

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, November 13, 2018 - 2:00 PM

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

Regular Meeting

MALIA COHEN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Cohen, Fewer, Stefani

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

Government Audit and Oversight Committee
Supervisors Kim, Peskin, Brown

Land Use and Transportation Committee
Supervisors Tang, Safai, Kim

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

Rules Committee
Supervisors Safai, Yee, Stefani

Meeting Days

Thursday
10:00 AM

2nd and 4th Thursday
1:15 PM

1st and 3rd Wednesday
10:00 AM

Monday
1:30 PM

2nd and 4th Wednesday
10:00 AM

1st, 3rd and 4th Wednesday
1:00 PM

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

Volume 113 Number 35

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, November 13, 2018, with President Malia Cohen presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Cohen called the meeting to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present. There was a quorum.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from Mayor London N. Breed, received on November 2, 2018, communicating the Mayor's veto of the Resolution contained in File No. 181014, which urged adoption of the State Water Board's proposed updates to the 2006 Water Quality Control Plan (or "Bay-Delta Plan"). Pursuant to Board Rule 2.14.3, the Board may override the veto and approve the legislation within 30 days by a two-thirds vote of the full Board (or eight votes), which would be no later than December 2, 2018.

APPROVAL OF MEETING MINUTES

President Cohen inquired whether any Board Member had any corrections to the October 2, 2018, Board Meeting Minutes. There were no corrections.

Supervisor Yee, seconded by Supervisor Fewer, moved to approve the October 2, 2018, Board Meeting Minutes. The motion carried by the following vote, following general public comment:

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

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

180955 [Partial Settlement of Lawsuit - Ho Tan and Lionel Tan - \$245,000]

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

PASSED ON FIRST READING

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

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

PASSED ON FIRST READING

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

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

PASSED ON FIRST READING

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

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

Resolution No. 389-18

ADOPTED

Recommendations of the Land Use and Transportation Committee

180849 [General Plan Amendment - Central Waterfront - Dogpatch Public Realm Plan]

Sponsor: Cohen

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

Ordinance No. 274-18

FINALLY PASSED

180914 [Planning Code - Modifying Better Streets Plan Requirements and Curb Cut Restrictions]

Sponsor: Kim

Ordinance amending the Planning Code to add new standard required streetscape improvements under the Better Streets Plan; modifying the triggers that would require project sponsors to construct streetscape improvements in the public right-of-way; clarifying the recommended sidewalk width for street types; expanding curb cut restrictions for off-street parking and loading to nearly all zoning districts and certain designated streets, including those on the Citywide Transit Network and any officially adopted bicycle routes or lanes, and requiring a Conditional Use authorization or a Section 309 or 329 exception for new or expanded curb cuts in the applicable areas; adding criteria for the Planning Commission to consider when granting a Conditional Use authorization or an exception as part of a Downtown C-3-O(SD) (Downtown, Office (Special Development)) or large project authorization in mixed-use districts for such curb cuts; prohibiting new curb cuts in bus stops and on Folsom Street between Essex and Second Street; eliminating minimum off-street parking requirements for projects subject to the curb cut restrictions or prohibitions; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 302.

Ordinance No. 277-18

FINALLY PASSED

Recommendations of the Rules Committee

180913 [Administrative Code - Reentry Council - Reporting Duties and Sunset Date]

Sponsor: Fewer

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

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

Ordinance No. 276-18

FINALLY PASSED

180934 [Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filing Requirements]

Sponsor: Cohen

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

Ordinance No. 278-18

FINALLY PASSED

181041 [Police and Health Codes - Regulation of Cannabis Businesses]

Sponsors: Mayor; Mandelman and Cohen

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

Ordinance No. 279-18

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Transportation Committee

180757 [Health Code - Massage Practitioner and Business Permits]

