



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, July 31, 2018 - 2:00 PM

Regular Meeting

MALIA COHEN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Meeting Days

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

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

Agenda Item Information

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

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

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

Meeting Procedures

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

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

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

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

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

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AGENDA PACKET: Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B Goodlett Place, Room 244, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Peggy Nevin at (415) 554-5184.

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AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Intsik at Tagalog para sa lahat ng mga regular at espesyal na pulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Filipino na maaaring i-request sa pinakmababa na di bababa sa 48 oras bago ang pulong upang matiyak na matutugunan and inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

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There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of the [June 26, 2018](#), Board Meeting Minutes, and the [June 22, 2018](#), and [June 27, 2018](#), Special Meeting Minutes at the Budget and Finance Committee Meetings, which constituted a quorum of the Board of Supervisors.

AGENDA CHANGES

CONSENT AGENDA

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

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

Items 1 through 13

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Kim, Peskin, Brown

1. [171004](#) **[Settlement of Lawsuit - George Birmingham - City to Receive \$1,500,000 for Sale of Parcels on the 400 Block of Burnett Avenue]**

Ordinance authorizing settlement of the lawsuit filed by George Birmingham against the City and County of San Francisco; approving the Agreement for Purchase and Sale of Real Estate; and authorizing official acts in connection with this Ordinance; the lawsuit was filed on September 9, 2015, in San Francisco Superior Court, Case No. CGC 15-547835; entitled George Birmingham v. City and County of San Francisco, et al.; the lawsuit involves plaintiff's attempts to gain street access for his parcel that is separated from Burnett Avenue by a paper street owned by Public Works and a vacant Public Utilities Commission parcel; the material terms of the settlement are the City will pursue the legislative approvals necessary to sell the parcels to plaintiff, and plaintiff will purchase the parcels from the City for \$1,500,000; approving the sale of the parcels; and affirming the Planning Department's determination under the California Environmental Quality Act. (City Attorney)

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [180633](#) **[Partial Settlement of Lawsuit - Malcolm Davis - \$28,000]**

Ordinance authorizing settlement of the lawsuit filed by Malcolm Davis against the City and County of San Francisco for \$28,000; 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 plaintiff Malcolm Davis, by the payment of \$28,000, 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)

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [180638](#) **[Settlement of Lawsuit - John H. Aspelin and Barbara J. Kaplan-Aspelin - \$199,353]**
Ordinance authorizing settlement of the lawsuit filed by John H. Aspelin and Barbara J. Kaplan-Aspelin against the City and County of San Francisco for \$199,353; the lawsuit was filed on December 29, 2016, in San Francisco Superior Court, Case No. CGC-16-556207; entitled John H. Aspelin and Barbara J. Kaplan-Aspelin v. City and County of San Francisco and Does 1 Through 50, Inclusive; the lawsuit involves damage to real property and personal property caused by an alleged flooding event at 1 Justin Drive; and appropriating San Francisco Public Utilities Commission funds for payment of the settlement amount. (City Attorney)

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
4. [180703](#) **[Settlement of Lawsuit - Charleen Maghzi - \$1,427,637.59]**
Ordinance authorizing settlement of the lawsuit filed by Charlene Maghzi, individually and as trustee of the Maghzi Family Marital Trust, against the City and County of San Francisco for \$1,427,637.59; the lawsuit was filed on January 26, 2018, in San Francisco Superior Court, Case No. CGC-18-563778; entitled Charleen Maghzi, individually and as trustee of the Maghzi Family Marital Trust v. The City and County of San Francisco; the lawsuit involves the plaintiff's claim for damages arising from a 2016 landslide adjacent to Casitas Avenue in San Francisco; and appropriating San Francisco Public Utilities Commission funds for payment of the settlement amount. (City Attorney)

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
5. [180704](#) **[Settlement of Lawsuit - Robert Brown - \$119,909]**
Ordinance authorizing settlement of the lawsuit filed by Robert Brown against the City and County of San Francisco for \$119,909; the lawsuit was filed on August 13, 2016, in United States District Court, Case No. 16-CV-04671; entitled Robert Brown v. City and County of San Francisco et al.; the lawsuit involves claims of alleged civil rights violation. (City Attorney)

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
6. [180705](#) **[Settlement of Lawsuit - Isabel Rodriguez-Alba - \$55,000]**
Ordinance authorizing settlement of the lawsuit filed by Isabel Rodriguez-Alba against the City and County of San Francisco for \$55,000; the lawsuit was filed on November 10, 2015, in San Francisco Superior Court, Case No. CGC-15-548917; entitled Isabel Rodriguez-Alba v. City and County of San Francisco; the lawsuit involves an injury when plaintiff tripped and fell in a pothole. (City Attorney)

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. [180706](#) **[Settlement of Lawsuit - Pacific Bell Telephone Company, and AT&T Services, Inc. - \$852,057.22]**

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company, and AT&T Services, Inc. against the City and County of San Francisco for \$852,057.22; the lawsuit was filed on October 4, 2016, in San Francisco Superior Court, Case No. CGC-16-554661; entitled Pacific Bell Telephone Company, and AT&T Services, Inc. v. City and County of San Francisco and Does 1 to 100; the lawsuit involves damage to real and personal property caused by two alleged flooding events at 30 Onondaga Street; and appropriating San Francisco Public Utilities Commission funds for payment of the settlement amount. (City Attorney)

