

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 18, 2018 - 2:00 PM

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

Regular Meeting

MALIA COHEN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Cohen, Fewer, Stefani

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

Government Audit and Oversight Committee
Supervisors Kim, Peskin, Brown

Land Use and Transportation Committee
Supervisors Tang, Kim, Safai

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

Rules Committee
Supervisors Safai, Yee, Stefani

Meeting Days

Thursday
10:00 AM

2nd and 4th Thursday
1:15 PM

1st and 3rd Wednesday
10:00 AM

Monday
1:30 PM

2nd and 4th Wednesday
10:00 AM

Wednesday
1:00 PM

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

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

The Board of Supervisors of the City and County of San Francisco met in regular session on Tuesday, September 18, 2018, with President Malia Cohen presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

President Cohen called the meeting to order at 2:01 p.m. On the call of the roll, Supervisor Ronen was noted not present. There was a quorum.

COMMUNICATIONS

There were no communications.

Supervisor Ronen was noted present at 2:03 p.m.

AGENDA CHANGES

There were no agenda changes.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

180584 [Planning Code - Fees for Certain Permits and Transportation Analysis]

Sponsor: Mayor

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

Ordinance No. 221-18

FINALLY PASSED

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

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

(Fiscal Impact)

Ordinance No. 223-18**FINALLY PASSED****Recommendation of the Government Audit and Oversight Committee****180727 [Settlement of Lawsuit - Anita Lofton and Almudena Martin Marcos - \$60,000]**

Ordinance authorizing settlement of the lawsuit filed by Anita Lofton and Almudena Martin Marcos against the City and County of San Francisco for \$60,000; the lawsuit was filed on December 23, 2015, in San Francisco Superior Court, Case No. CGC-15-549595; entitled Anita Lofton, et al. v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney)

Ordinance No. 222-18**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

From the Board

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

Sponsors: Mayor; Cohen

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

Ordinance No. 220-18

FINALLY PASSED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

180364 [Planning Code - Affordable Housing Projects on Undeveloped Lots in Service/Arts/Light Industrial Districts]

Sponsor: Kim

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

Supervisor Kim, seconded by Supervisor Fewer, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Lines 17, 20, and 21, by changing 'structures' to 'buildings'. The motion carried by the following vote:

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang, Yee
Ordinance amending the Planning Code to permit Affordable Housing on undeveloped lots in Service/Arts/Light Industrial (SALI) Zoning Districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Supervisor Kim requested this Ordinance be DUPLICATED AS AMENDED.

See duplicated File No. 180910.

PASSED ON FIRST READING AS AMENDED 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.

Duplicated from File No. 180364.

Supervisor Kim, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Lines 21-22, by striking 'as of the effective date of the ordinance enacting Section 846.24, in Board File No.', and Lines 24-25, by adding '(3) On any parcel over 15,000 square feet in size that contains a surface parking lot use, structures that are accessory to a surface parking lot use, and a building that does not exceed 800 square feet in building area.' The motion carried by the following vote:

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

Supervisor Peskin, seconded by Supervisor Kim, moved that this Ordinance be RE-REFERRED AS AMENDED to the Land Use and Transportation Committee. The motion carried 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

180655 [Airport Revenue Bonds - Bond Issuance - Airport Revenue Refunding Bonds - Continuing Covenant Agreement - Not to Exceed \$2,620,000,000]

Resolution approving the issuance of up to \$2,620,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Refunding Bonds for the purpose of refinancing bonds and subordinate bonds of the Airport Commission and related obligations; approving the form of and authorizing the execution and delivery of one or more Continuing Covenant Agreements in connection with the direct purchase of bonds of the Airport Commission; and approving certain related matters, as defined herein. (Airport Commission)
(Fiscal Impact)

Resolution No. 305-18

ADOPTED by the following vote:

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

President Cohen requested File Nos. 180713 and 180728 be called together.