Sponsors: Tang; Yee and Safai

Ordinance amending the Health Code to comprehensively revise the regulation of massage practitioners, massage establishments, massage outcall services, and sole practitioner massage establishments by, among other things: 1) authorizing the Director of Health ("Director") to access local, state, and federal criminal history information of permit applicants and permit holders; 2) eliminating temporary massage practitioner permits; 3) clarifying the administrative process by which permit applicants and permit holders may appeal a decision to deny, suspend, or revoke a permit; 4) adding or revising massage establishment operating standards relating to vermin, employee areas, locked doors, residential use, and advertising; 5) prohibiting a massage business from operating a massage school on the same premises as a massage establishment; 6) establishing a massage establishment reinspection fee of \$191 per hour; 7) updating administrative and permit penalties; 8) authorizing the imposition of a lien on a property that has contributed to a violation of Article 29 of the Health Code ("Article 29") to collect unpaid administrative penalties, enforcement costs, fines, interest, and attorneys' fees; 9) authorizing the City Attorney to institute civil proceedings for injunctive and monetary relief for violations of Article 29; 10) declaring violations of select provisions of Article 29 to be public nuisances; and 11) discontinuing the acceptance of applications for massage practitioner permits effective January 1, 2019.

Ordinance No. 272-18

FINALLY PASSED by the following vote:

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

180803 [Planning Code - Mission Alcoholic Beverage Special Use District and Mission Street Neighborhood Commercial Transit District]

Sponsor: Ronen

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

Ordinance No. 273-18

FINALLY PASSED by the following vote:

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

180910 [Planning Code - Affordable Housing Projects on Undeveloped Lots in Service/Arts/Light Industrial Districts]**Sponsor: Kim**

Ordinance amending the Planning Code to permit Affordable Housing on undeveloped lots in Service/Arts/Light Industrial (SALI) Zoning Districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section, 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Ordinance No. 275-18**FINALLY PASSED by the following vote:**

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

NEW BUSINESS**Recommendations of the Budget and Finance Committee****180886 [Boundary Modification and Conditional Allocation of Real Property - Margaret S. Hayward Playground - Department of Emergency Management]**

Ordinance amending Ordinance No. 171-00, which set aside certain real property in Margaret S. Hayward Playground for the Department of Emergency Management ("DEM") for the Combined Emergency Communications Center ("CECC") at 1011 Turk Street, to provide DEM additional real property directly adjacent to the existing CECC and to restore to the Recreation and Park Department ("RPD") certain subsurface real property to the east of the CECC that was previously allocated to DEM; setting aside for DEM an additional portion of Hayward Playground west of the CECC that is currently occupied by two tennis courts for a proposed new DEM building, subject to DEM's payment of funds which RPD must use for the benefit of the Western Addition, as set forth herein; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Recreation and Park Department)
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

President Cohen requested File Nos. 180823, 180824, and 180825 be called together.

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

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

Resolution No. 377-18**ADOPTED by the following vote:**

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

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

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

Resolution No. 378-18

ADOPTED by the following vote:

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

180825 [Lease Agreement - Alclear, LLC - \$1,500,000 Minimum Annual Guarantee]

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

Resolution No. 379-18

ADOPTED by the following vote:

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

180833 [Real Property Lease - GTE Mobilnet of California Limited Partnership - Zuckerberg San Francisco General Hospital and Trauma Center, Building 25 - 1001 Potrero Avenue - \$5,000 Per Month Base Rent Exempt]

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

Resolution No. 380-18

ADOPTED by the following vote:

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

180888 [Agreement Amendment - JobAps, Inc. - Software License and Support - Not to Exceed \$3,174,445]

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

Resolution No. 381-18

ADOPTED by the following vote:

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

180928 [Real Property Lease Extension - AIM TWO - 755 and 759 South Van Ness Avenue - \$541,258.20 Annual Base Rent]

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

Resolution No. 383-18

ADOPTED by the following vote:

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

180964 [Revenue Agreement Amendment - JC Decaux San Francisco, LLC - Extending Term to January 25, 2019]

Sponsor: Peskin

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

Resolution No. 386-18

ADOPTED by the following vote:

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

180965 [Accept and Expend Grant - California Department of Parks and Recreation, Division of Boating and Waterways - Boating Safety and Enforcement Equipment Grant - \$197,648]

Sponsor: Stefani

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

Resolution No. 387-18

ADOPTED by the following vote:

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

180971 [Contract Amendment - Health Advocates, LLC - Uncompensated Reimbursement Recovery Services - Not to Exceed \$18,014,546]

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

Resolution No. 388-18

ADOPTED by the following vote:

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

181005 [Accept and Expend Grant - State Controller's Office, California State 2020 Census Grant - Local Update of Census Addresses Program - \$100,000]**Sponsor: Mayor**

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

Resolution No. 396-18**ADOPTED by the following vote:**

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

President Cohen requested File Nos. 181006 and 181007 be called together.

