

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 11, 2018 - 2:00 PM

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

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Cohen, Fewer, Stefani

Budget and Finance Federal Select Committee
Supervisors Cohen, Fewer, Tang

Government Audit and Oversight Committee
Supervisors Kim, Peskin, Brown

Land Use and Transportation Committee
Supervisors Tang, Kim, Safai

Public Safety and Neighborhood Services Committee
Supervisors Mandelman, Ronen, Peskin

Rules Committee
Supervisors Safai, Yee, Stefani

Meeting Days

Thursday
10:00 AM

2nd and 4th Thursday
1:15 PM

1st and 3rd Wednesday
10:00 AM

Monday
1:30 PM

2nd and 4th Wednesday
10:00 AM

Wednesday
10:00 AM

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

Members Present: Vallie Brown, Malia Cohen, Sandra Lee Fewer, Jane Kim, Rafael Mandelman, Aaron Peskin, Hillary Ronen, Ahsha Safai, Catherine Stefani, Katy Tang, and Norman Yee

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, September 11, 2018, with President Malia Cohen presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Cohen called the meeting to order at 2:02 p.m. On the call of the roll, Supervisor Kim was noted not present. There was a quorum.

Supervisor Kim was noted present at 2:05 p.m.

COMMUNICATIONS

There were no communications.

AGENDA CHANGES

There were no agenda changes.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

180875 [Formal Policy Discussions - September 11, 2018]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall discuss the following eligible topics submitted from the Supervisor representing District 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed two minutes per question or answer.

1. Housing Production and Accessory Dwelling Units

Mayor London Breed addressed the Board of Supervisors and discussed the above referenced topic submitted by the District 10 Supervisor. President Cohen began the discussions by asking the following question(s): What can the city, and you as Mayor do to encourage development of these units (Accessory Dwelling Units) and get them on-line? Mayor Breed provided answers related to the topic. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Government Audit and Oversight 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 Martin Marcos 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)

PASSED ON FIRST READING

180771 [Settlement of Unlitigated Claim - Expa, LLC - \$32,120.34]

Resolution approving the settlement of the unlitigated claim filed by Expa, LLC against the City and County of San Francisco for \$32,120.34; the claim was filed on December 15, 2017; the claim involves a refund of gross receipts taxes. (City Attorney)

Resolution No. 297-18

ADOPTED

Recommendations of the Land Use and Transportation Committee

180053 [Planning Code - Massage Establishments - Union Street Neighborhood Commercial District]

Sponsor: Stefani

Ordinance amending the Planning Code to conditionally permit Massage Establishments, as defined, in the Union Street Neighborhood Commercial District; 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 findings of public convenience, necessity, and welfare under Planning Code, Section 302.

Ordinance No. 219-18

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

Severed from the Consent Agenda

Supervisor Kim requested that File No. 180364 be severed so that it may be considered separately.

180364 [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.

Supervisor Kim, seconded by Supervisor Ronen, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to September 18, 2018. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

REGULAR AGENDA**NEW BUSINESS****Referred Without Recommendation from the Government Audit and Oversight Committee****180425 [Tourism Improvement District and Moscone Expansion District - Annual Report - FY2016-2017]**

Sponsor: Mayor

Resolution receiving and approving the annual report for the Tourism Improvement District and Moscone Expansion 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.

Resolution No. 295-18

ADOPTED by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

Recommendations from the Government Audit and Oversight Committee

180768 [Memorandum of Understanding - California Automated Consortium Eligibility System - Welfare Client Data System Consortium - Shared Services Approval]

Resolution approving certification of the memorandum between the California Automated Consortium Eligibility System and Welfare Client Data System Consortium for the provision of procurement and implementation of shared services which would facilitate the move toward a single statewide-automated welfare system. (Human Services Agency)
(Fiscal Impact)

Resolution No. 296-18

ADOPTED by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

180786 [Petitions for City Parcels - Proposed SoMa West Community Benefit District]

Sponsor: Kim

Resolution authorizing the Mayor to sign petitions in the affirmative for the proposed formation of a property and business improvement district to be named the SoMa West Community Benefit District, with respect to certain parcels of real property owned by the City that would be subject to assessment in said district.

Resolution No. 299-18

ADOPTED by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

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

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

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

President Cohen introduced, welcomed, and presented a Certificate of Honor to Reverend Lyle Beckman of the Night Ministry in recognition of his accomplishments and retirement.

