BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, November 13, 2018 - 2:00 PM

Regular Meeting

MALIA COHEN, PRESIDENT
VALLIE BROWN, SANDRA LEE FEWER, JANE KIM, RAFAEL MANDELMAN,
AARON PESKIN, HILLARY RONEN, AHSHA SAFAI, CATHERINE STEFANI, KATY TANG,
NORMAN YEE

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee	Thursday
Supervisors Cohen, Fewer, Stefani	10:00 AM
Budget and Finance Federal Select Committee	2nd and 4th Thursday
Supervisors Cohen, Fewer, Tang	1:15 PM
Government Audit and Oversight Committee	1st and 3rd Wednesday
Supervisors Kim, Peskin, Brown	10:00 AM
Land Use and Transportation Committee	Monday
Supervisors Tang, Kim, Safai	1:30 PM
Public Safety and Neighborhood Services Committee	2nd and 4th Wednesday
Supervisors Mandelman, Ronen, Peskin	10:00 AM
Rules Committee	1st, 3rd and 4th Wednesday
Supervisors Safai, Yee, Stefani	1:00 PM

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

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Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at sotf@sfgov.org

Citizens may obtain a free company of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at http://www.sfbos.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site http://www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of the October 2, 2018, Board Meeting Minutes.

AGENDA CHANGES

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 through 9

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Kim, Brown

1. <u>180955</u> [Partial Settlement of Lawsuit - Ho Tan and Lionel Tan - \$245,000]

Ordinance authorizing settlement of the lawsuit filed by Ho Tan and Lionel Tan against the City and County of San Francisco for \$245,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiffs Ho Tan and Lionel Tan, by the payment of \$245,000 and excluding the claim by these plaintiffs for diminution of value for plaintiffs' real property and the claim by plaintiffs for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

2. 180962 [Partial Settlement of Lawsuit - Kwok Shing Hong - \$110,796.81]

Ordinance authorizing settlement of the lawsuit filed by Kwok Shing Hong against the City and County of San Francisco for \$110,796.81; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiff Kwok Shing Hong, by the payment of \$110,796.81 and excluding the claim by this plaintiff for diminution of value for plaintiff's real property and the claim by plaintiff for attorney's fees, costs, and interest, which will be addressed in later proceedings. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

3. 180980 [Settlement of Lawsuit - Lucille Sullivan - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Lucille Sullivan against the City and County of San Francisco for \$40,000; the lawsuit was filed on July 3, 2017, in San Francisco Superior Court, Case No. CGC-17-559902; entitled Lucille Sullivan v. City and County of San Francisco; the lawsuit involves a personal injury on a City sidewalk. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 180982 [Settlement of Unlitigated Claim - Estate Research Associates - Up to \$80,000]

Resolution approving the settlement of the unlitigated claim filed by Estate Research Associates against the City and County of San Francisco for up to \$80,000; the claim was filed on January 26, 2018; the claim involves economic damages allegedly arising from the failure to properly administer two estates. (City Attorney)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Tang, Safai

5. <u>180849</u> [General Plan Amendment - Central Waterfront - Dogpatch Public Realm Plan] Sponsor: Cohen

Ordinance amending various elements of the General Plan and amending the Central Waterfront Area Plan within the General Plan to address and incorporate the Central Waterfront - Dogpatch Public Realm Plan; affirming the Planning Commission's findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

10/30/2018; PASSED ON FIRST READING.

Present: Supervisors Tang, Kim

6. <u>180914</u> [Planning Code - Modifying Better Streets Plan Requirements and Curb Cut Restrictions]

Sponsor: Kim

Ordinance amending the Planning Code to add new standard required streetscape improvements under the Better Streets Plan; modifying the triggers that would require project sponsors to construct streetscape improvements in the public right-of-way; clarifying the recommended sidewalk width for street types; expanding curb cut restrictions for off-street parking and loading to nearly all zoning districts and certain designated streets, including those on the Citywide Transit Network and any officially adopted bicycle routes or lanes, and requiring a Conditional Use authorization or a Section 309 or 329 exception for new or expanded curb cuts in the applicable areas: adding criteria for the Planning Commission to consider when granting a Conditional Use authorization or an exception as part of a Downtown C-3-O(SD) (Downtown, Office (Special Development)) or large project authorization in mixed-use districts for such curb cuts; prohibiting new curb cuts in bus stops and on Folsom Street between Essex and Second Street; eliminating minimum off-street parking requirements for projects subject to the curb cut restrictions or prohibitions; and making findings under the California Environmental Quality Act, 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.

10/30/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Safai, Yee, Mandelman

7. <u>180913</u> [Administrative Code - Reentry Council - Reporting Duties and Sunset Date] Sponsor: Fewer

Ordinance amending the Administrative Code to revise the reporting duties of the Reentry Council; and extend the sunset date of the Council by five years to June 1, 2024.

(Board Rule 2.21, requiring a sunset clause not to exceed three years, may be suspended pursuant to Board Rule 5.2 by the affirmative vote of eight Supervisors unless there are fewer than eight Supervisors present; in which case the unanimous consent of the Supervisors, but not less than six, shall be required.)

10/30/2018; PASSED ON FIRST READING.

8. <u>180934</u> [Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filing Requirements]

Sponsor: Cohen

Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements for the City and the San Francisco Unified School District, by adding, deleting, and changing titles of designated officials and employees to reflect organizational and staffing changes, and by refining disclosure requirements for designated officials and employees.

10/30/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. <u>181041</u> [Police and Health Codes - Regulation of Cannabis Businesses] Sponsors: Mayor; Mandelman and Cohen

Ordinance amending the Police Code to extend by one year the possible duration of a Temporary Cannabis Business Permit; and amending the Health Code to increase, from 90 days to 120 days, the time period that the Director of the Office of Cannabis may extend a medical cannabis dispensary's authorization to sell adult use cannabis, and extending by one year to December 31, 2019, the date on which Article 33 (Medical Cannabis Act) expires.