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. [180707](#) **[Settlement of Lawsuit - Gail Bonnifield, Aquene Cali Montano, a Minor, By And Through Her Guardian Ad Litem Ulises Montano, and Dontanayia Lockwood - \$110,000]**

Ordinance authorizing settlement of the lawsuit filed by Gail Bonnifield, Aquene Cali Montano, a Minor, By And Through Her Guardian Ad Litem Ulises Montano, and Dontanayia Lockwood against the City and County of San Francisco, et al. for \$110,000; the lawsuit was filed on March 22, 2017, in San Francisco Superior Court, Case No. CGC-17-557677; entitled Gail Bonnifield, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from pedestrians being struck by a City vehicle. (City Attorney)

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. [180709](#) **[Settlement of Lawsuit - Rita Kae Restrepo, Cheryl Randolph - \$195,000]**

Ordinance authorizing settlement of the lawsuit filed by Rita Kae Restrepo and Cheryl Randolph against the City and County of San Francisco for \$195,000; the lawsuit was filed on May 13, 2016, in the San Francisco Superior Court, Case No. CGC-16-551996; entitled Rita Kae Restrepo and Cheryl Randolph v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney)

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Tang, Kim, Safai

10. [171013](#) [Planning Code, Zoning Map - Amend Zoning Map Pursuant to Settlement]

Sponsor: Mandelman

Ordinance amending the Planning Code by revising Zoning Map Sheet ZN06 to rezone Assessor's Parcel Block No. (AB) 2719C, Lot No. 023, located at Burnett Avenue and Burnett Avenue North, from Public (P) to Residential, Mixed Districts, Low Density (RM-1); rezoning a portion of Burnett Avenue North generally bounded by AB 2745, Lot No. 036, and AB 2719C, Lot No. 023, to RM-1; 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.

07/10/2018; PASSED ON FIRST READING.

07/17/2018; CONTINUED ON FINAL PASSAGE.

Question: Shall this Ordinance be FINALLY PASSED?

11. [180517](#) [Summary Street Vacation - Portion of Burnett Avenue North]

Sponsor: Mandelman

Ordinance ordering the summary street vacation of a portion of Burnett Avenue North, generally bounded by Assessor's Parcel Block No. 2719C, Assessor's Parcel Block No. 2745, and Burnett Avenue, subject to specified conditions; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings of consistency with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing official acts taken in connection with this Ordinance, as defined herein.

07/10/2018; PASSED ON FIRST READING.

07/17/2018; CONTINUED ON FINAL PASSAGE.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Safai, Yee, Stefani

12. [180674](#) [Appointments, Treasury Oversight Committee - Ben Rosenfield, Reeta Madhavan, Eric Sandler, and Kevin Kone]

Motion approving the Treasurer's nominations of Ben Rosenfield, Reeta Madhavan, Kevin Kone, and Eric Sandler, terms ending June 17, 2022, to the Treasury Oversight Committee. (Clerk of the Board)

(Administrative Code, Section 5.9-3, provides that these nominations are subject to approval by the Board of Supervisors. There is no deadline for the Board to confirm these appointments. Transmittal date: June 28, 2018.)

Question: Shall this Motion be APPROVED?

- 13. [180764](#) **[Appointments, Sunshine Ordinance Task Force - Matthew Cate and Lila LaHood]**
 Motion appointing Matthew Cate (residency requirement waived) and Lila LaHood, terms ending April 27, 2020, to the Sunshine Ordinance Task Force. (Rules Committee)

Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

(Pursuant to Charter, Section 9.100(b), the Board shall not adopt the Budget (Items 14 through 20) earlier than July 15th nor later than August 1st.)

Present: Supervisors Cohen, Fewer, Stefani, Sheehy, Yee

- 14. [180574](#) **[Budget and Appropriation Ordinance for Departments - FYs 2018-2019 and 2019-2020]**
Sponsor: Mayor
 Budget and Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of June 1, 2018, for the FYs ending June 30, 2019, and June 30, 2020.

 (Fiscal Impact)

 07/17/2018; CONTINUED ON FIRST READING.

 07/24/2018; DIVIDED.

 07/24/2018; PASSED ON FIRST READING.

 07/24/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

 07/24/2018; DIVIDED.

 07/24/2018; PASSED ON FIRST READING.

 07/24/2018; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

15. [180575](#) **[Annual Salary Ordinance - FYs 2018-2019 and 2019-2020]**
Sponsor: Mayor
Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2019, and June 30, 2020, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.
- (Fiscal Impact)
- 07/17/2018; CONTINUED ON FIRST READING.
- 07/24/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 07/24/2018; DIVIDED.
- 07/24/2018; PASSED ON FIRST READING.
- 07/24/2018; PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**
16. [180580](#) **[Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling]**
Sponsor: Mayor
Ordinance adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2018.
- 07/17/2018; CONTINUED ON FIRST READING.
- 07/24/2018; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
17. [180583](#) **[Administrative Code - Planning Code Enforcement Fund]**
Sponsor: Mayor
Ordinance amending the Administrative Code to allow the Planning Department to use the proceeds in the Planning Code Enforcement Fund for all Planning Code enforcement activities.
- 07/17/2018; CONTINUED ON FIRST READING.
- 07/24/2018; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

18. [180585](#) **[Administrative Code - Cash Revolving Fund - District Attorney's Office - \$2,200]**

Sponsor: Mayor

Ordinance amending the Administrative Code to increase the balance of the District Attorney's revolving fund to \$2,200.