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Dana Van Gorder in recognition of his accomplishments and continued support to the LGBT community.

Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to Raymond Li in recognition of his retirement after 45 years of service to the Chinatown community.

President Cohen welcomed the friends and family of Joseph "Jungle" Taeotui and presented a posthumous Certificate of Honor in remembrance of Mr. Taeotui's accomplishments in the community and work with the Street Violence Prevention Program.

Appointment of President Pro Tempore

At the request of President Cohen, Supervisor Yee assumed the chair at 2:41 p.m. so the President could present a Certificate of Honor to Reverend Lyle Beckman. The President resumed the chair at 2:47 p.m.

At the request of President Cohen, Supervisor Yee assumed the chair at 3:08 p.m. so the President could present a posthumous Certificate of Honor to Joe Taotui. The President resumed the chair at 3:13 p.m.

SPECIAL ORDER 3:00 P.M.

President Cohen requested File Nos. 180651, 180652, 180653, and 180654 be called together.

180651 [Hearing - Appeal of Final Environmental Impact Report Certification - Central SoMa Plan]

Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for the proposed Central SoMa Plan identified in Planning Case No. 2011.1356E, issued by the Planning Commission through Motion No. 20182 dated May 10, 2018. (District 6) (Appellants: Richard Drury, of Lozeau Drury LLP on behalf of Central SoMa Neighbors and SFBlu; Angelica Cabande for the South of Market Community Action Network (SOMCAN); John Elberling for the Yerba Buena Neighborhood Consortium; Phillip Babich of Reed Smith LLP, on behalf of One Vassar, LLC) (First appeal filed on June 8, 2018, and the subsequent three appeals filed on June 11, 2018.) (Clerk of the Board)

President Cohen opened the public hearing and provided opening remarks, background information regarding this project, and indicated they would be making a motion to continue these matters to a later date. President Cohen asked if any individual wished to address the Board regarding the anticipated continuance. Laura Clark; Scott Feeney; Nico Nagle; Speaker; Jenna Carniaga; Speaker; Speaker; spoke on various concerns related to the proposed continuance. There were no other speakers. President Cohen closed public comment on the proposed continuance.

Supervisor Kim, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of September 25, 2018. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

180652 [Affirming the Final Environmental Impact Report Certification - Central SoMa Plan]

Motion affirming the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed Central SoMa Plan. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 25, 2018. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

180653 [Conditionally Reversing the Final Environmental Impact Report Certification - Central SoMa Plan]

Motion conditionally reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed Central SoMa Plan, subject to the adoption of written findings of the Board of Supervisors in support of this determination. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 25, 2018. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

180654 [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - Central SoMa Plan]

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 Central SoMa Plan. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Peskin, moved that this Motion be CONTINUED to the Board of Supervisors meeting of September 25, 2018. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

SPECIAL ORDER 3:00 P.M.

President Cohen requested File Nos. 180791, 180773, and 180781 be called together.

Board of Supervisors Sitting as a Committee of the Whole

180791 [Hearing - Committee of the Whole - Sub-Project Areas G-2, G-3, and G-4 - Infrastructure Financing District No. 2 (Port of San Francisco, Pier 70) - September 11, 2018]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on September 11, 2018, at 3:00 p.m., to hold a public hearing to consider the following to establish Sub-Project Area G-2 (Pier 70 - 28-Acre Site), Sub-Project Area G-3 (Pier 70 - 28-Acre Site) and Sub-Project Area G-4 (Pier 70 - 28-Acre Site) within Sub-Project Area G (Pier 70) of Infrastructure Financing District No. 2 (Port of San Francisco); an Ordinance establishing Sub-Project Area G-2, Sub-Project Area G-3 and Sub-Project Area G-4 of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco); affirming the Planning Department's determination and making findings under the California Environmental Quality Act; and approving other matters in connection therewith (File No. 180773); and a Resolution approving issuance of Bonds in an amount not to exceed \$273,900,000, \$196,100,000 and \$323,300,000 for Sub-Project Area G-2, Sub-Project Area G-3 and Sub-Project Area G-4, respectively, of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco); approving Indentures of Trust and Pledge Agreements; and approving other matters in connection therewith (File No. 180781); scheduled pursuant to Resolution No. 232-18, approved on July 24, 2018. (Clerk of the Board)

