Board of Supervisors

Legislation Introduced at Roll Call

Tuesday, November 13, 2018

Introduced by a Supervisor or the Mayor

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

ORDINANCES

181077  [Business and Tax Regulations Code - Validation Actions and Statute of Repose for November 2018 Proposition C]
Sponsors: Mayor; Cohen
Ordinance amending the Business and Tax Regulations Code to permit validation actions and impose a statute of repose with respect to Proposition C, adopted by San Francisco voters on November 6, 2018. ASSIGNED to Budget and Finance Committee.

181078  [Appropriation and Re-Appropriation - Federal and State Revenues - $1,120,193 - SSI Cash Out Program - $197,681; CalWORKs HVI Program - $295,176; and Housing Support Program Revenue - $968,320 - Grant and Aid Assistance - Human Services Agency - FY2018-2019]
Sponsor: Mayor
Ordinance appropriating $1,120,193 of Federal and State revenue and re-appropriating $197,681 for the Supplemental Security Income (SSI) Cash Out program; re-appropriating $295,176 for the CalWORKs Home Visiting Initiative program; and appropriating $968,320 of CalWORKs Housing Support program revenue for City grant and aid assistance at the Human Services Agency - FY2018-2019. ASSIGNED to Budget and Finance Committee.

181079  [Public Employment - Amendment to the Salary Ordinance - Human Services Agency and Department of Public Health - Implementation of SSI Cash Out and CalWORKs Home Visiting Program - FY2018-2019]
Sponsor: Mayor
181080  **[Administrative Code - African American Arts and Cultural District]**

**Sponsor:** Cohen

Ordinance amending the Administrative Code to establish the African American Arts and Cultural District in the Bayview Hunters Point neighborhood; to require City departments to submit written reports and recommendations to the Board of Supervisors and the Mayor describing the cultural attributes of the District, and proposing strategies to acknowledge and preserve the cultural legacy of the District; and to establish the African American Arts and Cultural District Community Advisory Committee to advise the City on the same matters; and affirming the Planning Department’s determination under the California Environmental Quality Act. ASSIGNED to Rules Committee.

181081  **[Accept and Expend Grant - United States Department of Justice's Office of Violence Against Women - Domestic Violence High Lethality Risk Team - Amendment to the Annual Salary Ordinance - FYs 2018-2019 and 2019-2020 - $750,000]**

**Sponsor:** Cohen

Ordinance retroactively authorizing the Department on the Status of Women to accept and expend a grant in the amount of $750,000 through the United States Department of Justice’s Office of Violence Against Women for the Domestic Violence High Risk Program; and amending Ordinance No. 182-18 (Annual Salary Ordinance File No. 180575 for FYs 2018-2019 and 2019-2020) to provide for the addition of one grant-funded part-time Class 1820 Junior Administrative Analyst position (FTE 0.50) for the period of October 1, 2018, through September 30, 2020. (Department on the Status of Women). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

181082  **[Business and Tax Regulations Code - Early Care and Education Commercial Rents Tax Credit and Exclusions]**

**Sponsors:** Kim; Yee

Ordinance amending the Business and Tax Regulations Code to provide a credit against the Early Care and Education Commercial Rents Tax for the operation of certain child care facilities, and to exclude from the Early Care and Education Commercial Rents Tax base amounts subject to the hotel tax or parking tax. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

181083  **[Salina Lam Commemorative Plaque - 810 Silver Avenue, Hillcrest Elementary School]**

**Sponsor:** Ronen

Ordinance waiving permit and inspection fees, under the Commemorative Street Plaque Ordinance in the Public Works Code, for the installation of a plaque at one location on the Silver Avenue sidewalk, commemorating former Hillcrest Elementary School student Salina Lam, and directing official acts in furtherance of this Ordinance, as defined herein; and affirming the Planning Department’s determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

181084  **[Transportation Code - Large Commercial Vehicle Parking Restrictions]**

