

# Board of Supervisors



City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689  
Tel. No. 554-5184  
TDD No. 554-5227

## Legislation Introduced at Roll Call

Tuesday, October 16, 2018

### Introduced by a Supervisor or the Mayor

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

### CHARTER AMENDMENT

#### 181001 [Charter Amendment - Free City College Fund]

**Sponsors:** Kim; Mandelman

Charter Amendment (First Draft) to establish the Free City College Fund to defray certain costs of City College students, and to require annual appropriations in designated amounts to the Fund; at an election to be held on November 5, 2019. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

### ORDINANCES

#### 181002 [Police Code - Prohibiting Criminal History Inquiries in Private College Admissions]

**Sponsor:** Cohen

Ordinance amending the Police Code to prohibit private post-secondary educational institutions from using an application form that contains questions about an applicant's criminal history, or asking an applicant about criminal history for the purpose of deciding whether to offer admission; requiring educational institutions to retain relevant records for three years; authorizing the Office of Labor Standards Enforcement to investigate possible violations and impose penalties; and providing for a private right of action. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.

- 180914 [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. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.
- 180916 [Planning, Administrative Codes - Zoning Controls and Fees in the C-3-R (Downtown Retail) District]**  
**Sponsor:** Peskin  
Ordinance amending the Planning Code to change zoning controls for Non-Retail Sales and Service Uses in the C-3-R (Downtown Retail) Zoning District; amending the Planning and Administrative Codes to create the Union Square Park, Recreation, and Open Space Fund and Fee; affirming 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 pursuant to Planning Code, Section 302. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.
- 181003 [Administrative Code - Graffiti Advisory Board - Extend Sunset Date and Annual Report]**  
**Sponsor:** Safai  
Ordinance amending the Administrative Code to extend the sunset date of the Graffiti Advisory Board for three years to March 1, 2022, and to require the Advisory Board to submit annual rather than biannual reports to the Mayor and Board of Supervisors. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 181004 [Environment Code - Single-Use Food Ware Plastics, Toxics, and Litter Reduction]**  
**Sponsor:** Tang  
Ordinance amending the Environment Code to require 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. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

**180217 [Administrative Code - Dissolving Inactive Advisory Bodies - Reauthorizing and Extending Sunset Date of Workforce Community Advisory Committee and Committee on City Workforce Alignment]**

Ordinance amending the Administrative Code to dissolve the Wage Theft Task Force and Surplus Property Citizens' Advisory Committee; and to reauthorize the Workforce Community Advisory Committee and the Committee on City Workforce Alignment, and extend their sunset dates to June 30, 2019. (Clerk of the Board). SUBSTITUTED AND ASSIGNED to Rules Committee.

**RESOLUTIONS**

**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). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**181006 [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 a loan agreement; authorizing the collection 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. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**181007 [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. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 181008 [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. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 181009 [Initiating Landmark Designation - 2 Henry Adams Street (aka Dunham, Carrigan and Hayden Building)]**  
**Sponsor:** Cohen  
Resolution initiating landmark designation under Article 10 of the Planning Code of 2 Henry Adams Street (aka Dunham, Carrigan and Hayden Building), Assessor's Parcel Block No. 3910, Lot No. 001. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 181010 [Sexual Assault Survivor Day - October 6]**  
**Sponsors:** Cohen; Ronen, Tang, Fewer, Brown, Kim, Stefani, Peskin, Mandelman and Yee  
Resolution declaring October 6 as "Sexual Assault Survivor Day" annually in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 181011 [Central Market Community Benefit District - Annual Report - 2016 Calendar Year]**  
**Sponsor:** Kim  
Resolution receiving and approving annual an 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). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 181012 [Non-Renewal of a Mills Act Historical Property Contract - 690 Market Street]**  
**Sponsor:** Peskin  
Resolution regarding non-renewal of a Mills Act historical property contract with RCP LLC, the owner of 690 Market Street, The Chronicle Building, Assessor's Parcel Block No. 311, Lot No. 016 (specifically Assessor's Parcel Block No. 311, Lot Nos. 016-069, 73-74, and 78-79) under Chapter 71 of the San Francisco Administrative Code; notifying the Assessor Recorder's Office of such non-renewal; and authorizing the Planning Director to send notice of the non-renewal of the historical property contract to the owner and record a notice of non-renewal. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 181013 [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). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 181014 [Urging Support of State Water Board Proposed Updates to the 2006 Bay-Delta Plan]**  
**Sponsors:** Peskin; Mandelman, Kim and Brown  
Resolution urging support of State Water Board proposed updates to the 2006 Bay-Delta Plan. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

## **MOTION**

- 180976 [Appointment, Board of Appeals - Rachael Tanner]**  
Motion approving/rejecting the President of the Board of Supervisors Malia Cohen's nomination of Rachael Tanner for appointment to the Board of Appeals, for a term ending July 1, 2022. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