07/17/2018; CONTINUED ON FIRST READING.

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

19. [180586](#) **[Health Code - Patient Rates - FYs 2017-2018, 2018-2019, and 2019-2020]**

Sponsor: Mayor

Ordinance amending the Health Code to set patient rates and rates for other services provided by the Department of Public Health, starting July 1, 2018, for FYs 2018-2019 and 2019-2020, through June 30, 2020; and to revise certain Substance Use Disorder treatment services and increase patient rates charged for those Substance Use Disorder treatment services, retroactive to July 1, 2017.

07/17/2018; CONTINUED ON FIRST READING.

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Cohen, Stefani, Sheehy, Yee

20. [180587](#) **[Administrative Code - Mayor's Fund for the Homeless and Navigation Partnerships Fund]**

Sponsor: Mayor

Ordinance amending the Administrative Code to reclassify the Mayor's Fund for the Homeless as a category eight fund to permit the accumulation of interest; to authorize the same fund to receive grants, gifts, and bequests of money; and to transfer administration of the Navigation Partnerships Fund from the Mayor's Office to the Department of Homelessness and Supportive Housing.

07/17/2018; CONTINUED ON FIRST READING.

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Cohen, Fewer, Stefani

21. [180356](#) [Contract Amendment - Western Area Power Administration - Low-Cost Power and Scheduling Coordinator Services - Treasure Island and Yerba Buena Island - Not to Exceed \$28,370,000]

Ordinance approving the third amendment to the contract between the City and County of San Francisco through its Public Utilities Commission (PUC) and the United States, through the Department of Energy Western Area Power Administration, for delivery of low-cost power and scheduling coordinator services to Treasure Island and Yerba Buena Island to extend the term by four years and three months from October 1, 2020, through December 31, 2024, and increasing the maximum amount of the agreement to \$28,370,000; approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract; waiving Administrative Code requirements, as defined herein, that a City contract contain a statement of guaranteed maximum costs, and contain a statement regarding liability of claimants for submitting false claims; and waiving certain other Administrative Code and Environment Code requirements, as defined herein, upon findings made by the General Manager of the PUC. (Public Utilities Commission)

(Fiscal Impact)

07/24/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/24/2018; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

22. [180588](#) [De-Appropriation and Appropriation - Expenditures of \$6,174,381 Supporting Increased Workers' Compensation Expenditures - Police Department - FY2017-2018]

Sponsor: Mayor

Ordinance de-appropriating \$6,174,381 from permanent salaries, and appropriating \$6,174,381 to Police Department to support increases in Workers' Compensation expenditures for FY2017-2018.

(Fiscal Impact)

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

23. [180736](#) [Business and Tax Regulations Code - Validation Actions and Statute of Repose for June 2018 Ballot Measures]

Sponsors: Yee; Kim

Ordinance amending the Business and Tax Regulations Code to permit validation actions and impose a statute of repose with respect to Propositions C and G, adopted by San Francisco voters on June 5, 2018.

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Tang, Kim, Safai

24. [180268](#)

[Planning Code - Accessory Dwelling Units]

Sponsors: Tang; Kim and Brown

Ordinance amending the Planning Code to 1) authorize expansion of an Accessory Dwelling Unit (ADU) within the buildable area, 2) authorize the Zoning Administrator to waive or modify bicycle parking requirements for an ADU, 3) exempt from the permit notification requirement ADUs constructed within the defined existing built envelope, and 4) allow conversion of an existing stand-alone garage, storage structure, or other auxiliary structure to an ADU and expansion of the existing building envelope to add dormers; 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; adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development.

07/17/2018; DUPLICATED.

07/17/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/17/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/17/2018; PASSED ON FIRST READING AS AMENDED.

07/24/2018; CONTINUED ON FINAL PASSAGE.

Question: Shall this Ordinance be FINALLY PASSED?

25. [180319](#)

[Planning Code - Cannabis Retail and Medical Cannabis Dispensaries in Chinatown]

Sponsors: Peskin; Kim, Tang, Fewer and Safai

Ordinance amending the Planning Code to prohibit Cannabis Retail and Medical Cannabis Dispensaries in the Chinatown Mixed Use Districts; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

07/24/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

07/24/2018; CONTINUED AS AMENDED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Tang, Kim, Stefani

26. [180320](#) [Planning Code - Catering as an Accessory Use]

Sponsors: Safai; Ronen

Ordinance amending the Planning Code to allow Catering as an Accessory Use to Limited Restaurants under certain conditions; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Tang, Kim, Safai

27. [180456](#) [Planning Code - HOME-SF and 100% Affordable Housing Bonus Program]

Sponsors: Tang; Safai

Ordinance amending the Planning Code to amend the Housing Opportunities Mean Equity-San Francisco (HOME-SF) Program to revise the amount of inclusionary housing required and the types of development bonuses received for projects with complete environmental evaluation applications submitted on or before December 31, 2019, with existing requirements and bonuses revised for projects with complete environmental evaluation applications submitted on or after January 1, 2020, and to require project authorization under Planning Code, Section 328; revising the 100% Affordable Housing Bonus Program to eliminate a Planning Commission review hearing for 100% affordable housing projects upon delegation by the Planning Commission; establish duties for the Inclusionary Housing Technical Advisory Committee; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

07/17/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/17/2018; PASSED ON FIRST READING AS AMENDED.