President Cohen opened the public hearing and provided opening remarks and background information regarding the Infrastructure Financing District. The President further inquired as to whether any individual wished to address the Board Supervisors. Brad Benson (Port of San Francisco); Severin Campbell (Office of the Budget and Legislative Analyst); provided an overview of the Infrastructure Financing District and responded to questions raised throughout the discussion. Speaker; Ace Washington; Tom Gilbert; spoke in opposition to the district. There were no other speakers. President Cohen closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

Committee of the Whole Adjourn and Report

180773 [Establishing Sub-Project Areas G-2, G-3 and G-4 and Adopting Appendix G-2 to Infrastructure Financing Plan (Port of San Francisco, Pier 70)]

Sponsors: Mayor; Cohen

Ordinance establishing Sub-Project Area G-2, Sub-Project Area G-3 and Sub-Project Area G-4 of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco, Pier 70); affirming the Planning Department's determination and making findings under the California Environmental Quality Act; and approving other matters in connection therewith. (Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

180781 [Authorizing Issuance of Port Infrastructure Financing District Bonds (Port of San Francisco, Pier 70) - Not to Exceed \$273,900,000, \$196,100,000 and \$323,300,000 for Sub-Project Area G-2, Sub-Project Area G-3, and Sub-Project Area G-4, Respectively]

Sponsors: Mayor; Cohen, Ronen, Kim and Brown

Resolution approving issuance of Bonds in an amount not to exceed \$273,900,000, \$196,100,000 and \$323,300,000 for Sub-Project Area G-2, Sub-Project Area G-3 and Sub-Project Area G-4, respectively, of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco, Pier 70); approving Indentures of Trust and Pledge Agreements; and approving other matters in connection therewith.

(Fiscal Impact)

Resolution No. 298-18

ADOPTED by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

SPECIAL ORDER 3:00 P.M.

President Cohen requested File Nos. 180792, 180779, 180780, 180783, 180784, 180772, and 180782 be called together.

Board of Supervisors Sitting as a Committee of the Whole

180792 [Hearing - Committee of the Whole - Infrastructure and Revitalization Financing District No.2 (Hoedown Yard, Pier 70) - October 16, 2018]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on September 11, 2018, at 3:00 p.m., to hold a public hearing to consider the following to form Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard): a Resolution proposing adoption of the Infrastructure Financing Plan and formation of the Infrastructure and Revitalization Financing District (File No. 180779); a Resolution approving the Infrastructure and Revitalization Financing Plan (File No. 180780); a Resolution calling a special election for the Infrastructure and Revitalization Financing District (File No. 180783); a Resolution declaring results of the special election (File No. 180784); an Ordinance forming the Infrastructure and Revitalization Financing District, and adopting an Infrastructure Financing Plan for such district (180772); and a Resolution authorizing issuance of bonds for the Infrastructure and Revitalization Financing District and project areas therein, in an aggregate principal amount not to exceed \$91,900,000 (File No. 180782); scheduled pursuant to Resolution No. 234-18, approved on July 24, 2018. (Clerk of the Board)

President Cohen opened the public hearing and provided opening remarks and background information regarding the Infrastructure and Revitalization Financing District. The President further indicated she would be entertaining a motion to continue these matters to a later date, and asked if any individual wished to address the Board regarding the anticipated continuance. Speaker; Ace Washington; spoke on various concerns related to the proposed continuance. There were no other speakers. President Cohen closed public comment on the proposed continuance.

Supervisor Yee, seconded by Supervisor Safai, moved that this Hearing be CONTINUED to the Board of Supervisors meeting of October 16, 2018. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

Committee of the Whole Adjourn and Report

180779 [Proposing Adoption of Infrastructure Financing Plan - Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70)]

Sponsors: Mayor; Cohen

Resolution proposing adoption of the Infrastructure Financing Plan and formation of City and County of San Francisco Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70); providing for future annexation; determining other matters in connection therewith; and affirming the Planning Department's determination, and making findings under the California Environmental Quality Act.

(Fiscal Impact)

Supervisor Yee, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to October 16, 2018. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

180780 [Approving Infrastructure and Revitalization Financing Plan - Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70)]

Sponsors: Mayor; Cohen

Resolution approving the Infrastructure Financing Plan for City and County of San Francisco Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70); determining other matters in connection therewith; and affirming the Planning Department's determination, and making findings under the California Environmental Quality Act.

