



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, October 23, 2018 - 2:00 PM

Regular Meeting

MALIA COHEN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

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

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

Agenda Item Information

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

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

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

Meeting Procedures

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

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

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

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Know Your Rights Under The Sunshine Ordinance

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

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ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of [September 18, 2018](#) Board Meeting Minutes.

AGENDA CHANGES

CONSENT AGENDA

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

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

Items 1 through 11

Recommendation of the Budget and Finance Committee

Present: Supervisors Fewer, Stefani, Tang

1. [180933](#) **[Accept and Expend Grant and Amend the Annual Salary Ordinance - Laura and John Arnold Foundation - Financial Justice Project - FY2018-2019 - \$415,597]**
Sponsor: Brown
 Ordinance retroactively authorizing the Office of the Treasurer & Tax Collector to accept and expend a grant in the amount of \$415,597 from the Laura and John Arnold Foundation for the Financial Justice Project; and amending Ordinance No. 182-18 (Annual Salary Ordinance FY2018-2019) to provide for the creation of one grant funded position. (Treasurer-Tax Collector)

 10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Kim, Peskin, Brown

2. **180818** **[Settlement of Lawsuit - Suzanne Montes - \$575,000]**
Ordinance authorizing settlement of the lawsuit filed by Suzanne Montes against the City and County of San Francisco for \$575,000; the lawsuit was filed on May 23, 2017, in the United States District Court, Case No. 3:17-CV-02928-JSC; entitled Suzanne Montes v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute; other material terms of the settlement are restoring 384 hours of sick leave with pay and 240 hours of vacation to plaintiff. (City Attorney)

10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Tang, Kim

3. **180720** **[Planning Code - Landmark Designation - 228-248 Townsend Street (aka New Pullman Hotel)]**
Ordinance amending the Planning Code to designate 228-248 Townsend Street (aka New Pullman Hotel), Assessor's Parcel Block No. 3787, Lot No. 018, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. **180721** **[Planning Code - Landmark Designation - 457 Bryant Street (aka Piledrivers, Bridge, and Structural Ironworkers Local No. 77 Union Hall)]**
Ordinance amending the Planning Code to designate 457 Bryant Street (aka Piledrivers, Bridge, and Structural Ironworkers Local No. 77 Union Hall), Assessor's Parcel Block No. 3775, Lot No. 085, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. [180722](#) **[Planning Code - Landmark Designation - 500-504-4th Street (aka Hotel Utah)]**
Ordinance amending the Planning Code to designate 500-504-4th Street (Hotel Utah), Assessor's Parcel Block No. 3777, Lot No. 001, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
6. [180723](#) **[Planning Code - Clyde and Crooks Warehouse Historic District]**
Ordinance amending the Planning Code to add a new Appendix O to Article 10, Preservation of Historical, Architectural, and Aesthetic Landmarks, to create the Clyde and Crooks Warehouse Historic District, encompassing an area generally bounded by Brannan Street to the north, Third Street to the east, Townsend Street to the south, and Lusk Street to the West; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
7. [180724](#) **[Planning Code - Mint-Mission Conservation District]**
Ordinance amending the Planning Code to add a new Appendix K to Article 11, Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic Importance in the C-3 (Downtown Commercial) Districts, to create the Mint-Mission Conservation District, which includes certain properties in the area bounded by Fifth Street, Stevenson Street, Minna Street, and Sixth Street, specifically Assessor's Parcel Block No. 3704, Lot Nos. 003, 010, 012, 013, 015, 017, 018, 019, 020, 021, 022, 024, 028, 029, 034, 035, 059, 079, 113, and 144, and Assessor's Parcel Block No. 3725, Lot Nos. 087 and 088, and designates contributory and significant buildings within that District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. [180725](#) **[Planning Code - Designation of Various Properties as Significant and Contributory in the C-3 District Based on Architectural, Historic and Aesthetic Value]**

Ordinance amending the Planning Code to change the designation of these properties located in the C-3 (Downtown Commercial) District from no rating to Category 1 (Significant) pursuant to Article 11 of the Planning Code, based on architectural, historic, and aesthetic value: 360-4th Street (aka Southern Police Station), 539 Bryant Street (aka Shreve and Company Factory), 340-350 Townsend Street (aka Paul Wood Warehouse), 601-4th Street (aka Heubline Wine Distribution Warehouse), and 500-504-4th Street (aka Hotel Utah); to change the designation of these properties located in the C-3 District from no rating to Category III (Contributory) pursuant to Article 11 of the Planning Code, based on architectural, historic and aesthetic value: 104-106 South Park Street (aka Omiya Hotel/Gran Oriente Filipino), 117-125-6th Street (aka The Rose Hotel), 135-6th Street/495 Minna Street (aka Sunnyside Hotel), 139-149-6th Street (aka Mint Hotel), 157-161-6th Street (aka Sunset Hotel), 169-183-6th Street (aka Adler Hotel), 194-198-5th Street (aka Hotel George), 224 Townsend Street (aka Worthington Company Warehouse), 228 Townsend Street (aka Pullman Hotel), 355 Brannan Street, 361-365 Brannan Street, 457 Bryant Street (aka Pile Driver, Bridge and Structural Iron Workers Union #77), 461 Bryant Street, 480-5th Street, 566-586-3rd Street (aka Central Hotel), 508-514-4th Street (Murschen & Hoelscher Building), 844 Folsom Street (aka Victor Equipment Company), 850 Folsom Street (aka Victor Equipment Company), 854 Folsom Street, and 95 Jack London (aka Gran Oriente Filipino Masonic Temple); to change the designation of this property located in the C-3 District from Category V (Unrated) to Category III (Contributory) pursuant to Article 11 of the Planning Code, based on architectural, historic, and aesthetic value: 47-55-6th Street (Hillside Hotel); affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. [180726](#) **[Planning Code - Amending Kearny-Market-Mason-Sutter Conservation District and Article 11 Designation of 55-5th Street]**