07/24/2018; CONTINUED ON FINAL PASSAGE.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Tang, Kim, Stefani

**28. [180482](#) [Planning Code - Permit Review Procedures and Zoning Controls - Neighborhood Commercial Districts in Supervisorial Districts 4 and 11]
Sponsors: Tang; Safai**

Ordinance amending the Planning Code to create a two-year pilot program removing public notice and Planning Commission review for certain uses in Neighborhood Commercial Districts in Supervisorial Districts 4 and 11; modifying zoning controls for certain uses in Supervisorial Districts 4 and 11; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Tang, Kim, Safai

**29. [180519](#) [Environment Code - Single-Use Food Ware Plastics, Toxics, and Litter Reduction]
Sponsors: Tang; Safai, Peskin, Yee, Ronen, Fewer, Kim, Stefani, Cohen and Brown**

Ordinance amending the Environment Code to prohibit the sale or use in the City of single-use food service ware made with fluorinated chemicals and certain items made with plastic; require that food service ware accessories be provided only on request or at self-service stations; require reusable beverage cups at certain events that necessitate a City permit or are held at a City-owned or City-leased facility; remove waiver provisions; and affirming the Planning Department's determination under the California Environmental Quality Act.

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Tang, Kim, Stefani

30. [180557](#) [Planning Code - Technical Amendments]

Ordinance amending the Planning Code in order to correct errors in enacted legislation, update outdated references, clarify existing requirements, and re-enact existing text inadvertently deleted in the reorganization of Articles 2 and 7; 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 general welfare under Planning Code, Section 302. (Planning Commission)

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Tang, Kim, Safai

31. [180559](#) **[Planning Code - Landmark Designation - 6301 Third Street (aka Arthur H. Coleman Medical Center)]**

Sponsor: Cohen

Ordinance amending the Planning Code to designate 6301 Third Street (aka Arthur H. Coleman Medical Center), Assessor's Parcel Block No. 4968, Lot No. 032, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and with the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

07/24/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Cohen, Fewer, Stefani

32. [180480](#) [Administrative Code - Office of Sexual Harassment and Assault Response and Prevention]

Sponsors: Ronen; Stefani, Kim, Fewer, Cohen, Tang, Safai, Yee and Peskin

Ordinance amending the Administrative Code to establish, and to set rules governing the appointment of the Director and the qualifications and duties of employees of the Office of Sexual Harassment and Assault Response and Prevention (Office) as a City department under the direction and oversight of the Human Rights Commission, which Office shall be responsible for: 1) receiving complaints concerning the manner in which any City department has responded or failed to respond to allegations of sexual assault or sexual harassment, and assisting complainants in navigating within City government to resolve those complaints; 2) compelling the attendance of City officers or employees at meetings with complainants; 3) notifying relevant City departments of any failure, in connection with a complaint of sexual assault or sexual harassment, to perform a duty imposed by law, or to perform a promised act, or to respond reasonably to the complainant's or Office's requests, or to otherwise fully and conscientiously respond to the complainant's or the Office's concerns, and reporting to the Mayor and the Board of Supervisors if any City department so notified fails to take timely and adequate corrective action; 4) in certain cases, referring City officers and employees to appropriate disciplinary authorities for possible professional or administrative discipline; 5) requiring City departments to report aggregated or otherwise de-identified information concerning the department's handling of allegations of sexual assault and harassment; 6) engaging with community members to develop recommendations for improving the City's efforts to combat sexual assault and harassment, and making related recommendations to City policymakers; 7) making regular reports to the Human Rights Commission; and 8) maintaining the confidentiality of information required by law to be kept confidential, and respecting complainants' wishes for confidentiality to the maximum extent permitted by law.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. [180379](#) [Modification to the Airport Professional Services Agreement - Faith Group, LLC - Program Management Support Services for the Airport Security Infrastructure Program - Not to Exceed \$13,741,320]

Resolution approving Modification No. 6 to Airport Contract No. 10511.41, Program Management Support Services for the Airport Security Infrastructure Program, between Faith Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a total amount not to exceed \$13,741,320 for services, pursuant to Charter, Section 9.118(b), extending the term by one year and five months from August 16, 2018, through December 31, 2019. (Airport Commission)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