181006 [Multifamily Housing Revenue Bonds - 1950 Mission Street - Not to Exceed \$60,488,962]**Sponsors: Mayor; Ronen**

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

Resolution No. 397-18**ADOPTED by the following vote:**

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

181007 [Ground Lease - 1950 Mission Housing Associates, LP - 1950 Mission Street - \$15,000 Annual Base Rent]**Sponsors: Mayor; Ronen**

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

(Fiscal Impact)

Resolution No. 398-18**ADOPTED by the following vote:**

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

181008 [Shopping Agreement - BoBCat Studios, LLC - Development of Public Defender Documentary Series]**Sponsor: Cohen**

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

Resolution No. 399-18**ADOPTED by the following vote:**

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

President Cohen requested File Nos. 181036 and 181037 be called together.

181036 [Contract Agreement - Grant Street Group, Inc. - Office of the Treasurer & Tax Collector and Office of the Controller's Property Tax System Replacement Project - Not to Exceed \$37,492,252]**Sponsors: Tang; Cohen**

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

(Fiscal Impact)

Resolution No. 403-18**ADOPTED by the following vote:**

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

181037 [Contract Agreements - Sapient Corporation and Carahsoft Technology Corporation - Office of the Assessor-Recorder's Property Assessment System Replacement Project - Not to Exceed \$21,414,700 and \$14,432,762 Respectively]
Sponsors: Tang; Cohen

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

Resolution No. 404-18

ADOPTED by the following vote:

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

180973 [Release of Reserved Funds - Airport Commission - Capital Improvement Plan Projects - \$2,732,455,418]

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

Motion No. M18-153

APPROVED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee

President Cohen requested File Nos. 180622, 180623, 180490, 180184, 180185, 180453, and 180612 be called together; although, File Nos. 180622 and 180623 were voted on separately first.

Supervisor Ronen was noted absent at 2:21 p.m.

180622 [Resolution of Intention - Establishing the Central SoMa Special Tax District]**Sponsors: Mayor; Kim**

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

Resolution No. 375-18**ADOPTED by the following vote:**

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

Absent: 1 - Ronen

180623 [Resolution of Intention - Incurring Bonded Indebtedness and Other Debt for the Central SoMa Special Tax District]**Sponsors: Mayor; Kim**

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

Resolution No. 376-18**ADOPTED by the following vote:**

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

Absent: 1 - Ronen

Supervisor Ronen was noted present at 2:23 p.m.

President Cohen requested File Nos. 180897, 180963, 181011, and 181013 be called together.

180897 [North of Market/Tenderloin Community Benefit District - Annual Report to the City - FY2016-2017]

Sponsor: Kim

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

Resolution No. 382-18

ADOPTED by the following vote:

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

180963 [Civic Center Community Benefit District - Annual Report for FY2016-2017]

Sponsor: Kim

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

Resolution No. 385-18

ADOPTED by the following vote:

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

181011 [Central Market Community Benefit District - Annual Report - 2016 Calendar Year]

Sponsor: Kim

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

Resolution No. 400-18

ADOPTED by the following vote:

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

181013 [Lower Polk Community Benefit District - Annual Report - FY2016-2017]

Sponsor: Peskin

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

Resolution No. 401-18

ADOPTED by the following vote:

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

181035 [Management Agreement - Owners' Association - Administration/Management of Discover Polk Community Benefit District]**Sponsor: Peskin**

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

Resolution No. 402-18**ADOPTED by the following vote:**

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

President Cohen requested File Nos. 180983, 180984, 180985, 180986, 180987, and 180988 be called together.