(Fiscal Impact)

Supervisor Yee, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 16, 2018. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

180783 [Resolution Calling a Special Election Related to Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70)]

Sponsors: Mayor; Cohen

Resolution calling a special election for City and County of San Francisco Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70); determining other matters in connection therewith; and affirming the Planning Department's determination, and making findings under the California Environmental Quality Act.

Supervisor Yee, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 16, 2018. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

180784 [Resolution Declaring Results of Special Election Related to Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70)]

Sponsors: Mayor; Cohen

Resolution declaring results of special elections for City and County of San Francisco Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70); determining other matters in connection therewith; and affirming the Planning Department's determination, and making findings under the California Environmental Quality Act.

Supervisor Yee, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 16, 2018. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

180772 [Creating Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70) - Adopting an Infrastructure Financing Plan]**Sponsors: Mayor; Cohen**

Ordinance creating City and County of San Francisco Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70); affirming the Planning Department's determination and making findings under the California Environmental Quality Act; and approving other matters in connection therewith.

(Fiscal Impact)

Supervisor Yee, seconded by Supervisor Safai, moved that this Ordinance be CONTINUED to the Board of Supervisors meeting of October 16, 2018. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

180782 [Authorizing Issuance of Bonds Related to Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70) - Not to Exceed \$91,900,000]**Sponsors: Mayor; Cohen**

Resolution authorizing issuance of bonds for City and County of San Francisco Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70) therein in an aggregate principal amount not to exceed \$91,900,000; affirming the Planning Department's determination, and making findings under the California Environmental Quality Act; and approving other matters in connection therewith.

(Fiscal Impact)

Supervisor Yee, seconded by Supervisor Safai, moved that this Resolution be CONTINUED to the Board of Supervisors meeting of October 16, 2018. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

COMMITTEE REPORTS

Recommendations of the Budget and Finance Committee

180584 [Planning Code - Fees for Certain Permits and Transportation Analysis]**Sponsor: Mayor**

Ordinance amending the Planning Code and the fees set forth in Ordinance No. 149-16 to clarify the fees applicable to projects with no or very low construction cost and to change the fees for transportation analysis; and affirming the Planning Department's determination under the California Environmental Quality Act, making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Brown, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

Absent: 1 - Cohen

President Cohen, seconded by Supervisor Ronen, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

180797 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2018-2019]**Sponsor: Cohen**

Ordinance levying property taxes at a combined rate of \$1.1630 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District; and establishing a pass-through rate of \$0.0675 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2019.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Brown, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

Absent: 1 - Cohen

President Cohen, seconded by Supervisor Ronen, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

Appointment of President Pro Tempore

At the request of President Cohen, Supervisor Yee assumed the chair at 3:18 p.m. so the President could participate in the debate on File Nos. 180845 and 180846.

At the request of Acting Chair Yee, Supervisor Tang assumed the chair at 3:45 p.m. The President resumed the chair at 3:54 p.m.

Recommendations of the Rules Committee

Acting Chair Yee requested File Nos. 180845 and 18046 be called together.

180845 [Mayoral Appointment, Police Commission - Damali Taylor]

Motion approving/rejecting the Mayor's nomination for the appointment of Damali Taylor to the Police Commission, for a term ending April 30, 2022. (Clerk of the Board) (Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: August 29, 2018.)

Privilege of the floor was granted unanimously to Damali Taylor, Dion Jay Brookter, and Jon Givner (Office of the City Attorney), who responded to questions raised throughout the discussion on File Nos. 180845 and 180846.

Motion No. M18-117

APPROVED by the following vote:

Ayes: 10 - Brown, Cohen, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

Noes: 1 - Fewer

180846 [Mayoral Appointment, Police Commission - Dion Jay Brookter]

Motion approving/rejecting the Mayor's nomination for the appointment of Dion Jay Brookter to the Police Commission, for a term ending April 30, 2022. (Clerk of the Board)

(Charter, Section 4.109, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: August 29, 2018.)

Privilege of the floor was granted unanimously to Damali Taylor, Dion Jay Brookter, and Jon Givner (Office of the City Attorney), who responded to questions raised throughout the discussion on File Nos. 180845 and 180846.

Motion No. M18-118

APPROVED by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Speaker; shared concerns regarding affordable housing and homelessness.