10/30/2018; PASSED ON FIRST READING.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Tang, Kim, Safai

10. <u>180757</u> [Health Code - Massage Practitioner and Business Permits] Sponsors: Tang; Yee and Safai

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) adding or revising massage establishment operating standards relating to vermin, employee areas, locked doors, residential use, and advertising; 5) prohibiting a massage business from operating a massage school on the same premises as a massage establishment; 6) establishing a massage establishment reinspection fee of \$191 per hour; 7) updating administrative and permit penalties; 8) 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; 9) authorizing the City Attorney to institute civil proceedings for injunctive and monetary relief for violations of Article 29: 10) declaring violations of select provisions of Article 29 to be public nuisances; and 11) discontinuing the acceptance of applications for massage practitioner permits effective January 1, 2019.

10/23/2018: CONTINUED ON FIRST READING.

10/30/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/30/2018; PASSED ON FIRST READING AS AMENDED.

11. 180803

[Planning Code - Mission Alcoholic Beverage Special Use District and Mission Street Neighborhood Commercial Transit District]

Sponsor: Ronen

Ordinance amending the Planning Code to require Conditional Use Authorization for Restaurants and prohibit new ABC License Type-75 establishments within a subarea of the Mission Alcoholic Beverage Special Use District; to establish limits on the number of eating and drinking establishments, require Conditional Use Authorization for replacing Legacy Businesses and new bars, prohibit mergers of commercial space resulting in greater than 1,500 gross square feet, require ground-floor non-residential tenant space for large projects, and expand Philanthropic Service and Light Manufacturing uses in the Mission Street Neighborhood Commercial Transit 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 Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

10/30/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/30/2018; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

12. 180910

[Planning Code - Affordable Housing Projects on Undeveloped Lots in Service/Arts/Light Industrial Districts]

Sponsor: Kim

Ordinance amending the Planning Code to permit Affordable Housing on undeveloped lots in Service/Arts/Light Industrial (SALI) Zoning Districts; 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, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

09/18/2018; DUPLICATED.

09/18/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

09/18/2018; RE-REFERRED AS AMENDED to the Land Use and Transportation Committee.

10/30/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/30/2018; PASSED ON FIRST READING AS AMENDED.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Cohen, Fewer, Stefani

13. <u>180886</u> [Boundary Modification and Conditional Allocation of Real Property - Margaret S. Hayward Playground - Department of Emergency Management]

Ordinance amending Ordinance No. 171-00, which set aside certain real property in Margaret S. Hayward Playground for the Department of Emergency Management ("DEM") for the Combined Emergency Communications Center ("CECC") at 1011 Turk Street, to provide DEM additional real property directly adjacent to the existing CECC and to restore to the Recreation and Park Department ("RPD") certain subsurface real property to the east of the CECC that was previously allocated to DEM; setting aside for DEM an additional portion of Hayward Playground west of the CECC that is currently occupied by two tennis courts for a proposed new DEM building, subject to DEM's payment of funds which RPD must use for the benefit of the Western Addition, as set forth herein; 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. (Recreation and Park Department)

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 180823 [Lease Agreement - NewZoom, LLC - \$150,000 Minimum Annual Guarantee]

Resolution approving the Airport Automated Retail Lease - Lease No. 18-0175, between NewZoom, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of five years to commence upon approval by the Board of Supervisors, with one two-year option to extend, and a minimum annual guarantee of \$150,000 for the first year of the Lease. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

15. <u>180824</u> [Lease Agreement - XpresSpa S.F. International, LLC - \$145,000 Minimum Annual Guarantee]

Resolution approving the Terminal 2 Specialty Retail Concession Lease No. 5 - Lease No. 18-0156, between XpresSpa S.F. International, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years to commence upon approval by the Board of Supervisors, and a minimum annual guarantee of \$145,000 for the first year of the Lease. (Airport Commission)

16. 180825

[Lease Agreement - Alclear, LLC - \$1,500,000 Minimum Annual Guarantee] Resolution approving the Expedited Traveler Service Lease No. 18-0189, between Alclear, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of five years, with one two-year option to extend at the Airport Commission's discretion, to commence upon approval by the Board of Supervisors, and a minimum annual guarantee of \$1,500,000 for the first year of the Lease. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

17. 180833

[Real Property Lease - GTE Mobilnet of California Limited Partnership - Zuckerberg San Francisco General Hospital and Trauma Center, Building 25 - 1001 Potrero Avenue - \$5,000 Per Month Base Rent Exempt]

Resolution authorizing and approving the lease of a portion of the equipment room at Zuckerberg San Francisco General Hospital and Trauma Center, Building 25, at 1001 Potrero Avenue with GTE Mobilnet of California Limited Partnership, a California Limited partnership D/B/A/Verizon Wireless, at the monthly base rent of \$5,000 which shall be waived while participating in the Distributed Antenna System and providing enhanced cellular services to the City staff, UCSF staff, patients and visitors within Building 25, for a five-year term to commence upon approval by the Board of Supervisors and Mayor, with two five-year options to extend. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

18. <u>180888</u>

[Agreement Amendment - JobAps, Inc. - Software License and Support - Not to Exceed \$3,174,445]

Resolution authorizing the Controller to enter into the Eleventh Amendment of a software license and support agreement with JobAps, Inc. increasing the contract term by three years, for a total term of November 27, 2006, through November 26, 2021, and increasing the maximum expenditure by \$937,425 to an amount not to exceed \$3,174,445. (Controller)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

19. <u>180928</u>

[Real Property Lease Extension - AIM TWO - 755 and 759 South Van Ness Avenue - \$541,258.20 Annual Base Rent]

Resolution authorizing the Director of Real Estate to exercise a Lease Extension for the real property located at 755 and 759 South Van Ness Avenue for office space and the adjacent parking lot with AIM TWO, as landlord, for a four-year extension term commencing upon approval by the Board of Supervisors and the Mayor at the monthly base rent of \$45,104.85 for a total annual base rent of \$541,258.20. (Public Health Department)

(Fiscal Impact)

20. <u>180964</u> [Revenue Agreement Amendment - JC Decaux San Francisco, LLC - Extending Term to January 25, 2019]

Sponsor: Peskin

Resolution retroactively approving the Fifth Amendment to the Revenue Agreement between Public Works and JC Decaux San Francisco, LLC, for the Automatic Public Toilet and Public Service Kiosk Program extending the contract term by 105 days, changing the termination date from October 12, 2018, to January 25, 2019.