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

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

Resolution No. 390-18**ADOPTED by the following vote:**

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

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

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

Resolution No. 391-18**ADOPTED by the following vote:**

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

180985 [Mills Act Historical Property Contract - 465-467 Oak Street]**Sponsor: Brown**

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

Resolution No. 392-18**ADOPTED by the following vote:**

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

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

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

Resolution No. 393-18

ADOPTED by the following vote:

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

180987 [Mills Act Historical Property Contract - 354-356 San Carlos Street]

Sponsor: Ronen

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

Resolution No. 394-18

ADOPTED by the following vote:

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

180988 [Mills Act Historical Property Contract - 811 Treat Avenue]

Sponsor: Ronen

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

Resolution No. 395-18

ADOPTED by the following vote:

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

Appointment of President Pro Tempore

At the request of President Cohen, Supervisor Stefani assumed the chair at 3:05 p.m. The President resumed the chair at 3:14 p.m.

Recommendations of the Land Use and Transportation Committee

President Cohen was noted absent at 3:05 p.m.

151258 [Planning Code - Affordable Housing Requirement and Fee in Divisadero Neighborhood Commercial Transit District]

Sponsor: Brown

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

PASSED ON FIRST READING by the following vote:

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

Supervisor Peskin, seconded by Supervisor Safai, moved to rescind the previous vote:

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

Absent: 1 - Cohen

Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Fewer, seconded by Supervisor Tang, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by making various verbiage corrections. The motion carried by the following vote:

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

Absent: 1 - Cohen

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Absent: 1 - Cohen

President Cohen was noted present at 3:14 p.m.

180776 [Planning Code, Zoning Map - 430-29th Avenue Special Use District]**Sponsor: Fewer**

Ordinance amending the Planning Code and the Zoning Map to establish the 430-29th Avenue Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

PASSED ON FIRST READING by the following vote:

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

180806 [Planning Code - Temporary Pop-Up Retail, Flexible Retail, and Arts Activities Uses]**Sponsors: Tang; Safai, Fewer, Brown and Cohen**

Ordinance amending the Planning Code to create new Use allowing flexible, multi-use retail; permitting Temporary Pop-Up Retail uses in commercial spaces; permitting Flexible Retail in certain Neighborhood Commercial Districts; permitting Arts Activities in certain Neighborhood Commercial Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Supervisor Tang, seconded by Supervisor Safai, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 5, Line 19, by adding 'distinct' before 'Uses'. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

180862 [Transportation Code - Board of Supervisors Review of Bus Rapid Transit Projects]**Sponsors: Peskin; Stefani**

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

Supervisor Stefani requested to be added as a co-sponsor.

Supervisor Peskin, seconded by Supervisor Safai, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 5-9, by striking 'that do not include transit-only areas or lanes for' and adding 'that authorizes preferential access for any part of a street, except for commercial loading zones, to any vehicle that is not a'; and Page 2, Lines 16-20, by adding '(3) a decision by the SFMTA that is directly related to the implementation of a Bus Rapid Transit project, provided that no portion of the Bus Rapid Transit project authorizes preferential access for any part of a street, except for commercial loading zones, to any vehicle that is not a Municipal Railway vehicle, tax, authorized emergency vehicle, or Golden Gate Transit vehicle.' The motion carried by the following vote:

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

Ordinance amending Division I of the Transportation Code to establish a procedure for Board of Supervisors review of Municipal Transportation Agency decisions related to the implementation of a Bus Rapid Transit project that authorizes preferential access for any part of a street, except for commercial loading zones, to any vehicle that is not a Municipal Railway vehicle, taxi, authorized emergency vehicle, and/or Golden Gate Transit vehicle; and affirming the Planning Department's determination under the California Environmental Quality Act.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

President Cohen requested File Nos. 180892 and 180891 be called together.

180892 [Planning Code - 1629 Market Street Special Use District]

Sponsor: Kim

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

PASSED ON FIRST READING by the following vote:

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

180891 [Development Agreement Amendment - Strada Brady, LLC - Market and Colton Streets]

Sponsor: Kim

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

PASSED ON FIRST READING by the following vote:

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

180911 [Planning Code - Inclusionary Housing Ordinance]

Sponsors: Mayor; Cohen and Brown

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

Supervisors Cohen and Brown requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

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

181004 [Environment Code - Single-Use Food Ware Plastics, Toxics, and Litter Reduction]**Sponsor: Tang**

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

PASSED ON FIRST READING by the following vote:

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

180947 [Endorsing the Bay Area Air Quality Management District's Diesel Free By '33 Statement of Purpose]**Sponsors: Ronen; Mandelman**