Speaker; shared various religious concerns.

Ace Washington; shared various concerns regarding the city.

Bradly Wheatmire; shared concerns related to the Minimum Compensation Ordinance and the lack of a living wages.

Rudy Gonzales; shared concerns related to the Minimum Compensation Ordinance and the lack of a living wages.

Tim Paulson (Building Trade Council); shared concerns related to the Minimum Compensation Ordinance and the lack of a living wages.

David Cam (Local 1021); shared concerns related to the Minimum Compensation Ordinance and the lack of a living wages.

David Won; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Allison Owens; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Ms. McQueen; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Crystal Fryer; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Ms. Lopez; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Ivory Evans; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Versilo Caso; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Speaker; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Lisa Van Sever; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Ms. Divers; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

James Ellison; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Rebeca McMurry; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Ms. Latano; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Cindy Bagel; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Linda; shared concerns related to Kaiser's outsourcing of parking and shuttle employees.

Carl Cramer (Living Wage Coalition); shared concerns related the lack of a living wage and the loss of experienced workers.

Alice Winstrom; read a letter regarding Minimum Compensation Ordinance and the lack of a living wages.

David Williams (Local 1021); shared concerns related to the Minimum Compensation Ordinance and the lack of a living wage.

Alice Rogoth; shared concerns related to the Minimum Compensation Ordinance and the lack of a living wage.

Ann Jane (Living Wage Coalition); shared concerns related to the Minimum Compensation Ordinance and the lack of a living wage.

Tom Gilberti; shared concerns related to the Minimum Compensation Ordinance, the lack of a living wages and other various issues.

Speaker; shared concerns regarding discrimination against various parties and canine killing in China.

Ellen Tsang; shared concerns regarding Building Commission member qualifications and decision making ability.

Winship Hillier; shared concerns related to outpatient treatment, the Patriot Act and other various issues.

Supervisor Peskin was noted absent at 5:15 p.m. and for the remainder of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

180872 [Dr. Raymond Li Day - September 10, 2018]

Sponsor: Peskin

Resolution declaring September 10, 2018, as Dr. Raymond Li Day in the City and County of San Francisco.

Resolution No. 300-18

ADOPTED

180880 [Approval of a 120-Day Extension for Planning Commission Review of Planning Code, Zoning Map - Rezoning, Preservation Designation - 175 Golden Gate Avenue (File No. 180645)]

Sponsor: Kim

Resolution extending by 120 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 180645) amending the San Francisco Planning Code and Zoning Map to rezone the building at 175 Golden Gate Avenue (De Marillac Academy), Assessor's Parcel Block No. 0349, Lot No. 011, from RC-4 (Residential-Commercial, High Density) to C-3-G (Commercial, Downtown General); designating the building for preservation purposes as a Category III, Contributory Building; 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.

Resolution No. 301-18

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Brown, Cohen, Fewer, Kim, Mandelman, Ronen, Safai, Stefani, Tang, Yee

Absent: 1 - Peskin

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

ORDINANCES

180890 [Administrative Code - Seismic Safety Retrofit and Affordable Housing Loan Program]

Sponsors: Mayor; Peskin

Ordinance amending Chapter 66 and deleting Chapter 66A of the Administrative Code to conform to the recent passage by the voters on November 8, 2016, of Proposition C, a measure entitled "Loans to Finance Acquisition and Rehabilitation of Affordable Housing," and to otherwise conform such sections to current practices and make technical corrections.

09/11/18; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/11/2018.

180854 [Summary Street Vacation, New Sidewalks, and Property Transfer - Michigan Street]

Sponsor: Cohen

Ordinance ordering the summary street vacation of portions of Michigan Street generally along Assessor's Parcel Block No. 4110, Lot No. 001, and Block No. 4111, Lot No. 004; quitclaiming the City's interest in certain portions of Michigan Street to the Port; establishing new official sidewalks on Michigan Street by amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks;" accepting a Public Works Order concerning the street vacation and establishment of new sidewalks; waiving the provisions of Administrative Code, Chapter 23, for interdepartmental transfer of property; authorizing official acts in connection with this Ordinance, as defined herein; affirming the Planning Department's determination under the California Environmental Quality Act; and adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/04/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/4/2018.

09/11/18; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

180891 [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.

09/11/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/11/2018.

180892 [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.