180713 [Contract Amendment - Positive Resource Center - Behavioral Health Services - Not to Exceed 18,075,044]

Resolution retroactively approving a fourth amendment to the Department of Public Health contract for behavioral health services with Positive Resource Center, to extend the contract term by four years, from July 1, 2018, for a total term of October 1, 2013, through June 30, 2022, and to increase the contract by \$7,330,597 for a total amount not to exceed \$18,075,044. (Public Health Department)
(Fiscal Impact)

Resolution No. 306-18

ADOPTED by the following vote:

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

180728 [Original Agreement - Edgewood Center for Children and Families - Behavioral Health Services for Children and Families - Not to Exceed \$24,224,508]

Resolution retroactively approving an original agreement for behavioral health services for children, youth and families between the Department of Public Health and Edgewood Center for Children and Families in the not to exceed amount of \$24,224,508 for a total contract term of four years from July 1, 2018, through June 30, 2021. (Public Health Department)
(Fiscal Impact)

Resolution No. 307-18

ADOPTED by the following vote:

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

President Cohen requested File Nos. 180810 and 180811 be called together.

180810 [Multifamily Housing Revenue Bonds - 1990 Folsom Street - Not to Exceed \$76,000,000]

Sponsor: Ronen

Resolution approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed \$76,000,000 for the purpose of providing financing for the construction of a 143-unit multifamily rental housing project, located at 1990 Folsom Street (the "Project"), by 1990 Folsom Housing Associates, L.P.; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein.

Resolution No. 309-18

ADOPTED by the following vote:

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

180811 [Multifamily Housing Revenue Bonds - 1045 Capp Street (Abel Gonzales Apartments) - Not to Exceed \$20,000,000]

Sponsor: Ronen

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$20,000,000 for 1045 Capp Street (Abel Gonzales Apartments); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$20,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

Resolution No. 310-18

ADOPTED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

180483 [Planning Code - Health Services - Ocean Avenue Neighborhood Commercial Transit District]

Sponsor: Yee

Ordinance amending the Planning Code to provide that in the Ocean Avenue Neighborhood Commercial Transit District a Health Service Use, whether Principal or Accessory, requires a Conditional Use authorization on the ground story and is permitted above the ground story; 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.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Public Safety and Neighborhood Services Committee

180617 [Police Code - Access to Reproductive Health Care Facilities]

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

Ordinance amending the Police Code to require law enforcement officials to provide a verbal warning, rather than having to provide a written warning, prior to issuing a dispersal order to ensure access to a reproductive health care facility.

Supervisors Cohen, Fewer, Stefani, Yee, Brown, Peskin, Mandelman, Kim, Tang, and Safai 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

President Cohen requested File Nos. 180103, 180231, and 180763 be called together.

180103 [Liquor License - 98 Turk Street - BIIG]

Resolution determining that the issuance of an extension on premise of a Type-48 on-sale general public premises liquor license to 98 Bottles of Beer on the Wall, Inc., doing business as BIIG, located at 98 Turk Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 303-18

ADOPTED by the following vote:

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

180231 [Liquor License Transfer - 629 Union Street - Giovanni Italian Specialties]

Resolution determining that the premise-to-premise transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Giovanni Specialties LLC, doing business as Giovanni Italian Specialties located at 629 Union Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 304-18

ADOPTED by the following vote:

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

180763 [Liquor License - 691-14th Street - Fig & Thistle]

Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises liquor license to Lay Brothers, LLC, doing business as Fig & Thistle, located at 691-14th Street (District 8), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Resolution No. 308-18

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

President Cohen requested File Nos. 180754 and 180755 be called together.

180754 [Administrative Code - Civic Design Review Fee]

Sponsors: Peskin; Brown

Ordinance amending the Administrative Code to modify the Civic Design Review fee from a deposit of \$2,500 plus the time and materials costs to a flat fee of \$12,800 per project, establish a process for an annual cost-of-living fee adjustment, set a timeline for fee payment, describe the method for determining fees for projects involving multiple structures situated together as part of a larger development plan, and describe circumstances that may qualify for fee waiver or reduction.

PASSED ON FIRST READING by the following vote:

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

180755 [Administrative Code - Arts Commission Traveling Exhibitions]

Sponsors: Peskin; Brown

Ordinance amending the Administrative Code to authorize the Arts Commission to charge a fee for organizing traveling exhibitions.