Question: Shall this Resolution be ADOPTED?

21. <u>180965</u> [Accept and

[Accept and Expend Grant - California Department of Parks and Recreation, Division of Boating and Waterways - Boating Safety and Enforcement Equipment Grant - \$197,648]

Sponsor: Stefani

Resolution retroactively authorizing the Police Department (SFPD) to accept and expend a boating safety and enforcement equipment grant in the amount of \$197,648 from the California Department of Parks and Recreation, Division of Boating and Waterways, for the SFPD Marine Unit for the project period of October 1, 2018, through September 30, 2019.

Question: Shall this Resolution be ADOPTED?

22. 180971

[Contract Amendment - Health Advocates, LLC - Uncompensated Reimbursement Recovery Services - Not to Exceed \$18,014,546]

Resolution retroactively approving a contract amendment for uncompensated reimbursement recovery services between Health Advocates, LLC and Department of Public Health, in the amount of \$18,014,546 for a total contract term of January 1, 2014, through December 31, 2021. (Public Health Department)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

23. 181005

[Accept and Expend Grant - State Controller's Office, California State 2020 Census Grant - Local Update of Census Addresses Program - \$100,000] Sponsor: Mayor

Resolution authorizing the Office of Civic Engagement and Immigrant Affairs to accept and expend a grant in the amount of \$100,000 from the California State Controller's Office to support San Francisco's Local Update of Census Addresses efforts and outreach activities related to the 2020 Census for the project period of November 1, 2018, through June 30, 2019. (Office of Civic Engagement & Immigrant Affairs)

24. <u>181006</u> [Multifamily Housing Revenue Bonds - 1950 Mission Street - Not to Exceed \$60.488.962]

Sponsors: Mayor; Ronen

Resolution authorizing the issuance, sale and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$60,488,962 for the purpose of providing financing for the construction of a 157-unit multifamily rental housing project known as 1950 Mission Street Apartments; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of tax exempt residential rental housing bonds by the City in an aggregate principal amount not to exceed \$60,488,962; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of certain fees; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters, as defined herein.

Question: Shall this Resolution be ADOPTED?

25. <u>181007</u> [Ground Lease - 1950 Mission Housing Associates, LP - 1950 Mission Street - \$15,000 Annual Base Rent]

Sponsors: Mayor; Ronen

Resolution approving and authorizing a long term Ground Lease with 1950 Mission Housing Associates, LP, on City owned land at 1950 Mission Street ("Property") for a term of 75 years, to commence following approval by the Board of Supervisors, with one 24-year option to extend, and with an annual base rent of \$15,000 in order to construct a 100% affordable, 155-unit multifamily rental housing development (plus two staff units) for low-income persons ("Project"); adopting findings that the Ground Lease is consistent with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property and the Director of the 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.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

26. <u>181008</u> [Shopping Agreement - BoBCat Studios, LLC - Development of Public Defender Documentary Series]

Sponsor: Cohen

Resolution authorizing the Public Defender to enter into a Shopping Agreement with BoBCat Studios, LLC, to develop the concept of a documentary series based on the San Francisco Public Defender's Office, and grant all necessary trademark licenses and the exclusive right for six months to present to traditional and digital networks.

27. 181036

[Contract Agreement - Grant Street Group, Inc. - Office of the Treasurer & Tax Collector and Office of the Controller's Property Tax System Replacement Project - Not to Exceed \$37,492,252]

Sponsors: Tang; Cohen

Resolution authorizing the Office of the Treasurer & Tax Collector and Office of the Controller to enter into a contract with Grant Street Group, Inc. to implement and configure a comprehensive, fully-integrated Property Tax System, including all services related to delivery, installation, integration, customization, data conversion, training, documentation, deployments, and project management, to replace the obsolete legacy system currently in use, for a contract term of ten years, to commence upon Board of Supervisors and Mayoral approval, in an amount not to exceed \$37,492,252.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

28. <u>181037</u>

[Contract Agreements - Sapient Corporation and Carahsoft Technology Corporation - Office of the Assessor-Recorder's Property Assessment System Replacement Project - Not to Exceed \$21,414,700 and \$14,432,762 Respectively]

Sponsors: Tang; Cohen

Resolution authorizing the Office of the Assessor-Recorder to enter into two contracts: 1) an implementation services and ongoing support agreement with Sapient Corporation for a 12-year term, in an amount not to exceed \$21,414,700; and 2) a contract with Carahsoft Technology Corporation for licenses to Software as a Service, with a 12-year term, in an amount not to exceed \$14,432,762; all to implement and configure a comprehensive, fully-integrated Property Assessment System, including all services related to delivery, installation, integration, customization, data conversion, training, documentation, deployments, and project management, to replace the obsolete legacy system currently in use; with both contracts to commence upon Board of Supervisors and Mayoral approval.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

29. 180973

[Release of Reserved Funds - Airport Commission - Capital Improvement Plan Projects - \$2,732,455,418]

