structural Iron Workers Union #77), 461 Bryant Street, 480-5th Street, 566-586-3rd Street (aka Central Hotel), 508-514-4th Street (Murschen & Hoelscher Building), 844 Folsom Street (aka Victor Equipment Company), 850 Folsom Street (aka Victor Equipment Company), 854 Folsom Street, and 95 Jack London (aka Gran Oriente Filipino Masonic Temple); to change the designation of this property located in the C-3 District from Category V (Unrated) to Category III (Contributory) pursuant to Article 11 of the Planning Code, based on architectural, historic, and aesthetic value: 47-55-6th Street (Hillside Hotel); affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

180726 [Planning Code - Amending Kearny-Market-Mason-Sutter Conservation District and Article 11 Designation of 55-5th Street]

Ordinance amending the Planning Code to amend Appendix E to Article 11, Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic Importance in the C-3 (Downtown Commercial) Districts to expand the boundaries of the Kearny-Market-Mason-Sutter Conservation District and to designate 55-5th Street as a Contributory Building-Category IV; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

180727 [Settlement of Lawsuit - Anita Lofton and Almudena Martin Marcos - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Anita Lofton and Almudena Marcos Martin against the City and County of San Francisco for \$60,000; the lawsuit was filed on December 23, 2015, in San Francisco Superior Court, Case No. CGC-15-549595; entitled Anita Lofton, et al. v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

180728 [Original Agreement - Edgewood Center for Children and Families - Behavioral Health Services for Children and Families - Not to Exceed \$24,224,508]

Resolution retroactively approving an original agreement for behavioral health services for children, youth and families between the Department of Public Health and Edgewood Center for Children and Families in the not to exceed amount of \$24,224,508 for a total contract term of four years from July 1, 2018, through June 30, 2021. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

180729 [Airport Professional Services Agreement Modification - PGH Wong-MCK JV - Project Management Support Services for the Airport Hotel Program - Not to Exceed \$14,500,000]

Resolution approving Modification No. 5 to Airport Contract No. 8768.41, Project Management Support Services for the Airport Hotel Program, with PGH Wong-MCK JV, increasing the contract amount by \$4,600,000 for a new total contract amount not to exceed \$14,500,000 for a total term of June 11, 2015, through June 10, 2019, to commence following Board approval, pursuant to Charter, Section 9.118(b). (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Clerk to Act - July 17, 2018

Board Meeting Minutes for June 12, 2018 were approved.

There were no Clerk to Act requests submitted at the July 17, 2018 Board Meeting.

In Memoriams

Carlos Francisco Gutierrez - Entire Board