09/11/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/11/2018.

180893 [Administrative Code - Exempting Certain Municipal Transportation Agency Projects From Fiscal Feasibility Ordinance]**Sponsor: Peskin**

Ordinance amending the Administrative Code to exempt from the Fiscal Feasibility Ordinance capital improvement projects under the jurisdiction of the San Francisco Municipal Transportation Agency that will support an increase or improvement in Municipal Railway service.

09/11/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/11/2018.

180646 [Environment Code - Refuse Separation Compliance]**Sponsors: Safai; Tang**

Ordinance amending the Environment Code to require audits every 30 months of large refuse generators for compliance with refuse separation requirements; to establish enforcement measures applicable to large refuse generators found noncompliant; and affirming the Planning Department's determination under the California Environmental Quality Act.

06/12/18; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 7/12/2018.

06/19/18; REFERRED TO DEPARTMENT.

07/03/18; RESPONSE RECEIVED.

07/19/18; TRANSFERRED to Land Use and Transportation Committee.

09/11/18; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

RESOLUTIONS

180894 [Apply for Grant Application - Alternative Process County Designation - California Department of Housing and Community Development - No Place Like Home Program]**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the California Department of Housing and Community Development No Place Like Home Program which provides funding for counties to develop multifamily housing specifically for persons with serious mental illness who are homeless, chronically homeless, or at-risk of chronic homelessness. (Mayor's Office of Housing and Community Development)

09/11/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180895 [Apply for Grant Application - Health Resources Services Administration - Ryan White Act HIV/AIDS Emergency Relief Grant Program - \$16,202,223]**Sponsors: Mayor; Mandelman**

Resolution authorizing the Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program grant from the Health Resources Services Administration; and requesting \$16,202,223 in HIV Emergency Relief Program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2019, through February 28, 2020.

09/11/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180896 [Apply for Grant Application - Centers for Disease Control and Prevention - Integrated HIV Surveillance and Prevention Programs for Health Departments - \$7,008,377]**Sponsors: Mayor; Mandelman**

Resolution authorizing the Department of Public Health to submit a one-year application for calendar year 2019 to continue to receive funding for the Integrated HIV Surveillance and Prevention Programs for Health Departments grant from the Centers for Disease Control and Prevention, requesting \$7,008,377 in HIV prevention funding for the period of January 1, 2019, through December 31, 2019. (Public Health Department)

09/11/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180897 [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)

09/11/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180898 [Multifamily Housing Revenue Bonds - 711 Eddy Street (Eastern Park Apartments) - Not to Exceed \$95,000,000]**Sponsor: Kim**

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$95,000,000 for 711 Eddy Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$95,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

09/11/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180899 [Contract Approval - Alstom Transportation, Inc. - Vendor Managed Inventory Services - Not to Exceed \$62,456,000]**Sponsor: Tang**

Resolution approving San Francisco Municipal Transportation Agency ("SFMTA") Contract No. SFMTA 2018-37 with Alstom Transportation, Inc., for Vendor Managed Inventory services to manage and supply parts for the SFMTA rail fleet maintenance program for a total term of three years, to commence upon approval by the Board of Supervisors and subject to the Controller's certification of funds availability, with two two-year options to extend, to be exercised at the sole discretion of the Director of Transportation, for an amount not to exceed \$62,456,000.
(Fiscal Impact)

09/11/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180900 [Urging Kaiser Permanente to Protect Its Messenger Driver, Parking Attendant, Licensed Vocational Nurse, and Department Secretary Employees From Being Outsourced]**Sponsors: Yee; Fewer, Mandelman, Kim, Ronen, Peskin, Safai, Brown and Stefani**

Resolution urging Kaiser Permanente to protect its messenger driver, parking attendant, licensed vocational nurse, and department secretary employees from being outsourced.

09/11/18; RECEIVED AND ASSIGNED to Rules Committee.

MOTION

180884 [Mayoral Appointment, Entertainment Commission - Lieutenant David Falzon]

Motion approving/rejecting the Mayor's nomination of Lieutenant David Falzon to the Entertainment Commission, term ending July 1, 2022. (Clerk of the Board)
(Charter, Section 4.117, provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days from the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved. Transmittal date: September 4, 2018.)