Motion authorizing the release of reserved funds to the Airport Commission, placed on Board of Supervisors' reserve by Ordinance No. 106-17, in the amount of \$2,732,455,418, to continue funding of San Francisco International Airport's Capital Improvement Plan projects, consisting of terminal improvements, including the Terminal 1 Reconstruction Project and the Terminal 3 West Redevelopment Project; groundside improvements such as the AirTrain System extension and roadway repairs; airfield improvements to runways and taxiways; airport support improvements in technology and security; and utility improvements, including upgrades to the waste water treatment plant. (Budget and Finance Committee)

(Fiscal Impact)

Question: Shall this Motion be APPROVED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Kim, Brown

30. <u>180622</u> [Resolution of Intention - Establishing the Central SoMa Special Tax District] Sponsors: Mayor; Kim

Resolution declaring the intention of the Board of Supervisors to establish City and County of San Francisco Special Tax District No. 2018-1 (Central SoMa); ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole, on January 15, 2019, at 3:00 p.m.; and determining other matters in connection therewith.

Question: Shall this Resolution be ADOPTED?

31. <u>180623</u> [Resolution of Intention - Incurring Bonded Indebtedness and Other Debt for the Central SoMa Special Tax District]

Sponsors: Mayor; Kim

Resolution declaring the intention of the Board of Supervisors to incur bonded indebtedness and other debt for City and County of San Francisco Special Tax District No. 2018-1 (Central SoMa); ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole, on January 15, 2019, at 3:00 p.m.; and determining other matters in connection therewith.

Question: Shall this Resolution be ADOPTED?

32. <u>180897</u> [North of Market/Tenderloin Community Benefit District - Annual Report to the City - FY2016-2017]

Sponsor: Kim

Resolution receiving and approving an annual report for the North of Market/Tenderloin Community Benefit District for FY2016-2017, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4. (Department of Economic and Workforce Development)

Question: Shall this Resolution be ADOPTED?

33. <u>180963</u> [Civic Center Community Benefit District - Annual Report for FY2016-2017] Sponsor: Kim

Resolution receiving and approving an annual report for the Civic Center Community Benefit District for FY2016-2017, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4. (Department of Economic and Workforce Development)

34. <u>181011</u> [Central Market Community Benefit District - Annual Report - 2016 Calendar Year]

Sponsor: Kim

Resolution receiving and approving an annual report for the Central Market Community Benefit District for the 2016 calendar year, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4. (Department of Economic and Workforce Development)

Question: Shall this Resolution be ADOPTED?

35. <u>181013</u> [Lower Polk Community Benefit District - Annual Report - FY2016-2017] Sponsor: Peskin

Resolution receiving and approving an annual report for the Lower Polk Community Benefit District for FY2016-2017, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4. (Department of Economic and Workforce Development)

Question: Shall this Resolution be ADOPTED?

36. <u>181035</u> [Management Agreement - Owners' Association - Administration/Management of Discover Polk Community Benefit District]

Sponsor: Peskin

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the "Discover Polk Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, through June 30, 2029.

Question: Shall this Resolution be ADOPTED?

37. 180983 [Mills Act Historical Property Contract - 2253 Webster Street]

Resolution approving an historical property contract between Virginia Hong, the owner of 2253 Webster Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

Question: Shall this Resolution be ADOPTED?

38. 180984 [Mills Act Historical Property Contract - 353 Kearny Street]

Resolution approving an historical property contract between Pine Kearny LLC, the owner of 353 Kearny Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

39. <u>180985</u> [Mills Act Historical Property Contract - 465-467 Oak Street] Sponsor: Brown

Resolution approving an historical property contract between Joseph E and Jennifer A Laska Joint Living Trust, the owner of 465-467 Oak Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

Question: Shall this Resolution be ADOPTED?

40. 180986 [Mills Act Historical Property Contract - 587 Waller Street]

Resolution approving an historical property contract between Christopher Hansten and June Kwon, the owners of 587 Waller Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

Question: Shall this Resolution be ADOPTED?

41. <u>180987</u> [Mills Act Historical Property Contract - 354-356 San Carlos Street] Sponsor: Ronen

Resolution approving an historical property contract between Joyjit and Preetha Nath, the owners of 354-356 San Carlos Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

Question: Shall this Resolution be ADOPTED?

42. <u>180988</u> [Mills Act Historical Property Contract - 811 Treat Avenue] Sponsor: Ronen

Resolution approving an historical property contract between Golden Gate Properties LLC, the owner of 811 Treat Avenue, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute and record the historical property contract. (Historic Preservation Commission)

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Tang, Kim, Safai

43. <u>151258</u> [Planning Code - Affordable Housing Requirement and Fee in Divisadero Neighborhood Commercial Transit District]

Sponsor: Brown

Ordinance amending the Planning Code to require additional affordable housing or payment of a fee for certain sites that obtained higher residential development potential as a result of the rezoning of the Divisadero Street Neighborhood Commercial Transit District in 2015; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

44. <u>180776</u> [Planning Code, Zoning Map - 430-29th Avenue Special Use District] Sponsor: Fewer

Ordinance amending the Planning Code and the Zoning Map to establish the 430-29th Avenue Special Use District; and 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, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. <u>180806</u> [Planning Code - Temporary Pop-Up Retail, Flexible Retail, and Arts Activities Uses]

Sponsors: Tang; Safai, Fewer, Brown and Cohen

Ordinance amending the Planning Code to create new Use allowing flexible, multi-use retail; permitting Temporary Pop-Up Retail uses in commercial spaces; permitting Flexible Retail in certain Neighborhood Commercial Districts; permitting Arts Activities in certain Neighborhood Commercial 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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. <u>180862</u> [Transportation Code - Board of Supervisors Review of Bus Rapid Transit Projects]