34. [180422](#) **[Airport Professional Services Agreement Modification - WCME JV - Terminal 3 West Modernization Project - Not to Exceed \$14,000,000]**
Resolution approving Modification No. 4 to Airport Contract 10071.41, Project Management Support Services for the Terminal 3 West Modernization Project, between WCME JV, and the City and County of San Francisco, acting by and through its Airport Commission, for a total amount not to exceed \$14,000,000 for services, extending the term by seven months, for a total term of April 4, 2017, through April 4, 2019, pursuant to Charter, Section 9.118(b). (Airport Commission)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
35. [180737](#) **[Apply for Grants - 2018 Emergency Preparedness Grants]**
Sponsor: Mayor
Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco any actions necessary for the purpose of obtaining State and Federal financial assistance under various grant programs, including: the Federal Fiscal Year 2018 Urban Areas Security Initiative Grant, the Federal Fiscal Year 2018 State Homeland Security Grant Program, the 2018 Emergency Management Performance Grant, and the 2018 Local Government Oil Spill Contingency Plan Grant Program.
- Question: Shall this Resolution be ADOPTED?**
36. [180122](#) **[Initiative Ordinance - Business and Tax Regulations and Administrative Codes - Hotel Tax Allocations]**
Sponsors: Tang; Peskin and Mandelman
Motion ordering submitted to the voters at an election to be held on November 6, 2018, an Ordinance amending the Business and Tax Regulations Code and Administrative Code to allocate a portion of hotel tax revenues for arts and cultural purposes and remove obsolete provisions; and affirming the Planning Department's determination under the California Environmental Quality Act.
- Question: Shall this Motion be APPROVED?**
37. [180373](#) **[Initiative Ordinance - Business and Tax Regulations Code - Gross Receipts Tax on Transportation Network Company Services, Private Transit Vehicle Services, and Autonomous Vehicle Passenger Services; Economic Nexus]**
Sponsors: Peskin; Kim, Ronen, Yee and Fewer
Motion ordering submitted to the voters at an election to be held on November 6, 2018, an Ordinance amending the Business and Tax Regulations Code to add a new gross receipts tax category for transportation network company services, private transit vehicle services, and autonomous vehicle passenger services; revise the application of the gross receipts tax for persons engaged in multiple business activities; expand the activities that subject a person to certain business taxes by including persons with more than \$500,000 in annual gross receipts in the City; and increasing the City's appropriations limit each year by the increase in the amount of those business taxes collected compared to the prior year for four years from November 6, 2018.
- (Economic Impact)
- Question: Shall this Motion be APPROVED?**

Recommendation of the Land Use and Transportation Committee

Present: Supervisors Tang, Kim, Stefani

38. [180556](#) **[Planning Code - Hours of Operation for Limited Nonconforming Uses]**
Ordinance amending the Planning Code to allow limited nonconforming uses in specified zoning districts to operate between the hours of 10:00 p.m. and 12:00 a.m. with Conditional Use authorization; 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 convenience, necessity, and welfare under Planning Code, Section 302. (Planning Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Public Safety and Neighborhood Services Committee

Present: Supervisors Mandelman, Ronen, Peskin

39. [180238](#) **[Liquor License Transfer - 868 Mission Street - Executive Order]**
Resolution determining that the premise-to-premise transfer of a Type-48 on-sale general public premises liquor license for Zechsan Business Development, Inc., doing business as Executive Order, located at 868 Mission Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Question: Shall this Resolution be ADOPTED?

40. [180741](#) **[Special On-Sale General Liquor License - Verifying Completion of Preapplication Meeting - 3414 Judah Street - La Puesta del Sol Cantina]**
Sponsor: Tang
Motion verifying that CBTW Inc., doing business as La Puesta del Sol Cantina, located at 3414 Judah 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.

Question: Shall this Motion be APPROVED?

Recommendations of the Rules Committee

Present: Supervisors Safai, Yee, Stefani

41. [170738](#) **[Administrative Code - Disclosure of Spending in Retirement Board, Health Service Board and Retiree Health Care Trust Fund Board Elections]**
Sponsor: Cohen
Ordinance amending the Administrative Code to require disclosure of candidate and third-party spending in Retirement Board, Health Service Board and Retiree Health Care Trust Fund Board elections; set late filing fees and penalties for violations; and specify that the Ethics Commission will enforce the related disclosure requirements.
Question: Shall this Ordinance be PASSED ON FIRST READING?
42. [180547](#) **[Administrative Code - Prioritizing 100% Affordable Housing Projects]**
Sponsor: Ronen
Ordinance amending the Administrative Code to require the Department Building Inspection, Public Works, Fire Department, Mayor's Office on Disability, and Planning Department to prioritize the processing of 100% affordable housing projects as each department's or office's highest priority; to require those departments to identify a staff person responsible for 100% affordable housing projects; and to require the Mayor's Office of Housing and Community Development to provide the Board of Supervisors and the Mayor with quarterly reports about the status of pending 100% affordable housing projects.
Question: Shall this Ordinance be PASSED ON FIRST READING?
43. [180675](#) **[Reappointment, Entertainment Commission - Steven Lee]**
Motion reappointing Steven Lee, term ending July 1, 2022, to the Entertainment Commission. (Rules Committee)
Question: Shall this Motion be APPROVED?
44. [180745](#) **[Reappointment, Planning Commission - Dennis Richards]**
Motion approving President of the Board of Supervisors Malia Cohen's nomination for the reappointment of Dennis Richards to the Planning Commission, for a four-year term ending July 1, 2022. (Clerk of the Board)

(Charter, Section 4.105, 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: July 3, 2018.)
Question: Shall this Motion be APPROVED?