PASSED ON FIRST READING by the following vote:

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

180679 [Appointments, Central Market Street and Tenderloin Area Citizen's Advisory Committee - Bryant Duong, Stephen Tennis, Sam Dennison and Jonathan Bonato]

Motion appointing Bryant Duong (residency requirement waived) and Stephen Tennis, terms ending November 2, 2019, and Sam Dennison and Jonathan Bonato, terms ending January 31, 2021, to the Central Market Street and Tenderloin Area Citizen's Advisory Committee. (Rules Committee)

Motion No. M18-119

APPROVED by the following vote:

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

180802 [Administrative Code - Labor Peace Agreements for Excursion Vessel Operations Under Lease with the Port]

Sponsors: Peskin; Yee and Safai

Ordinance amending the Administrative Code to require Labor Peace Agreements between employers operating excursion vessels under a Port lease and labor organizations seeking to represent their employees to protect the City's ongoing proprietary interest.

PASSED ON FIRST READING by the following vote:

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

180807 [Administrative Code - Early Care and Education for All]

Sponsors: Yee; Kim, Ronen, Cohen and Fewer

Ordinance amending the Administrative Code to establish the Early Care and Education for All Initiative, to be funded by appropriations from the Babies and Families First Fund, including procedures concerning a spending plan and reporting requirements.

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

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. 180881 and 180882 be called together.

Supervisor Mandelman Excused from Voting

Supervisor Peskin, seconded by Supervisor Ronen, moved that Supervisor Mandelman be excused from voting on File Nos. 180881 and 180882. The motion carried by the following vote:

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

Excused: 1 - Mandelman

180881 [Appointment, Association of Bay Area Governments, Executive Board - Supervisor Rafael Mandelman]

Motion appointing Supervisor Rafael Mandelman, term ending June 30, 2019, to the Association of Bay Area Governments, Executive Board. (Clerk of the Board)

Motion No. M18-120

APPROVED by the following vote:

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

Excused: 1 - Mandelman

180882 [Appointment, Bay Area Air Quality Management District, Board of Directors - Supervisor Rafael Mandelman]

Motion appointing Supervisor Rafael Mandelman, term ending February 1, 2021, to the Bay Area Air Quality Management District, Board of Directors. (Clerk of the Board)

Motion No. M18-121

APPROVED by the following vote:

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

Excused: 1 - Mandelman

Supervisor Brown Excused from Voting

Supervisor Yee, seconded by Supervisor Stefani, moved that Supervisor Brown be excused from voting on File No. 180883. The motion carried by the following vote:

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

Excused: 1 - Brown

180883 [Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor Vallie Brown]

Motion appointing Supervisor Vallie Brown, term ending January 31, 2019, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Motion No. M18-122

APPROVED by the following vote:

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

Excused: 1 - Brown

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

Supervisor Fewer, seconded by Supervisor Kim, 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 guest. The motion carried by the following vote:

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

Supervisor Fewer introduced, welcomed, and presented a Certificate of Honor to Meehyang Yoon, Board Chair of the Korean Council for Justice and Remembrance, in recognition of her advocacy and efforts relating to the issues of military sexual slavery by Japan.

COMMITTEE REPORTS

Recommendations of the Budget and Finance Committee

180708 [Authorizing Agreements - Binding Arbitration for Purchase of Electricity and Related Products - Public Utilities Commission - Total Costs of \$13,762,490]

Ordinance delegating authority to the General Manager of the Public Utilities Commission to enter into agreements requiring binding arbitration for purchase of electricity and related products within certain parameters and where necessary to meet legal requirements; and retroactively authorizing three agreements for CleanPowerSF with Pacific Gas & Electric Company requiring binding arbitration, with a combined term of two years and five months from August 2018, through December 2020, and total costs of \$13,762,490 for purchase of electricity-related products. (Public Utilities Commission)
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

180830 [Sale of Easement - Portion of San Francisco Public Utilities Commission Parcel 75 (Calaveras Road in Sunol, California) - Alameda County - \$2,457]

Resolution approving and authorizing the sale to Alameda County for \$2,457 of an easement on City and County of San Francisco property under the jurisdiction of the San Francisco Public Utilities Commission (SFPUC) consisting of one approximately 5,484-square-foot road area and one approximately 22,548-square-foot slope area on and above Calaveras Road in Sunol, California; adopting findings that the grant of the easement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting findings under Administrative Code, Section 23.3, that offering the easement for sale through competitive bidding would be impractical; and authorizing the General Manager of the SFPUC or the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Public Utilities Commission)

Resolution No. 312-18

ADOPTED by the following vote:

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

Recommendation of the Land Use and Transportation Committee

180812 [Agreement Amendment - California Department of Transportation - Incorporate Additional Facilities and City Trench Standards]

Sponsor: Tang

Resolution approving the Second Amendment to the Agreement for Maintenance of State Highways in San Francisco between the City and County of San Francisco ("City") and the State of California Department of Transportation ("Caltrans") to include City's maintenance of additional facilities on right-of-way within Caltrans jurisdiction, including City's maintenance and operation of additional electrical equipment on Sloat Boulevard (State Route 35) at Forest View Drive, 23rd Avenue, 36th Avenue, Constanso Way, El Mirasol Place, 26th Avenue, and 21st Avenue, and on San Jose Avenue (State Route 82) at Goethe Street and Rice Street; to include City's maintenance of speed bumps, pedestrian barrier rail, signage, and red concrete at the intersection of Rossmoor Drive and 19th Avenue; and to reflect Caltrans' authorization of the City's construction and use of water, sewer, and auxiliary water supply system trench facilities compliant with City standards ("City Trench Details") on certain specified routes, including portions of Caltrans right-of-way on Van Ness Avenue, Lombard Street, and 19th Avenue, and the City's indemnification of Caltrans regarding any failures, defects, conditions, or damage resulting from the construction and use of the City Trench Details.

Resolution No. 311-18

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Allen Jones; shared concerns regarding racial discrimination and the Mayoral appointment and election process.

Mr. Wright; expressed concerns regarding child sexual abuse within the Catholic Church and the need for additional investigations in San Francisco.

Tom Gilbert; shared concerns regarding climate change and the potential for disasters due to earthquakes.

Speaker; shared various religious concerns.

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

180911 [Planning Code - Inclusionary Housing Ordinance]

Sponsor: Mayor

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.

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

180912 [Police and Health Codes - Regulation of Cannabis Businesses]

Sponsors: Mayor; Mandelman and Cohen

Ordinance amending the Police Code by making a number of changes in the regulation of commercial cannabis activity, including, among other things: 1) defining ownership interest in a Cannabis Business; 2) modifying the Cannabis Equity Incubator Program requirements; 3) extending by one year the possible duration of a Temporary Cannabis Business Permit; 4) authorizing the Director of the Office of Cannabis to issue Cannabis Business Permits to Medical Cannabis Dispensaries forced to discontinue operations due to a no-fault lease termination before December 31, 2018; 5) modifying the order in which the Director may review and process Cannabis Business Permit applications; 6) requiring Cannabis Business permit amendments when a change in ownership results in a decrease in an Equity Applicant's Ownership Interest or role in the Cannabis Business; 7) revising Cannabis Business Permit application requirements; 8) requiring Cannabis Businesses to comply with all permit conditions whether or not they are currently engaging in the permitted activity; 9) modifying the amount of Cannabis that may be delivered or sold to a customer; and 10) authorizing Cannabis Microbusinesses to conduct either storefront or delivery sales, but not both, and reducing from four to three the categories of Commercial activity required to operate as a Cannabis Microbusiness; and amending the Health Code by extending by one year the date on which Article 33 (Medical Cannabis Act) expires by law.

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

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.)

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

180914 [Planning Code - Modifying Better Streets Plan Requirements and Curb Cut Restrictions]**Sponsor: Kim**

Ordinance amending the Planning Code to add new items to the list of 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 most zoning districts and certain designated streets, including those on the Citywide Transit Network and any officially adopted Class II Bikeways (bicycle lanes and buffered bike lanes) or Class IV Bikeways (protected bicycle lanes), and requiring a Conditional Use authorization or a Section 309 or 329 exception for new or expanded curb cuts in the applicable area; 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.

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

180915 [Planning Code - Residential Care Facilities]**Sponsors: Mandelman; Yee**

Ordinance amending the Planning Code to allow Residential Care Facilities with seven or more persons as a principally permitted use in RH-3 (Residential House, Three-Family), RC (Residential Commercial), RM (Residential Mixed), and RTO (Residential Transit Oriented) Districts, in Neighborhood Commercial Districts, and in certain Mixed Use Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

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

180916 [Planning, Administrative Codes - Zoning Controls and Fees in the C-3-R (Downtown Retail) District]**Sponsor: Peskin**

Ordinance amending the Planning Code to change zoning controls for Non-Retail Sales and Service Uses in the C-3-R (Downtown Retail) Zoning District; amending the Planning and Administrative Codes to create the Union Square Park, Recreation, and Open Space Fund and Fee; affirming Planning Department's determination under the California Environmental Quality Act; 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.