Sponsor: Peskin

Ordinance amending Division I of the Transportation Code to establish a procedure for Board of Supervisors review of Municipal Transportation Agency decisions related to Bus Rapid Transit projects that do not include transit-only areas or lanes for Municipal Railway vehicles, taxis, authorized emergency vehicles, and/or Golden Gate Transit vehicles; and affirming the Planning Department's determination under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. <u>180892</u> [Planning Code - 1629 Market Street Special Use District] Sponsor: Kim

Ordinance amending the Planning Code to allow the use of affordable housing credits for a proposed development at 1629 Market Street; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. <u>180891</u> [Development Agreement Amendment - Strada Brady, LLC - Market and Colton Streets]

Sponsor: Kim

Ordinance amending a Development Agreement between the City and County of San Francisco and Strada Brady, LLC, a California limited liability company, for the project at Market Street and Colton Street, to allow for the use of affordable housing credits; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. <u>180911</u> [Planning Code - Inclusionary Housing Ordinance] Sponsor: Mayor

Ordinance amending the Planning Code to modify the date by which projects that are eligible for the temporary inclusionary housing requirements must obtain a building or site permit; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

50. <u>181004</u> [Environment Code - Single-Use Food Ware Plastics, Toxics, and Litter Reduction]

Sponsor: Tang

Ordinance amending the Environment Code to allow food vendors to supply single-use plastic straws only upon request; provide for sale of plastic straws; clarify that nothing in Chapter 16 shall be construed to conflict with laws concerning the rights of individuals with disabilities; and affirming the Planning Department's determination under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. <u>180947</u> [Endorsing the Bay Area Air Quality Management District's Diesel Free By '33 Statement of Purpose]

Sponsors: Ronen; Mandelman

Resolution endorsing the Bay Area Air Quality Management District's Diesel Free By '33 Statement of Purpose to establish a goal to cut diesel use to zero by the end of 2033.

Referred Without Recommendation from the Land Use and Transportation Committee

Present: Supervisors Tang, Kim, Safai

52. 180490 [General Plan Amendments - Central South of Market Area Plan]

Ordinance amending the General Plan by adding the Central South of Market (SoMa) Area Plan, generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street; making conforming amendments to the Commerce and Industry Element, the Housing Element, the Urban Design Element, the Land Use Index, and the East SoMa and West SoMa Area Plans; and making environmental findings, including adopting a statement of overriding considerations, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

53. <u>180184</u> [Administrative, Planning Codes - Central South of Market Area Plan] Sponsors: Mayor; Kim

Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; 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.

(Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

54. <u>180185</u> [Planning Code, Zoning Map - Central South of Market Special Use District] Sponsors: Mayor; Kim

Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; 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.

(Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

55. <u>180453</u> [Business and Tax Regulations, Planning Codes - Central South of Market Housing Sustainability District]

Sponsors: Mayor; Kim

Ordinance amending the Business and Tax Regulations and Planning Codes to create the Central South of Market Housing Sustainability District (encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally tracks Folsom, Howard, or Stevenson Streets), and on its southern portion by Townsend Street) to provide a streamlined and ministerial approval process for certain housing projects within the District meeting specific labor, on-site affordability, and other requirements; creating an expedited Board of Appeals process for appeals of projects within the District; and making approval findings under the California Environmental Quality Act, findings of public convenience, necessity, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

56. <u>180612</u> [Administrative Code - San Francisco Special Tax Financing Law - Central SoMa]

Sponsors: Mayor; Kim

Ordinance amending the Administrative Code Special Tax Financing Law, constituting Article 43.10, to authorize special tax financing of certain facilities and services related to the Central SoMa Plan Area and to make other necessary amendments.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

(Hearing continued from October 30, 2018.)

57. <u>180836</u>

[Hearing - Appeal of Determination of Exemption From Environmental Review - Washington Square Water Conservation 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 May 17, 2018, for the proposed Washington Square Water Conservation Project to reduce the park's existing irrigation water use by two-thirds and improve saturated soils conditions on the main lawn; within the P (Public) Zoning District with an OS (Open Space) Height and Bulk District. (District 3) (Appellant: Marc Bruno and Save North Beach) (Filed August 16, 2018) (Clerk of the Board)

10/30/2018; CONTINUED.

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

58. <u>180837</u>

[Affirming the Categorical Exemption Determination - Washington Square Water Conservation Project]

Motion affirming the determination by the Planning Department that the proposed Washington Square Water Conservation Project is categorically exempt from further environmental review. (Clerk of the Board)

10/30/2018; CONTINUED.

Question: Shall this Motion be APPROVED?

59. <u>180838</u> [Conditionally Reversing the Categorical Exemption Determination - Washington Square Water Conservation Project]

Motion conditionally reversing the determination by the Planning Department that the proposed Washington Square Water Conservation Project is categorically exempt from further environmental review, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

10/30/2018; CONTINUED.

Question: Shall this Motion be APPROVED?

60. <u>180839</u> [Preparation of Findings to Reverse the Categorical Exemption Determination - Washington Square Water Conservation Project]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that the proposed Washington Square Water Conservation Project is categorically exempt from further environmental review. (Clerk of the Board)

10/30/2018; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

61. <u>180993</u> [Hearing - Appeal of Final Environmental Impact Report Certification - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for a proposed project at 450-474 O'Farrell Street and 532 Jones Street, identified in Planning Case No. 2013-1535ENV, issued by the Planning Commission through Motion No. 20279, dated September 13, 2018; to demolish the existing commercial building (474 O'Farrell Street), existing commercial and residential building (532 Jones Street), and existing religious building (450 O'Farrell Street); and construct a 13-story mixed-use building containing up to 176 residential units, and approximately 3,827 square feet of ground floor retail, 9,555 square feet new religious (church) use, and below-grade parking for up to 46 vehicles. (District 6) (Appellants: Sarah M. K. Hoffman of Zacks, Freedman & Patterson, on behalf of 540 Jones Street Hotel, LLC., and Mike Buhler, on behalf of San Francisco Heritage) (Filed October 15, 2018) (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