45. [180746](#) **[Reappointment, Planning Commission - Kathrin Moore]**
Motion approving President of the Board of Supervisors Malia Cohen's nomination for the reappointment of Kathrin Moore to the Planning Commission, for a four-year term ending July 1, 2022. (Clerk of the Board)
- (Charter, Section 4.105, 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: July 3, 2018.)
- Question: Shall this Motion be APPROVED?**
46. [180747](#) **[Mayoral Reappointment, Planning Commission - Rodney Fong]**
Motion approving the Mayoral nomination for the reappointment of Rodney Fong to the Planning Commission, for a four-year term ending June 30, 2022. (Clerk of the Board)
- (Charter, Section 4.105, 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: June 29, 2018.)
- Question: Shall this Motion be APPROVED?**
47. [180748](#) **[Mayoral Reappointment, Planning Commission - Milicent Johnson]**
Motion approving the Mayoral nomination for the reappointment of Milicent Johnson to the Planning Commission, for a four-year term ending June 30, 2022. (Clerk of the Board)
- (Charter, Section 4.105, 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: June 29, 2018.)
- Question: Shall this Motion be APPROVED?**
48. [180766](#) **[Appointments, Office of Early Care and Education Citizens' Advisory Committee - Yohana Quiroz and Sandee Blechman]**
Motion appointing Yohana Quiroz (residency requirement waived) and Sandee Blechman, terms ending May 1, 2020, to the Office of Early Care and Education Citizens' Advisory Committee. (Rules Committee)
- Question: Shall this Motion be APPROVED?**

49. [180767](#) [Appointments, Veterans Affairs Commission - George Ishikata, Margo Ellis, Deborah Dacumos, and Matthew Brauer]

Motion appointing George Ishikata and Margo Ellis (residency requirement waived), for the unexpired portion of a four-year term ending January 31, 2021, and Deborah Dacumos and Matthew Brauer, for the unexpired portion of a four-year term ending January 31, 2022, to the Veterans Affairs Commission. (Rules Committee)

Question: Shall this Motion be APPROVED?

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

SPECIAL ORDER 3:00 P.M.*APPEAL PROCEDURES*

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

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

50. **180697** **[Hearing - Appeal of Determination of Community Plan Evaluation - 429 Beale Street and 430 Main Street]**

Hearing of persons interested in or objecting to a Community Plan Evaluation by the Planning Department under the California Environmental Quality Act on March 19, 2018, for the proposed project at 429 Beale Street and 430 Main Street, approved on May 24, 2018, to merge two existing lots into a single 18,906-square-foot lot, demolishing existing buildings, and constructing a nine-story, 84-foot-tall building containing 144 dwelling units and 73 parking spaces. (District 3) (Appellant: Dane M. Ince) (Filed June 25, 2018) (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

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

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

51. **180698** **[Affirming the Community Plan Evaluation - 429 Beale Street and 430 Main Street]**

Motion affirming the determination by the Planning Department, that the proposed project at 429 Beale Street and 430 Main Street is exempt from further environmental review under a Community Plan Evaluation. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

52. [180699](#) **[Conditionally Reversing the Community Plan Evaluation - 429 Beale Street and 430 Main Street]**

Motion conditionally reversing the determination by the Planning Department, that the proposed project at 429 Beale Street and 430 Main Street is exempt from further environmental review under a Community Plan Evaluation, subject to the adoption of written findings of the Board in support of this determination. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

53. [180700](#) **[Preparation of Findings to Reverse the Community Plan Evaluation - 429 Beale Street and 430 Main Street]**

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department, that the proposed project at 429 Beale Street and 430 Main Street is exempt from further environmental review under a Community Plan Evaluation. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Budget and Finance Sub-Committee at a Regular Meeting on Thursday, July 26, 2018, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, July 31, 2018.

54. [180208](#) **[Lease Amendment - Airport Concession Lease - Bay Area Restaurant Group, JV - Minimum Annual Guarantee \$168,840]**

Resolution approving Amendment No. 1 to the Domestic Terminal Food and Beverage Program Lease No. 03-0204, between Bay Area Restaurant Group, JV, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term for five years for a total term of August 30, 2004, through December 31, 2020, with an option for early termination, and no change to the minimum annual guarantee of \$168,840. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

55. [180209](#) **[Lease Amendment - Airport Concession Lease - D-Lew Enterprises, LLC - Minimum Annual Guarantee \$146,300]**

Resolution approving Amendment No. 1 to the Domestic Terminal Food and Beverage Program Lease No. 03-0203, between D-Lew Enterprises, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term for five years for a total term of May 12, 2004, through December 31, 2020, with an option for early termination, and no change to the minimum annual guarantee of \$146,300. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