## **REQUESTS FOR HEARING**

- 181015 [Hearing - Allegations of Sexual Harassment and Sex Discrimination in the Fire Department]**  
**Sponsors:** Kim; Peskin, Ronen, Fewer and Cohen  
Hearing to consider the allegations of sexual harassment and sex discrimination in the Fire Department, and the City's policies and practices for responding to such allegations; and requesting the Fire Department and Department of Human Resources to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 181016 [Hearing - Existing Litigation - Samson Lai, et. al.]**  
**Sponsor:** Kim  
Hearing 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 existing litigation in which the City is a defendant; filed on February 21, 2018, in San Francisco Superior Court, Case No. 18-564467; entitled "Samson Lai, et al. v. City and County of San Francisco, et. al.;" the lawsuit involves an employment dispute. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 181017 [Hearing - Anticipated Litigation - Central SoMa Special Tax District]**  
**Sponsor:** Kim  
Hearing for the purpose of conferring with, or receiving advice from, the City Attorney, under California Government Code, Section 54956.9(b), and Administrative Code, Section 67.10(d) (2), regarding anticipated litigation in which the City would be a defendant, based on a significant exposure to litigation regarding the establishment of the Central SoMa Special Tax District. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 181018 [Hearing - Housing Authority, Mayor's Office of Housing and Development - Coordination of Section 8 Program]**  
**Sponsors:** Peskin; Cohen, Yee, Safai, Ronen, Brown, Kim and Stefani  
Hearing to receive the Budget and Legislative Analyst's audit of the Housing Authority and Mayor's Office of Housing and Community Development's coordination, management, and accounting of the Section 8 voucher program; and requesting the Budget and Legislative Analyst, Housing Authority, and Mayor's Office of Housing and Community Development to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**181019 [Hearing - Coordination of Homeless Services Across City Departments]**  
**Sponsor:** Stefani  
Hearing on the coordination of homeless services, including the County's use of Welfare and Institutions Code, Section 5150, across City departments; to identify potential gaps in coordinating services for homeless individuals with substance abuse and mental health challenges in order to prevent them from ending up back on the street after entering service providers; and requesting the Department of Homelessness and Supportive Housing, Department of Public Health, and Police Department to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**181020 [Hearing - Committee of the Whole - Administrative Code - Increasing the Minimum Compensation Hourly Rate - October 23, 2018]**  
Hearing of the Board of Supervisors to sit as a Committee of the Whole on October 23, 2018, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance (File No. 170538) amending the Administrative Code to increase, on July 1, 2019, the minimum hourly compensation rate for employees under contracts with Nonprofit Corporations to \$16.00 plus an amount corresponding to the prior year's increase, if any, in the Consumer Price Index, and followed thereafter by annual cost-of-living increases; to increase the minimum hourly compensation rate for employees under contracts with public entities to \$17.00 on the 60th day following enactment of this ordinance and followed thereafter by annual cost-of-living increases; and establishing a working group to consider and advise on issues related to wage increases for employees under contracts with Nonprofit Corporations and public entities; scheduled pursuant to the approval of a motion made during the Board of Supervisors meeting of October 16, 2018. (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

### **Introduced at the Request of a Department**

*Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.*

### **PROPOSED ORDINANCES**

**180955 [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). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**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). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**180969 [Plumbing Code - Cross-Connection Control]**  
Ordinance amending the Plumbing Code to delete the local amendment to the California Plumbing Code referring to the San Francisco Public Utilities Commission's Rules and Regulations in the section on Cross-Connection Control; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage. (Building Inspection Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

### **PROPOSED RESOLUTIONS**

**180970 [Bi-Annual Housing Balance Report Nos. 6 and 7]**  
Resolution receiving and approving the bi-annual Housing Balance Report No. 6, dated May 10, 2018, and Report No. 7, dated September 20, 2018, submitted as required by Planning Code, Section 103. (Planning Department). RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**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). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**180972 [Official Seal of the City and County of San Francisco - Use for an Artist Publication]**  
Resolution approving the use of the official seal of the City and County of San Francisco for the purpose of an artist publication documenting their one month project in City Hall, The Unofficial Department of Handshakes. (Arts Commission). RECEIVED AND ASSIGNED to Rules Committee.

**Clerk to Act - October 16, 2018**

**Board Meeting Minutes for September 4, 2018, and September 11, 2018 were approved.**

*There were no Clerk to Act requests submitted at the October 16, 2018 Board Meeting.*

**In Memoriams**

Norman Tanner - Supervisor Brown

Dr. Jack Boatwright - Supervisor Peskin

Milton James - Supervisor Peskin

Frankie Kennedy - Supervisor Safai