62. <u>180994</u> [Affirming the Final Environmental Impact Report Certification - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

Motion affirming the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project at 450-474 O'Farrell Street and 532 Jones Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

63. <u>180995</u> [Conditionally Reversing the Final Environmental Impact Report Certification - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

Motion conditionally reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project at 450-474 O'Farrell Street and 532 Jones Street, subject to the adoption of written findings of the Board of Supervisors in support of this determination. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

64. <u>180996</u> [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project at 450-474 O'Farrell Street and 532 Jones Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

65. <u>180997</u> [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Section 303, for a planned unit development pursuant to Planning Code, Section 304, with modifications for rear yard (Planning Code, Section 134(G)), dwelling unit exposure (Planning Code, Section 140); off street loading (Planning Code, Section 152) and permitted obstructions (Planning Code, Section 136(c)); for demolition of five existing dwelling units (Planning Code, Section 317); exceeding height of 50 feet with street frontage greater than 40 feet (Planning Code, Section 253); height greater than 80 feet in North of Market Residential Special Use District No. 1 (Planning Code, Sections 249.5/263.7); bulk exceedance (Planning Code, Section 270); and establishment of new Religious Institution Use (Section 303), for a proposed project at 450-474 O'Farrell Street and 532 Jones Street, Assessor's Parcel Block No. 0317, Lot Nos. 007, 009, and 011, identified in Planning Case No. 2013.1535ENV/CUA, issued by the Planning Commission by Motion No. 20281, dated September 13, 2018, to permit demolition of the existing commercial building (474 O'Farrell Street), existing commercial and residential building (532 Jones Street), and existing religious building (450 O'Farrell Street), and construct a 13-story mixed-use building containing up to 176 residential units, and approximately 3,827 square feet ground floor retail, 9.555 square feet new religious (church) use, and below-grade parking for up to 46 vehicles, within the RC-4 (Residential-Commercial, High Density), North of Market Residential Special Use District No. 1, and 80-T-130-T Height and Bulk District. (District 6) (Appellant: Mike Buhler, on behalf of San Francisco Heritage) (Filed October 15, 2018) (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two Motions should be approved.)

66. <u>180998</u> [Approving Conditional Use Authorization - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

Motion approving the decision of the Planning Commission by its Motion No. 20281, approving a Conditional Use Authorization identified as Planning Case No. 2013.1535ENV/CUA for a proposed project located at 450-474 O'Farrell Street and 532 Jones Street; subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

67. <u>180999</u> [Conditionally Disapproving Conditional Use Authorization - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20281, approving a Conditional Use Authorization identified as Planning Case No. 2013.1535ENV/CUA for a proposed project located at 450-474 O'Farrell Street and 532 Jones Street, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

(Charter, Section 4.105, and Planning Code, Section 308.1(d), provides that the Board of Supervisors may disapprove the decision of the Planning Commission by a vote of not less than two-thirds of the members of the Board.)

Question: Shall this Motion be APPROVED?

68. 181000

[Preparation of Findings Related to Conditional Use Authorization Appeal - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

Motion directing the Clerk of the Board to prepare findings in support of the Board of Supervisors' disapproval of the proposed Conditional Use Authorization identified as Planning Case No. 2013.1535ENV/CUA for a proposed project located at 450-474 O'Farrell Street and 532 Jones Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

69. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

70. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

CLOSED SESSION

(Scheduled pursuant to Motion No. M18-151 (File No. 181038), approved October 30, 2018.)

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

71. <u>181058</u> [Closed Session - Existing Litigation - Pacific Gas and Electric Company - November 13, 2018]

Closed Session for the Board of Supervisors to convene on November 13, 2018, for the purpose of conferring with, or receiving advice from, the City Attorney, under California Government Code. Section 54956.9(a), and Administrative Code. Section 67.10(d)(1). regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: 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; and Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; scheduled pursuant to Motion No. M18-151, approved October 30, 2018. (Clerk of the Board)

Closed Session: The Board of Supervisors shall confer with the City Attorney.

[Elect To Disclose]

Motion that the Board finds it is in the best interest of the public that the Board elect at this time to disclose its closed session deliberations.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

After a closed session, if one occurs, pending approval of above action to disclose, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

Item 72

72. 181056

[Calling from Committee - Committee of the Whole - Hearing (File No. 180630) - African-American Workforce Hiring, Retention, and Promotional Opportunities; Workplace Discrimination and Complaints - November 27, 2018]

Sponsor: Cohen

Motion calling from the Government Audit and Oversight Committee, pursuant to Board Rule 3.37, the Hearing (File No. 180630) to consider African-American workforce hiring, retention, promotional opportunities, and data tracking of work place discrimination complaints at the City and County of San Francisco; and requesting the Department of Human Resources, Department of Public Health, City Attorney's Office, Controller's Office, City Administrator, and other applicable departments to report; and scheduling the Board of Supervisors to sit as a Committee of the Whole on November 27, 2018, at 3:00 p.m., to hold a public hearing on the subject matter.

10/30/2018; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

73. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

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

181060

[Settlement of Lawsuit - Philadelphia Indemnity Insurance Company - \$780,000]

Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against the Philadelphia Indemnity Insurance Company for \$780,000; the lawsuit was filed on October 2, 2015, in United States District Court, Case No. 15-cv-04557; entitled City and County of San Francisco v. Philadelphia Indemnity Insurance Company; the lawsuit involves a dispute over whether the City is covered under the terms of a commercial liability insurance policy. (City Attorney)

10/26/2018; RECEIVED FROM DEPARTMENT.