56. [180210](#) **[Lease Amendment - Airport Concession Lease - InMotion Entertainment Group, LLC - Minimum Annual Guarantee \$412,485]**
Resolution approving Amendment No. 2 to the Electronics and Technology Stores in Terminal 2 and Terminal 3 Lease No. 10-0038, between InMotion Entertainment Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term for two years for a total term of May 19, 2010, through December 31, 2020, with an option for early termination, and no change to the minimum annual guarantee of \$401,690. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
57. [180211](#) **[Lease Amendment - Airport Concession Lease - Gotham Enterprises, LLC - Minimum Annual Guarantee 152,104]**
Resolution approving Amendment No. 2 to the Specialty Coffee Facilities Lease No. 03-0069, between Gotham Enterprises, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term for three years for a total term of November 10, 2003, through December 31, 2020, with an option for early termination, and no change to the minimum annual guarantee of \$154,482. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
58. [180420](#) **[Lease Amendment - Airport Concession Lease - Bay Area Restaurant Group Joint Venture - Minimum Annual Guarantee of \$86,875]**
Resolution retroactively approving Amendment No. 2 to the Domestic Terminal Food and Beverage Program Lease No. 03-0184, between Bay Area Restaurant Group Joint Venture, and the City and County of San Francisco, acting by and through its Airport Commission, extending the term by two years and six months, for a total term of September 2, 2004, through September 30, 2019, and no change to the minimum annual guarantee of \$84,920. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
59. [180421](#) **[Lease Amendment - Airport Concession Lease - Lady Luck, LLC - Minimum Annual Guarantee of \$96,648]**
Resolution retroactively approving Amendment No. 1 to the Domestic Terminal Food and Beverage Program Lease No. 03-0196, between Lady Luck, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, extending the term by one year and eight months, for a total term of September 29, 2003, through September 30, 2019, and no change to the minimum annual guarantee of \$65,960. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?**
60. [180690](#) **[Lease Amendment - Boudin Properties Inc. - 160 Jefferson Street - Two Ten-Year Extension Options]**
Sponsor: Peskin
Resolution approving the First Amendment to Lease L-13550 between Boudin Properties, Inc., located at 160 Jefferson Street, and the City and County of San Francisco, acting by and through the Port Commission, to provide for two extension options of ten years each, for an aggregate term until June 30, 2065, each subject to specific performance and capital improvement conditions, as defined herein; with no change to existing lease terms of July 1, 2005, through June 30, 2045.
- Question: Shall this Resolution be ADOPTED?**

61. [180710](#) **[Contract Amendment - URS Corporation - Engineering Support Services - Not to Exceed \$30,808,028]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 5 to an agreement with URS Corporation, increasing the length of the agreement by up to 13 months for a total term of September 11, 2003, through July 10, 2020, and increasing the agreement by \$2,415,000 adjusting the estimated cumulative contract amount from \$28,500,000 to \$30,915,000 for engineering support services for the Water Enterprise Water System Improvement Program-funded Agreement No. CS-716, Calaveras Dam Replacement, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

62. [180738](#) **[Multifamily Housing Revenue Bonds - 691 China Basin Street (Mission Bay South Block 6 West) - Not to Exceed \$80,000,000]**

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 \$80,000,000 for 691 China Basin 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 \$80,000,000; 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.

Question: Shall this Resolution be ADOPTED?

63. [180629](#) **[Initiative Ordinance - Business and Tax Regulations Code - Additional Gross Receipts Tax on Cannabis]**

Sponsor: Cohen

Motion ordering submitted to the voters, at an election to be held on November 6, 2018, an Ordinance amending the Business and Tax Regulations Code to impose an additional gross receipts tax, starting January 1, 2021, on gross receipts from cannabis business activities, but exempting the first \$500,000 of gross receipts and exempting retail sales of medicinal cannabis; said tax to be between 1% and 5% depending on the type of cannabis business activity and amount of gross receipts, but may be adjusted at any time within a range of 0% to 7% by an ordinance adopted by a two-thirds vote of the Board of Supervisors for any increase (which is limited to 1% annually) or an ordinance adopted by a majority vote of the Board of Supervisors for any decrease; and increasing the City's appropriations limit by the amount collected under the new tax for four years from November 6, 2018.

Question: Shall this Motion be APPROVED?

64. [180765](#) **[Initiative Ordinance - Business and Tax Regulations Code - Additional Gross Receipts Tax on Cannabis; Additional Conditions Subjecting Persons to Business Taxes]**

Sponsor: Cohen

Motion ordering submitted to the voters, at an election to be held on November 6, 2018, an Ordinance amending the Business and Tax Regulations Code to impose an additional gross receipts tax, starting January 1, 2021, on gross receipts from cannabis business activities, but exempting the first \$500,000 of gross receipts and exempting retail sales of medicinal cannabis; said tax to be between 1% and 5% depending on the type of cannabis business activity and amount of gross receipts, but may be adjusted at any time within a range of 0% to 7% by an ordinance adopted by a two-thirds vote of the Board of Supervisors for any increase (which is limited to 1% annually) or an ordinance adopted by a majority vote of the Board of Supervisors for any decrease; starting January 1, 2019, to expand the conditions that subject a person to certain business taxes by including persons with more than \$500,000 in annual gross receipts in the City; and increasing the City's appropriations limit by the increase in the amount of those business taxes collected compared to the prior year and by the amount collected under the new Cannabis Business Tax, for four years from November 6, 2018.

Question: Shall this Motion be APPROVED?

The following items will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, July 30, 2018, at 1:30 p.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, July 31, 2018.

65. [180389](#) **[Planning Code, Zoning Map - Amend Zoning Map and Abolish Legislated Setback on 19th Avenue Between Quintara and Rivera Streets]**

Sponsor: Tang

Ordinance amending the Planning Code by abolishing a nine-foot legislated setback on the west side of 19th Avenue between Quintara Street and Rivera Street, and revising the Zoning Map to rezone from RH-1 (Residential, House; One-Family) to RM-2 (Residential, Mixed; Moderate Density) Assessor's Parcel Block No. 2198, Lot No. 031 (1021 Quintara Street), and to rezone from RH-2 (Residential, House; Two-Family) to RM-2 (Residential, Mixed; Moderate Density) Assessor's Parcel Block No. 2198, Lot No. 001 (located at the intersection of 19th Avenue and Quintara Street), Lot No. 033 (2121-19th Avenue), Lot No. 034 (2145-19th Avenue), and Lot No. 037 (2115-19th Avenue); adopting 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, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Question: Shall this Ordinance be PASSED ON FIRST READING?