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

Resolution No. 384-18

ADOPTED by the following vote:

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

Referred Without Recommendation from the Land Use and Transportation Committee**180490 [General Plan Amendments - Central South of Market Area Plan]**

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

PASSED ON FIRST READING by the following vote:

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

180184 [Administrative, Planning Codes - Central South of Market Area Plan]**Sponsors: Mayor; Kim**

Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

(Economic Impact)

Privilege of the floor was granted unanimously to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Kim, seconded by Supervisor Yee, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding a new Planning Code, Section 249.78(f), entitled 'Effect of Litigation'; by adding a new Planning Code, Section 249.78(g), entitled 'Non-Severability'; and a new Planning Code, Section 263.34(B), that states 'Notwithstanding Sections 145.1(c)(4) and 249.78(d)(10), non-residential and PDR uses on the ground floor shall have a minimum floor-to-floor height of 14 feet, measured from the ground floor slab'. The motion carried by the following vote:

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

(Proposition X, November 2016, requires a two-thirds vote (eight votes) of the membership to amend the requirements imposed by Planning Code, Section 249.78.)

PASSED ON FIRST READING AS AMENDED by the following vote:

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

180185 [Planning Code, Zoning Map - Central South of Market Special Use District]**Sponsors: Mayor; Kim**

Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Economic Impact)

PASSED ON FIRST READING by the following vote:

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

180453 [Business and Tax Regulations, Planning Codes - Central South of Market Housing Sustainability District]**Sponsors: Mayor; Kim**

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

PASSED ON FIRST READING by the following vote:

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

180612 [Administrative Code - San Francisco Special Tax Financing Law - Central SoMa]**Sponsors: Mayor; Kim**

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

PASSED ON FIRST READING by the following vote:

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

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

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

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

Supervisor Safai introduced, welcomed, and presented a Certificate of Honor to Karoleen Feng, Director of Community Real Estate (MEDA), in recognition of her many accomplishments rebuilding community assets and shaping policies and planning regulations for land use. Supervisor Ronen shared in this commendation.

Supervisor Mandelman introduced, welcomed, and presented a Certificate of Honor to Bay Area United Against Hate in recognition of their many accomplishments empowering communities to end hate violence across the Bay Area.

President Cohen introduced, welcomed, and presented a Certificate of Honor to Carol E. Tatum in recognition of her many accomplishments as an advocate and continued community support.

President Cohen introduced, welcomed, and presented Certificate of Honor to Dillon Auyoung, Local Government Affairs Manager (Municipal Transportation Agency), on the occasion of his departure from the City and County of San Francisco and in recognition of his many accomplishments. Supervisor Tang shared in this commendation.

President Cohen introduced, welcomed, and presented Certificate of Honor to Sonali Bose, Director of Finance and Information Technology (Municipal Transportation Agency), on the occasion of her retirement from the City and County of San Francisco after more than ten years, and in recognition of her many accomplishments. Supervisors Peskin, Kim, Brown, and Tang shared in this commendation.

Supervisor Peskin acknowledged the occasion of Supervisor Stefani's birthday today.

SPECIAL ORDER 3:00 P.M.

President Cohen requested File Nos. 180836, 180837, 180838, and 180839 be called together.

Supervisor Peskin Excused from Voting

Supervisor Peskin requested to be excused from voting on File Nos. 180836, 180837, 180838, and 180839, due to a possible conflict of interest.

Supervisor Fewer, seconded by Supervisor Yee, moved that this Supervisor Peskin be excused from voting on File Nos. 180836, 180837, 180838, and 180839. The motion carried by the following vote:

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

Excused: 1 - Peskin

Appointment of President Pro Tempore

At the request of President Cohen, Supervisor Stefani assumed the chair at 4:12 p.m. The President resumed the chair at 4:19 p.m.