11/13/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

181061 [Planning Code - Conversion of Medical Cannabis Dispensary Uses to Cannabis Retail Uses]

Ordinance amending the Planning Code to allow Medical Cannabis Dispensaries (MCDs) with approvals from the Planning Department for a Medical Cannabis Dispensary Use as of January 5, 2018, to apply to convert to Cannabis Retail Uses under the same conditions as MCDs that held valid final permits from Department of Public Health as of January 5, 2018; exempting all such converted Cannabis Retail Uses from otherwise applicable Conditional Use Authorization requirements; clarifying that such Cannabis Retail Uses are not exempted from any minimum radius that is required by a State licensing authority for distance between a Cannabis Retailer and an existing school, day care center or youth center; allowing Equity Program or Equity Incubator Applicants who have MCD applications pending at the Planning Department to apply to convert to Cannabis Retail Uses; exempting such Cannabis Retail Uses from the minimum radius requirements between those establishments and existing Cannabis Retailers and Medical Cannabis Retailers; 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 public necessity, convenience, and welfare findings under Planning Code, Section 302. (City Administrator)

10/29/2018; RECEIVED FROM DEPARTMENT.

11/13/2018; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

PROPOSED RESOLUTIONS

181062 [Lease Agreement - Host International, Inc. - Terminal 1 Food and Beverage Concession - \$475,000 Minimum Annual Guarantee]

Resolution approving the Terminal 1 Food and Beverage Concession Lease 8 - Lease No. 18-0217, between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years with one two-year option to extend, to commence following Board approval, and an initial minimum annual guarantee of \$475,000. (Airport Commission)

11/02/2018; RECEIVED FROM DEPARTMENT.

11/13/2018; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

181063 [Airport Professional Services Agreement Modification - Bombardier Transportation (Holdings) USA, Inc. - Operation and Maintenance Services for the AirTrain System - Not to Exceed \$135,442,464]

Resolution approving Modification No. 5 to Airport Contract No. 8838, AirTrain Operation and Maintenance, with Bombardier Transportation (Holdings) USA, Inc., extending the contract by four months to commence March 1, 2019, through June 30, 2019, and increasing the contract amount by \$5,143,268 for a new total contract amount not to exceed \$135,442,464 pursuant to Charter, Section 9.118(b). (Airport Commission)

10/23/2018; RECEIVED FROM DEPARTMENT.

181064 [Lease Agreement - Bun Mee, LLC - Terminal 1 Food and Beverage Concession - \$365,000 Minimum Annual Guarantee]

Resolution approving the Terminal 1 Food and Beverage Concession Lease 1 - Lease No. 18-0209, between Bun Mee, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years to commence upon Board approval, with one two-year option to extend, and a minimum annual guarantee of \$365,000 for the first year of the Lease. (Airport Commission)

11/02/2018: RECEIVED FROM DEPARTMENT.

11/13/2018; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

181065 [Lease Agreement - SSP America, Inc. - Terminal 1 Food and Beverage Concession - \$365,000 Minimum Annual Guarantee]

Resolution approving the Terminal 1 Food and Beverage Concession Lease 2 - Lease No. 18-0210, between SSP America, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years to commence upon Board approval, with one two-year option to extend, and a minimum annual guarantee of \$365,000 for the first year of the Lease. (Airport Commission)

11/02/2018; RECEIVED FROM DEPARTMENT.

11/13/2018; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

181066 [Lease Agreement - Amy's Kitchen Restaurant Operation Company, LLC - Terminal 1 Food and Beverage Concession - \$475,000 Minimum Annual Guaranteel

Resolution approving the Terminal 1 Food and Beverage Concession Lease 3 - Lease No. 18-0211, between Amy's Kitchen Restaurant Operation Company, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years to commence upon Board approval, with one two-year option to extend, and a minimum annual guarantee of \$475,000 for the first year of the Lease. (Airport Commission)

11/02/2018; RECEIVED FROM DEPARTMENT.

11/13/2018; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

181067 [Lease Agreement - Paradies Lagardere @ SFO 2018 (F&B), LLC - Terminal 1 Food and Beverage Concession - \$600,000 Minimum Annual Guarantee]

Resolution approving the Terminal 1 Food and Beverage Concession Lease 4 - Lease No. 18-0212, between Paradies Lagardere @ SFO 2018 (F&B), LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years to commence upon Board approval, with one two-year option to extend, and a minimum annual guarantee of \$600,000 for the first year of the Lease. (Airport Commission)

11/02/2018; RECEIVED FROM DEPARTMENT.

181068 [Lease Agreement - Tastes On The Fly San Francisco, LLC - Terminal 1 Food and Beverage Concession - \$310,000 Minimum Annual Guarantee]

Resolution approving the Terminal 1 Food and Beverage Concession Lease 5 - Lease No. 18-0213, between Tastes on the Fly, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years with one two-year option to extend, to commence following Board approval, and a minimum annual guarantee of \$310,000 for the first year of the Lease. (Airport Commission)

11/02/2018: RECEIVED FROM DEPARTMENT.

11/13/2018; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

181069 [Lease Agreement - Soaring Food Group, LLC - Terminal 1 Food and Beverage Concession - \$385,000 Minimum Annual Guarantee]

Resolution approving the Terminal 1 Food and Beverage Concession Lease 6 - Lease No. 18-0214, between Soaring Food Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years with one two-year option to extend, to commence following Board approval, and a minimum annual guarantee of \$385,000 for the first year of the Lease. (Airport Commission)

11/02/2018; RECEIVED FROM DEPARTMENT.

11/13/2018; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

181070 [Lease Agreement - Lady Luck Gourmet, LLC - Terminal 1 Food and Beverage Concession - \$240,000 Minimum Annual Guarantee]

Resolution approving the Terminal 1 Food and Beverage Concession Lease 7 - Lease No. 18-0215, between Lady Luck Gourmet, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years with one two-year option to extend, to commence following Board approval, and a minimum annual guarantee of \$240,000 for the first year of the Lease. (Airport Commission)

11/02/2018; RECEIVED FROM DEPARTMENT.