66. [180752](#) [Planning Code - Accessory Dwelling Units; In-Lieu Fee for Street Trees]

Sponsors: Tang; Kim

Ordinance amending the Planning Code to allow payment of an in-lieu fee for an ADU's street tree requirement; 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.

07/17/2018; DUPLICATED.

07/17/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/17/2018; RE-REFERRED AS AMENDED to the Land Use and Transportation Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

67. ROLL CALL FOR INTRODUCTIONS

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

68. PUBLIC COMMENT

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

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

Items 69 and 70

69. [180785](#) **[Supporting California State Proposition 10 - The Affordable Housing Act - November 6, 2018 Ballot]**
Sponsors: Peskin; Fewer
Resolution supporting California State Proposition 10, The Affordable Housing Act, on the November 6, 2018, ballot; and reaffirming the City and County of San Francisco's support for repeal of the Costa-Hawkins Rental Housing Act.

07/24/2018; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
70. [180774](#) **[Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments - November 6, 2018, Consolidated Statewide General Election]**
Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 6, 2018, Consolidated Statewide General Election. (Clerk of the Board)

07/24/2018; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

71. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor**

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

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

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

PROPOSED RESOLUTIONS**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)

07/19/2018; RECEIVED FROM DEPARTMENT.

07/31/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

180769 [Real Property Lease Amendment - 25 Van Ness Avenue, Lower Level - New Conservatory Theatre Center - Monthly Base Rent \$7,983]

Resolution authorizing the lease amendment to extend approximately 12,792 rentable square feet of space at 25 Van Ness, Lower Level, to New Conservatory Theatre Center, a California non-profit corporation, for a monthly base rent of \$7,983 for a total annual base rent of \$95,796 for the period of October 1, 2018, through September 30, 2023. (Real Estate Department)

07/20/2018; RECEIVED FROM DEPARTMENT.

07/31/2018; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

180770 [Contract Agreement - Western States Oil and SC Fuels - Gasoline - Not to Exceed \$40,000,000]

Resolution approving the Agreement between the City and County of San Francisco and the Primary Contractor, Western States Oil, and the Secondary Contractor, SC Fuels, for gasoline, for an initial term of three years from September 1, 2018, through August 21, 2021, with two one-year options to extend, for a not to exceed amount of \$40,000,000, pursuant to Charter, Section 9.118(b). (Office of Contract Administration)

07/23/2018; RECEIVED FROM DEPARTMENT.

07/31/2018; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

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)

07/23/2018; RECEIVED FROM DEPARTMENT.

07/31/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

180775 [Petitions and Communications]

Petitions and Communications received from July 16, 2018, through July 23, 2018, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on July 31, 2018.

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

From the Office of the Mayor, pursuant to Charter, Section 3.100(13), designating Supervisor Ahsha Safai as Acting-Mayor from Wednesday, July 18, 2018, at 10:40 a.m. until her return on Thursday, July 19, 2018, at 8:00 a.m. Copy: Each Supervisor. (1)

From the Department of Elections, announcing that eligible Non-Citizens may register to vote for the November 6, 2018, election. Copy: Each Supervisor. (2)

From Katheryn Simpson, regarding Joe Marshall’s reappointment to the Police Commission. Copy: Each Supervisor. (3)

From Susanna Klebaner, regarding SF’s use of high hazard herbicides. Copy: Each Supervisor. (4)

From Terry Chong, regarding the Sanctuary City Law. Copy: Each Supervisor. (5)

From Trip Seibold, regarding homelessness. Copy: Each Supervisor. (6)

From John D. Newman of the Newman Group, regarding the proposed Airport Professional Services Contract. File No. 180441. Copy: Each Supervisor. (7)

From Josie Ahrens, regarding the Central SoMa Plan. File No. 180651. (8)

From Ahimsa Porter Sumchai, MD, regarding Hunters Point Shipyard. Copy: Each Supervisor. (9)

From Peter Warfield, regarding the funding of privacy-threatening RFID at the San Francisco Public Library. Copy: Each Supervisor. (10)

From John Kim, regarding the bathrooms at the Main Library’s Children’s Center. Copy: Each Supervisor. (11)

From the Office of the Clerk of the Board, pursuant to Administrative Code, Section 10.100-305(c), submitting the Annual Report on Gifts. Copy: Each Supervisor. (12)

From Pacific Gas and Electric Company, submitting a request to Increase Rates for its Residential Rate Reform Memorandum account proposal. Copy: Each Supervisor. (13)

From the Clerk of the Board, pursuant to Administrative Code, Section 67.24(e), reporting that the following departments have submitted their Sole Source Contract reports for FY2017-2018. Copy: Each Supervisor. (14)

- Asian Art
- Art Commission
- Board of Supervisors
- Children Youth and Their Families
- Child Support Services
- City Attorney
- Residential Rent Stabilization and Arbitration Board

ADJOURNMENT