180836 [Hearing - Appeal of Determination of Exemption From Environmental Review - Washington Square Water Conservation Project]

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department, on May 17, 2018, for the proposed Washington Square Water Conservation Project to reduce the park's existing irrigation water use by two-thirds and improve saturated soils conditions on the main lawn; within the P (Public) Zoning District with an OS (Open Space) Height and Bulk District. (District 3) (Appellant: Marc Bruno and Save North Beach) (Filed August 16, 2018) (Clerk of the Board)

President Cohen opened the public hearing and provided opening remarks on the project and appeal. The President then inquired as to whether any individual wished to address the Board. Marc Bruno (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Mr. Wright; Ace Washington; Maria Bugari; Charlie Walker; Speaker; Joan Wood; spoke in support of the appeal. Sherie George (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Toks Ajike, Director of Planning and Capital Division, Recreation and Park Department (Project Sponsor), provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. Ken Maley (Friends of Washington Square); Dale White; spoke in support of the project and in opposition to the appeal. Marc Bruno (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. President Cohen closed public comment and declared the public hearing heard and filed.

HEARD AND FILED

180837 [Affirming the Categorical Exemption Determination - Washington Square Water Conservation Project]

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

Motion No. M18-156

Supervisor Fewer, seconded by Supervisor Ronen, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Brown, Cohen, Fewer, Kim, Mandelman, Ronen, Safai, Stefani, Tang, Yee
Excused: 1 - Peskin

180838 [Conditionally Reversing the Categorical Exemption Determination - Washington Square Water Conservation Project]

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

Supervisor Fewer, seconded by Supervisor Ronen, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Brown, Cohen, Fewer, Kim, Mandelman, Ronen, Safai, Stefani, Tang, Yee
Excused: 1 - Peskin

180839 [Preparation of Findings to Reverse the Categorical Exemption Determination - Washington Square Water Conservation Project]

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

Supervisor Fewer, seconded by Supervisor Ronen, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Brown, Cohen, Fewer, Kim, Mandelman, Ronen, Safai, Stefani, Tang, Yee
Excused: 1 - Peskin

SPECIAL ORDER 3:00 P.M.

President Cohen requested File Nos. 180993, 180994, 180995, 180996, 180997, 180998, 180999, and 181000 be called together.

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

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

President Cohen opened the public hearings and Supervisor Kim indicated the appellants have withdrawn their appeals on these matters. The President inquired as to whether any individual wished to address the Board regarding these appeals and their subsequent withdraw. Mike Buhler, on behalf of San Francisco Heritage (Appellant), provided brief remarks regarding the withdrawal of the appeals. Speaker; Mr. Wright; Ace Washington; Amos Gregory; Michael Naulty; spoke on various concerns related to the withdrawn appeals. There were no other speakers. President Cohen closed public comment and declared the hearing heard and filed.

HEARD AND FILED

180994 [Affirming the Final Environmental Impact Report Certification - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

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

Motion No. M18-154

Supervisor Kim, seconded by Supervisor Fewer, moved that this Motion be APPROVED. The motion carried by the following vote:

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

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

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

Supervisor Kim, seconded by Supervisor Fewer, moved that this Motion be TABLED. The motion carried by the following vote:

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

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

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

Supervisor Kim, seconded by Supervisor Fewer, moved that this Motion be TABLED. The motion carried by the following vote:

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

SPECIAL ORDER 3:00 P.M.

180997 [Hearing - Appeal of Conditional Use Authorization - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Section 303, for a planned unit development pursuant to Planning Code, Section 304, with modifications for rear yard (Planning Code, Section 134(G)), dwelling unit exposure (Planning Code, Section 140); off street loading (Planning Code, Section 152) and permitted obstructions (Planning Code, Section 136(c)); for demolition of five existing dwelling units (Planning Code, Section 317); exceeding height of 50 feet with street frontage greater than 40 feet (Planning Code, Section 253); height greater than 80 feet in North of Market Residential Special Use District No. 1 (Planning Code, Sections 249.5/263.7); bulk exceedance (Planning Code, Section 270); and establishment of new Religious Institution Use (Section 303), for a proposed project at 450-474 O'Farrell Street and 532 Jones Street, Assessor's Parcel Block No. 0317, Lot Nos. 007, 009, and 011, identified in Planning Case No. 2013.1535ENV/CUA, issued by the Planning Commission by Motion No. 20281, dated September 13, 2018, to permit demolition of the existing commercial building (474 O'Farrell Street), existing commercial and residential building (532 Jones Street), and existing religious building (450 O'Farrell Street), and construct a 13-story mixed-use building containing up to 176 residential units, and approximately 3,827 square feet ground floor retail, 9,555 square feet new religious (church) use, and below-grade parking for up to 46 vehicles, within the RC-4 (Residential-Commercial, High Density), North of Market Residential Special Use District No. 1, and 80-T-130-T Height and Bulk District. (District 6) (Appellant: Mike Buhler, on behalf of San Francisco Heritage) (Filed October 15, 2018) (Clerk of the Board)