**Sponsor:** Ronen

Ordinance amending Division I of the Transportation Code to prohibit the on-street parking of any Commercial Vehicle, as defined by the California Vehicle Code, over 22 feet in length or seven feet in height in any residential district, including any RH (residential, house), RM (residential, mixed), or RTO (Residential Transit Oriented) district between the hours of 12:00 a.m. and 6:00 a.m. when Municipal Transportation Agency signs are posted giving notice; and affirming the Planning Department’s determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
Building Code - Electric Vehicle Charging Stations - Expedited Permit Process

**Sponsors:** Tang; Peskin

Ordinance amending the Building Code to enact an expedited and streamlined permit process for Electric Vehicle Charging Stations; affirming the Planning Department’s determination under the California Environmental Quality Act; and directing the Clerk to forward this Ordinance to the California Building Standards Commission upon final passage. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

**RESOLUTIONS**

181085 [Accept and Expend Grant - California Air Resources Board - Zero Emission from Farm to Table - $4,562,862]

**Sponsors:** Mayor; Cohen

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of $4,562,862 from the California Air Resources Board Zero- and Near-Zero Emission Freight Facilities Program to coordinate demonstration of electric medium- and heavy-duty trucks for transport of produce along Northern California’s trade corridors in the San Francisco Bay Area and the Central Valley for the period of October 1, 2018, through March 31, 2021. RECEIVED AND ASSIGNED to Budget and Finance Committee.

181086 [Accept and Expend Grant - United States Department of Justice - National Incident-Based Reporting System - $5,304,000]

**Sponsors:** Mayor; Cohen and Stefani

Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of $5,304,000 from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, to assist with National Incident-Based Reporting System transition efforts for the project period of October 1, 2018, through September 30, 2021. (Police Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

181087 [Accept and Expend Grant - California Natural Resources Agency Bonds & Grants Office - Seawall Earthquake Safety and Disaster Prevention Program - $5,000,000]

**Sponsors:** Mayor; Peskin

Resolution retroactively authorizing the Port of San Francisco to accept and expend a grant award in the amount of $5,000,000 from the California Natural Resources Agency Bonds & Grants Office to support the Port’s San Francisco Seawall Earthquake Safety and Disaster Prevention Program for the period of August 15, 2018, through April 30, 2020. (Port). RECEIVED AND ASSIGNED to Budget and Finance Committee.

181088 [Accept and Expend Grant - Bay Area Air Quality Management District - Keep It Tuned Pilot Program - $166,175]

**Sponsor:** Brown

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of $166,175 from the Bay Area Air Quality Management District's 2018 Climate Protection Grant Program to expand its Keep It Tuned pilot project, a comprehensive refrigeration maintenance program in service to the small commercial food and beverage sector, for the period of October 1, 2018, through June 30, 2020. (Environment). RECEIVED AND ASSIGNED to Budget and Finance Committee.
181089  [Real Property Lease Extension - 1700-1740-17th Street and 1415-16th Street - $256,281 Monthly Base Rent]
Sponsor: Cohen
Resolution retroactively authorizing the Director of Property to exercise a Lease Extension approving a First Amendment for the real property located at 1700-1740-17th Street and 1415-16th Street with 1415-16th Street Associates, LLC, a California limited liability corporation, extending the Lease by ten years, from November 3, 2018, for a total term of November 3, 2008, through November 2, 2028, with a monthly base rent of $256,281 for a total annual base rent of $3,075,375 on behalf of the Police Department, to commence upon approval by the Board of Supervisors and the Mayor. RECEIVED AND ASSIGNED to Budget and Finance Committee.

181090  [Resolution of Intention - SoMa West Community Benefit District]
Sponsor: Kim
Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district known as the “SoMa West Community Benefit District” and levy a multi-year assessment on all parcels in the district; approving the management district plan and engineer’s report and proposed boundaries map for the district; ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole, on February 5, 2019, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting, as required by law. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

181091  [Assessment Ballots for City Parcels - SoMa West Community Benefit District]
Sponsor: Kim
Resolution authorizing the Mayor or their designee(s) to cast an assessment ballot 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. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