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

180917 [Planning Code - Small Family Child Care in an Affordable Dwelling Unit on the Ground Floor]**Sponsor: Yee**

Ordinance amending the Planning Code to permit an affordable dwelling unit with a State-licensed Small Family Child Care Home on the ground floor on certain commercial streets; excluding certain Child Care units from the calculation of maximum density permitted on the site; and making environmental findings, 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.

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

RESOLUTIONS

180918 [Apply for Grant - California Department of Housing and Community Development - California Emergency Solutions and Housing Program]**Sponsor: Mayor**

Resolution authorizing the Department of Homelessness and Supportive Housing to apply for the California Emergency Solutions and Housing Program from the California Department of Housing and Community Development. (Department of Homelessness and Supportive Housing)

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

180919 [Accept and Expend Grant - California Department of Justice - Proposition 56 Tobacco Law Enforcement Grant Program - \$1,753,378]**Sponsor: Cohen**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant from California Department of Justice to participate in a program, entitled "Proposition 56 Tobacco Law Enforcement Grant Program," in the amount of \$1,753,378 for the period of June 1, 2018, through June 30, 2020. (Public Health Department)

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

180920 [Accept and Expend Grant - California State Water Resources Control Board - Public Beach Safety Grant Program - \$30,000]**Sponsor: Tang**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant from the California State Water Resources Control Board, Division of Water Quality Beach Safety Program, to participate in a program, entitled "Public Beach Safety Grant Program," in the amount of \$30,000 for the period of July 1, 2018, through June 30, 2019. (Public Health Department)

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

180921 [Approval of a 90-Day Extension for the Planning Commission Review of a Planning Code and Zoning Map Amendment Rezoning 1650-1680 Mission Street (File No. 180474)]**Sponsor: Tang**

Resolution retroactively extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 180474) amending the Planning Code to revise the Zoning Map to rezone 1650, 1660, and 1670 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, and 008, from their current designation as NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) to C-3-G (Downtown General Commercial), and to rezone 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 009 and 010, from its current designation as P (Public) to C-3-G; 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 general welfare under Planning Code, Section 302.

09/18/18; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUESTS FOR HEARING

180922 [Hearing - Juvenile Justice System and Closure of Log Cabin Ranch]**Sponsor: Fewer**

Hearing on the juvenile justice system and strategies, including Juvenile Hall and the closure of Log Cabin Ranch, as well as community-based alternatives to detention; and requesting the Juvenile Probation Department to report.

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

180923 [Hearing - Work Group to Re-Envision the Jail Project Report Outcomes]**Sponsor: Mandelman**

Hearing to discuss updates from the Work Group to Re-Envision the Jail Project; and requesting the Sheriff's Department, Department of Public Health, and San Francisco Taxpayers for Public Safety to report.

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

Introduced at the Request of a Department

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

PROPOSED ORDINANCE

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 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 various terms and conditions, as defined 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; No Budget and Legislative Analyst Report)

09/10/18; RECEIVED FROM DEPARTMENT.

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

PROPOSED RESOLUTIONS

180887 [Contract Extension - Intersection Media, LLC - Advertising - \$32,250,000 Minimum Guarantee]

Resolution authorizing the Municipal Transportation Agency to execute an extension of the transit advertising contract with Intersection Media, LLC, for a five-year term to commence July 1, 2019, through June 30, 2024, with a minimum guarantee of \$32,250,000. (Municipal Transportation Agency)

09/07/18; RECEIVED FROM DEPARTMENT.

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

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; No Budget and Legislative Analyst Report)

09/10/18; RECEIVED FROM DEPARTMENT.

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

In Memoriams

*Mercedes Montoliu Miller - Supervisor Stefani
Art Peterson - Supervisor Peskin*

ADJOURNMENT

There being no further business, the Board adjourned at the hour 3:09 p.m.

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

Approved by the Board of Supervisors on October 23, 2018.

Angela Calvillo, Clerk of the Board