President Cohen opened the public hearings and Supervisor Kim indicated the appellants have withdrawn their appeals on these matters. The President inquired as to whether any individual wished to address the Board regarding these appeals and their subsequent withdraw. Mike Buhler, on behalf of San Francisco Heritage (Appellant), provided brief remarks regarding the withdrawal of the appeals. Speaker; Mr. Wright; Ace Washington; Amos Gregory; Michael Naulty; spoke on various concerns related to the withdrawn appeals. There were no other speakers. President Cohen closed public comment and declared the hearing heard and filed.

HEARD AND FILED

180998 [Approving Conditional Use Authorization - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

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

Motion No. M18-155

Supervisor Kim, seconded by Supervisor Fewer, moved that this Motion be APPROVED. The motion carried by the following vote:

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

180999 [Conditionally Disapproving Conditional Use Authorization - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

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

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

Supervisor Kim, seconded by Supervisor Fewer, moved that this Motion be TABLED. The motion carried by the following vote:

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

181000 [Preparation of Findings Related to Conditional Use Authorization Appeal - Proposed Project at 450-474 O'Farrell Street and 532 Jones Street]

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

Supervisor Kim, seconded by Supervisor Fewer, moved that this Motion be TABLED. The motion carried by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Appointment of President Pro Tempore

At the request of President Cohen, Supervisor Safai assumed the chair at 5:20 p.m. The President resumed the chair at 5:26 p.m.

PUBLIC COMMENT

Mr. Wright; expressed concerns regarding homelessness.

Ally Cunningham (Mission For All); invited the Members of the Board to view their mural project and thanked those who have already came.

Ace Washington; shared concerns regarding a hearing on various departments.

Marc Brandt; expressed concerns regarding the impacts of autonomous vehicles.

Speaker; shared various concerns.

Otto Dufty; shared concerns regarding the Republican Party and needed infrastructure.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

181058 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - January 29, 2019]

Closed Session for the Board of Supervisors to convene on November 13, 2018, for the purpose of conferring with, or receiving advice from, the City Attorney, under California Government Code, Section 54956.9(a), and Administrative Code, Section 67.10(d)(1), regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed, February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; and Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; scheduled pursuant to Motion No. M18-151, approved October 30, 2018. (Clerk of the Board)

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 5:55 p.m. to convene in closed session pursuant to Motion No. M18-151 (File No. 181038), approved on October 30, 2018.

The following Supervisors were noted present: Supervisors Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, and Yee

Persons in attendance: Jon Givner, Theresa Mueller, and Bill Sanders, Deputy City Attorneys (Office of the City Attorney); Juliet Ellis, Assistant General Manager-External Affairs, and Barbara Hale, Assistant General Manager-Power Enterprise (Public Utilities Commission); and Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).

Supervisors Fewer and Kim were noted absent at 6:38 p.m. and for the remainder of the meeting.

Matter was heard in closed session and no action was taken.

RECONVENED AS THE BOARD OF SUPERVISORS

The Board reconvened at the hour of 6:53 p.m.

The following Supervisors were noted present: Supervisors Brown, Cohen, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, and Yee

Before the vote was taken, President Cohen asked if any member of the public wished to address the Board on the proposed continuance. There were no speakers.