11/13/2018; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

181071 [Lease Agreement - SF Foodways, LLC - Terminal 1 Food and Beverage Concession - \$620,000 Minimum Annual Guarantee]

Resolution approving the Terminal 1 Food and Beverage Concession Lease 9 - Lease No. 18-0216, between SF Foodways, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years with one two-year option to extend, to commence following Board approval, and a minimum annual guarantee of \$620,000 for the first year of the Lease. (Airport Commission)

11/02/2018; RECEIVED FROM DEPARTMENT.

181072 [Prevailing Wage Rates - Various Workers Performing Work in Connection with City Contracts or Property]

Resolution fixing prevailing wage rates for 1) workers performing work under City contracts for public work and improvement; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City: 4) workers engaged in theatrical or technical services for shows on property owned by the City: 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; 6) workers performing moving services under City contracts at facilities owned or leased by the City: 7) workers engaged in exhibit, display, or trade show work at special events on property owned by the City; 8) workers engaged in broadcast services on property owned by the City; 9) workers engaged in loading or unloading into or from a commercial vehicle on City property of materials, goods, or products in connection with a show or special event, or engaged in driving a commercial vehicle into which or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event; 10) workers engaged in security guard services under City contracts or at facilities or on property owned or leased by the City; and 11) motor bus service contracts. (Civil Service Commission)

11/02/2018; RECEIVED FROM DEPARTMENT.

11/13/2018; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

181073 [Contract Amendment - Toyon Associates, Inc. - Not to Exceed \$10,051,977]

Resolution retroactively approving an Amendment No. 2 to the contract between the Department of Public Health and Toyon Associates, Inc., to provide regulatory reporting/reimbursement and revenue optimization services, to increase the agreement amount by \$5,055,360 for an amount not to exceed \$10,051,977, and extend the term by four years from March 31, 2018, for a total eight-year term of April 1, 2014, through March 31, 2022. (Public Health Department)

10/29/2018; RECEIVED FROM DEPARTMENT.

11/13/2018; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

181074 [Agreement Amendment - Health RIGHT 360 - Behavioral Health Fiscal Intermediary Services - Not to Exceed \$79,058,563]

Resolution approving an Amendment No. 3 to the agreement between Health RIGHT 360 and the Department of Public Health, for behavioral health fiscal intermediary services, to increase the agreement amount by \$16,260,767 for an amount not to exceed \$79,058,563 and extend the term by five years from December 31, 2018, for a total agreement term of January 1, 2014, through December 31, 2023. (Public Health Department)

11/05/2018; RECEIVED FROM DEPARTMENT.

181075 [Agreement Amendment - Progress Foundation - Behavioral Health Services - Not to Exceed \$94,523,518]

Resolution approving an Amendment No. 1 to the agreement between the Progress Foundation and the Department of Public Health, for behavioral health services, to increase the agreement amount by \$84,877,827 for an amount not to exceed \$94,523,518, and extend the term by four years from December 31, 2018, for a total agreement term of July 1, 2018, through December 31, 2022. (Public Health Department)

11/05/2018; RECEIVED FROM DEPARTMENT.

181076 [Petitions and Communications]

Petitions and Communications received from October 22, 2018, through November 5, 2018, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 13, 2018.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Ethics Commission, pursuant to Charter, Section 15.102 submitting recently adopted Rules and Regulations from the October 19, 2018, meeting. Copy: Each Supervisor. (1)

From the Office of the City Administrator, pursuant to Administrative Code, Section 104.8, submitting a report on Sexual Orientation and Gender Identity. Copy: Each Supervisor. (2)

From West Area California Public Utilities Commission, submitting CPUC Notification regarding Verizon Wireless Haight Ashbury 015. Copy: Each Supervisor. (3)

From California Fish and Game, submitting a Notice of Receipt of Petition to list Northern California summer steelhead as endangered under the California Endangered Species Act. Copy: Each Supervisor. (4)

From the San Francisco Bicycle Advisory Committee, submitting a Resolution regarding Autonomous Vehicle Technology Street Safety and Liability. Copy: Each Supervisor. (5)

From Judge Quentin L. Kopp, regarding the Transbay Transit Center. Copy: Each Supervisor. (6)

From Allen Jones, regarding San Francisco owing Oakland an apology, and a holiday hunger strike. 3 letters. Copy: Each Supervisor. (7)

From Glenn Urban, regarding construction on Van Ness Avenue. Copy: Each Supervisor. (8)

From San Francisco Chamber of Commerce, regarding the proposed legislation to prohibit employee cafeterias. File No. 180777. Copy: Each Supervisor. (9)

From Aaron Goodman, regarding the San Francisco Municipal Transportation Agency. Copy: Each Supervisor. (10)

From Michael Janis, regarding the Refuse Separation Compliance Legislation. File No. 180646. Copy: Each Supervisor. (11)

From Peter Cohen and Fernando Martí, Co-Directors of the Council of Community Housing Organizations, regarding the Minimum Compensation Ordinance. 2 letters. File No. 180936. Copy: Each Supervisor. (12)

From Donna Williams, regarding needles, drug use and trash in San Francisco. Copy: Each Supervisor. (13)

From Barbara DeMaria, regarding a proposed Navigation Center in District 3. Copy: Each Supervisor. (14)

From concerned citizens, regarding the demolishment of Willis Polk residence. 2 letters. Copy: Each Supervisor. (15)

From Susan Anthony, Administrator of M.R. Wolfe & Associates, P.C., regarding the Central SoMa Plan and EIR. Copy: Each Supervisor. (16)

From concerned citizens, regarding taxi medallions. Copy: Each Supervisor. (17)

From concerned citizens, regarding transit only lanes. Copy: Each Supervisor. (18)

From concerned citizens, regarding the Bay-Delta Plan. File No. 181014. 21 letters. Copy Each Supervisor. (19)

ADJOURNMENT