09/07/18; RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

180901 [Hearing - Police Department's and San Francisco Unified School District's Protocols When Minors Are Questioned and Apprehended by Law Enforcement]**Sponsors: Ronen; Safai and Cohen**

Hearing on the Police Department's and San Francisco Unified School District's current protocols and policies where students are questioned and arrested at their school site, as well as when they are in police custody, particularly relating to parental noticing, student privacy, and school safety; and requesting the Police Department and San Francisco Unified School District to report.

09/11/18; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

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**180847 [Settlement of Lawsuit - Nikolas P. Lemos - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by Nikolas P. Lemos against the City and County of San Francisco for \$100,000; the lawsuit was filed on February 16, 2017, in San Francisco Superior Court, Case No. CGC 17-557100; entitled Nikolas P. Lemos v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

08/31/18; RECEIVED FROM DEPARTMENT.

09/11/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180848 [Settlement of Lawsuit - Quincy Lewis - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Quincy Lewis against the City and County of San Francisco for \$60,000; the lawsuit was filed on November 2, 2017, in United States District Court, Case No. 17-cv-06405; entitled Quincy Lewis v. City and County of San Francisco, et al.; the lawsuit involves alleged civil rights violation. (City Attorney)

08/31/18; RECEIVED FROM DEPARTMENT.

09/11/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**180849 [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)

08/30/18; RECEIVED FROM DEPARTMENT.

09/11/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/11/2018.

180850 [Agreements - Connection of City Solar Projects with Pacific Gas and Electric Company - Public Utilities Commission]

Ordinance authorizing the Director of Transportation of the Municipal Transportation Agency (MTA) and the General Manager of the Public Utilities Commission (PUC) to enter into interconnection agreements with Pacific Gas and Electric Company (PG&E) for a solar power project at the MTA's Field Operations Facility for a term in excess of ten years; authorizing the PUC's General Manager to enter into an interconnection agreement for Burton High School for a term in excess of ten years; delegating authority to the PUC's General Manager, the MTA's Director of Transportation, and the heads of the San Francisco International Airport, Port of San Francisco, Fire Department, Police Department, Department of Public Health, Real Estate Division, and Recreation and Park Department, or their respective designees, to enter into form interconnection agreements for solar projects with PG&E for terms in excess of ten years, subject to specified conditions; and authorizing deviations from certain otherwise applicable contract requirements in the Administrative Code and the Environment Code, as defined herein. (Public Utilities Commission)

08/31/18; RECEIVED FROM DEPARTMENT.

09/11/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/11/2018.

PROPOSED RESOLUTIONS

180851 [Agreements - AECOM Technical Services, Inc., Applied Technology & Science, Avila & Associates Consulting Engineers, Inc. - Specialized and Technical Services for Natural Resources and Watershed Management and Monitoring - Not to Exceed \$14,000,000 Each]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Agreements with AECOM Technical Services, Inc., Applied Technology & Science, and Avila & Associates Consulting Engineers, Inc. for Specialized and Technical Services for Natural Resources and Watershed Management and Monitoring, each with an agreement amount not to exceed \$14,000,000 for a total of \$42,000,000 and each with a term not to exceed ten years, for the period of January 1, 2019, through January 1, 2029, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)
(Fiscal Impact)

08/30/18; RECEIVED FROM DEPARTMENT.

09/11/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

180852 [Contribution Agreement - United Airlines, Inc. - Airport Infrastructure Project - \$6,250,000]

Resolution approving a Contribution Agreement between United Airlines, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, providing for a financial contribution by United Airlines, Inc., in the amount of \$6,250,000 toward design, acquisition, construction and installation of 400 Hz generators and pre-conditioned air units for ten remain overnight aircraft parking positions on Plots 40 and 41 at the San Francisco International Airport, to commence upon approval by the Board of Supervisors, and ending no later than the end date of the 20-year useful life of the equipment purchased under the Contribution Agreement; and making environmental findings under the California Environmental Quality Act. (Airport Commission)

08/29/18; RECEIVED FROM DEPARTMENT.

09/11/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

*Stephen Kendrick - Supervisor Stefani
Michael Painter - Supervisor Stefani
Joe Taeotui - Board President Cohen and Entire Board
Joe Rosenblatt - Supervisor Peskin
Michael Wong - Supervisor Peskin*

ADJOURNMENT

There being no further business, the Board adjourned at the hour 5:35 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 16, 2018.

Angela Calvillo, Clerk of the Board