Supervisor Peskin, seconded by Supervisor Ronen, moved that this Closed Session be CONTINUED to the Board of Supervisors meeting of January 29, 2019. The motion carried by the following vote:

Ayes: 9 - Brown, Cohen, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

Absent: 2 - Fewer, Kim

[Elect Not to Disclose]

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

Supervisor Yee, seconded by Supervisor Peskin, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 9 - Brown, Cohen, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

Absent: 2 - Fewer, Kim

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

181056 [Calling from Committee - Committee of the Whole - Hearing (File No. 180630) - African-American Workforce Hiring, Retention, and Promotional Opportunities; Workplace Discrimination and Complaints - November 27, 2018]

Sponsor: Cohen

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

Motion No. M18-157

APPROVED by the following vote:

Ayes: 9 - Brown, Cohen, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee

Absent: 2 - Fewer, Kim

IMPERATIVE AGENDA

There were no imperative agenda items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

ORDINANCES

181077 [Business and Tax Regulations Code - Validation Actions and Statute of Repose for November 2018 Proposition C]

Sponsors: Mayor; Cohen, Kim, Ronen and Yee

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.

11/13/18; 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 - 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 for FY2018-2019.

(Fiscal Impact)

11/13/18; 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

Ordinance amending Ordinance No. 182-18 (Salary Ordinance FYs 2018-2019 and 2019-2020) to reflect the addition of 37 new positions (13.0 FTEs) in FY2018-2019 at the Human Services Agency and the Department of Public Health to implement the Supplemental Security Income (SSI) Cash Out and CalWORKs Home Visiting Initiative programs.

(Fiscal Impact)

11/13/18; ASSIGNED to Budget and Finance Committee.

181080 [Administrative Code - African American Arts and Cultural District]

Sponsors: Cohen; Ronen

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.

11/13/18; 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)

11/13/18; 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.

(Fiscal Impact)

11/13/18; ASSIGNED 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.

11/13/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/13/2018.

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.

11/13/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/13/2018.

180090 [Building Code - Electric Vehicle Charging Stations - Expedited Permit Process]**Sponsors: Tang; Peskin, Safai, Ronen and Brown**

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.

01/23/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/22/2018.

02/06/18; REFERRED TO DEPARTMENT.

02/16/18; RESPONSE RECEIVED.

11/13/18; REMAIN ACTIVE.

11/13/18; 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.

11/13/18; 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)

11/13/18; 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)

11/13/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

181088 [Accept and Expend Grant - Bay Area Air Quality Management District - Keep It Tuned Pilot Project - \$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)

11/13/18; 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.

(Fiscal Impact)

11/13/18; 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.

11/13/18; 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.

11/13/18; 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: Mar**

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).

11/13/18; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

181093 [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.

11/13/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

181094 [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)

11/13/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

181095 [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)

11/13/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

MOTION**181096 [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.

11/13/18; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

REQUEST FOR HEARING

181097 [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)

11/13/18; 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 - \$760,000]

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

10/26/18; RECEIVED FROM DEPARTMENT.

11/13/18; 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)

10/29/18; RECEIVED FROM DEPARTMENT.

11/13/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/13/2018.

PROPOSED RESOLUTIONS

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

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

11/02/18; RECEIVED FROM DEPARTMENT.

11/13/18; 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)

(Fiscal Impact)

10/23/18; RECEIVED FROM DEPARTMENT.

11/13/18; 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)

11/02/18; RECEIVED FROM DEPARTMENT.

11/13/18; 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)

11/02/18; RECEIVED FROM DEPARTMENT.

11/13/18; 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)

11/02/18; RECEIVED FROM DEPARTMENT.

11/13/18; 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)

11/02/18; RECEIVED FROM DEPARTMENT.

11/13/18; 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)

11/02/18; RECEIVED FROM DEPARTMENT.

11/13/18; 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)

11/02/18; RECEIVED FROM DEPARTMENT.

11/13/18; 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)

11/02/18; RECEIVED FROM DEPARTMENT.

11/13/18; 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)

11/02/18; RECEIVED FROM DEPARTMENT.

11/13/18; 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)
(Fiscal Impact; No Budget and Legislative Analyst Report)

11/02/18; RECEIVED FROM DEPARTMENT.

11/13/18; 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)
(Fiscal Impact)

10/29/18; RECEIVED FROM DEPARTMENT.

11/13/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

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

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

11/05/18; RECEIVED FROM DEPARTMENT.

11/13/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

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

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

11/05/18; RECEIVED FROM DEPARTMENT.

11/13/18; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

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

ADJOURNMENT

There being no further business, the Board adjourned at the hour 6:57 p.m.

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

Approved by the Board of Supervisors on January 15, 2019.

Angela Calvillo, Clerk of the Board