181092  [Urging Developers Within the Central SoMa Plan to Include a “Community Good Jobs Employment Plan” With Planning Application]
Sponsor: Kim
Resolution urging developers within the Central South of Market Area Plan (“Central SOMA Plan”) to submit a “Community Good Jobs Employment Plan” prior to project approval by the Planning Commission, also urging that within 60 days after the development receives its first Certificate of Occupancy, the developer or project employer(s) should provide a report to the Office of the District 6 Supervisor and the Office of Economic and Workforce Development (“OEWD”) detailing the steps that the developer or project employer(s) took to implement the Plan, and the report is to include: a list detailing which concerned community, civic, and labor organizations were consulted and when; what strategies were used to reach out to “Target Workers;” and how many “Target Workers” were hired; and finally urging OEWD to produce an analysis of the report compared to the initial plan, and submit to the District 6 Supervisor within 60 days of receiving the report from the developer or project employer(s). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
[Committing to Enhancing Coastal Habitats in the Face of Climate Change and Sea Level Rise]
Sponsor: Peskin
Resolution committing to maintaining and enhancing California’s beaches, shoreline, and related coastal habitats in the face of global climate change and sea level rise. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

[Lease of City Property - ArtSpan - 45 Onondaga Avenue - $50,928 Per Year Rent]
Sponsor: Safai
Resolution authorizing the Director of Property to execute a commercial lease, between the City and County of San Francisco and ArtSpan, for the City-owned property located at 45 Onondaga Avenue for $50,928 per year; authorizing the reimbursement of up to $410,000 for tenant improvements; for a term of ten years with two five-year options to extend, to commence following Board approval; making findings that the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting California Environmental Quality Act findings. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

[Lease of City Property - Volunteers in Medicine - dba Clinic By the Bay - 35 Onondaga Avenue - $47,520 Per Year Rent]
Sponsor: Safai
Resolution authorizing the Director of Property to execute a commercial lease, between the City and County of San Francisco and Volunteers in Medicine dba Clinic By the Bay, for the City-owned property located at 35 Onondaga Avenue for $47,520 per year; authorizing the reimbursement of up to $410,000 for tenant improvements; for a term of ten years with two five-year options to extend, finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting California Environmental Quality Act findings. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

MOTION

[Special On-Sale General Liquor License - Verifying Completion of Preapplication Meeting - 3657 Taraval Street]
Sponsor: Tang
Motion verifying that Q&M LLC located at 3657 Taraval Street has completed the preapplication meeting requirement under California Business and Professions Code, Section 23826.13, for the issuance of a new, non-transferable, Type-87 neighborhood-restricted special on-sale general liquor license. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

REQUEST FOR HEARING

[Hearing - Review and Approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines - FYs 2019-2020 and 2020-2021]
Hearing to consider the review and approval of the Budget Guidelines for the Board of Supervisors/Clerk of the Board Annual Budget for FYs 2019-2020 and 2020-2021. (Clerk of the Board). RECEIVED AND ASSIGNED to Budget and Finance 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

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). RECEIVED AND ASSIGNED to 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). ASSIGNED UNDER 30 DAY RULE to 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). RECEIVED AND ASSIGNED to 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). RECEIVED AND ASSIGNED to Budget and Finance Committee.

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

181066  [Lease Agreement - Amy’s Kitchen Restaurant Operation Company, LLC - Terminal 1 Food and Beverage Concession - $475,000 Minimum Annual Guarantee]
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). RECEIVED AND ASSIGNED to 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). RECEIVED AND ASSIGNED to Budget and Finance Committee.

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

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

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). RECEIVED AND ASSIGNED to Budget and Finance Committee.
Clerk to Act - November 13, 2018

Board Meeting Minutes for October 2, 2018 were approved.

There were no Clerk to Act requests submitted at the November 13, 2018 Board Meeting.

In Memoriam
Dr. Paul Duncan Quick - Supervisor Mandelman
Ying Yuan Kuang - Supervisor Peskin
Audrey Wells - Supervisor Ronen
Robert Henry Laws, Jr. - Supervisor Brown
*The following twelve victims of the Borderline Bar and Grill shooting in Thousand Oaks - Supervisor Stefani:
Sean Adler
Cody Coffman
Blake Dingman
Jacob Dunham
Alaina Housley
Ron Helus
Dan Manrique
Justin Meek
Mark Meza, Jr.
Kristina Morisette
Telemachus Orfanos
Noel Sparks