Ordinance amending the Planning Code to amend Appendix E to Article 11, Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic Importance in the C-3 (Downtown Commercial) Districts to expand the boundaries of the Kearny-Market-Mason-Sutter Conservation District and to designate 55-5th Street as a Contributory Building-Category IV; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Tang, Kim, Safai

10. [180861](#) **[Planning Code - Fire-Damaged Liquor Stores in North Beach Neighborhood Commercial District]**

Sponsor: Peskin

Ordinance amending the Planning Code to provide that temporary closure of a liquor store in the North Beach Neighborhood Commercial District (NCD) as a result of a fire is not an abandonment of such use, and that relocation of such use to another location in the North Beach NCD does not require a new Conditional Use permit; 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.

10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Safai, Yee, Stefani

11. [180977](#) **[Appointments, Eastern Neighborhoods Citizens Advisory Committee - Kevin Ortiz and C. Heather Phillips]**

Motion appointing Kevin Ortiz and C. Heather Phillips, terms ending October 19, 2019, to the Eastern Neighborhoods Citizens Advisory Committee. (Rules Committee)

Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

12. [180772](#) **[Creating Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, Pier 70) - Adopting an Infrastructure Financing Plan]**
Sponsors: Mayor; Cohen
Ordinance creating City and County of San Francisco Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard, 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)
- 09/11/2018; CONTINUED.
- 10/16/2018; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Referred without Recommendation from the Land Use and Transportation Committee

Present: Supervisors Tang, Kim, Safai

13. [180816](#) **[General Plan - India Basin Mixed-Use Project]**
Sponsors: Mayor; Cohen
Ordinance amending the General Plan to revise the Bayview Hunters Point Area Plan, and the Urban Design, Commerce and Industry, and Recreation and Open Space Elements, to reflect the India Basin Mixed-Use Project; adopting findings under the California Environmental Quality Act; and making findings under Planning Code, Section 340, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)
- 10/02/2018; CONTINUED ON FIRST READING.
- 10/16/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 10/16/2018; PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**

14. [180680](#) **[Planning Code, Zoning Map - India Basin Special Use District]**
Sponsors: Mayor; Cohen
Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the south-east part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; 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.

10/02/2018; CONTINUED ON FIRST READING.

10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. [180681](#) **[Development Agreement - India Basin Investment LLC - India Basin Project - Innes Avenue at Griffith Street]**
Sponsors: Mayor; Cohen
Ordinance approving a Development Agreement between the City and County of San Francisco and India Basin Investment LLC, a California limited liability company, for the India Basin Project at the approximately 28-acre site located at Innes Avenue between Griffith Street and Earl Street, with various public benefits, including 25% affordable housing and 11 acres of parks and open space; making findings under the California Environmental Quality Act and findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); approving a Public Trust Exchange Agreement, making public trust findings, and authorizing the transfer and acceptance of real property and the recording of a land use covenant consistent with the Public Trust Exchange Agreement; approving specific development impact fees and waiving any conflicting provision in Planning Code, Article 4, or Administrative Code, Article 10; confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B, 23, 56, and 82, and Subdivision Code, Section 1348; and ratifying certain actions taken in connection therewith.

10/02/2018; CONTINUED ON FIRST READING.

10/16/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/16/2018; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Safai, Stefani, Fewer

- 16. [171171](#) **[Administrative Code - Shelter Monitoring Committee - Composition of Membership, Powers and Duties, and Sunset Date]**
Ordinance amending the Administrative Code to change the qualifications for members of the Shelter Monitoring Committee, create staggered terms for members, establish a sunset date for the Committee, and to allow shelters that contract with the City to provide clients with clean blankets if clean sheets are unavailable. (Public Health Department)

10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 17. [180002](#) **[Various Codes - Nonsubstantive Clean-Up Ordinance]**
Ordinance amending the Administrative, Business and Tax Regulations, Environment, Fire, Health, Police, and Transportation Codes to make nonsubstantive changes. (City Attorney)

10/16/2018; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 18. [180800](#) **[Administrative Code - Cannabis Oversight Committee]**
Sponsors: Fewer; Kim and Yee
Ordinance amending the Administrative Code to establish the Cannabis Oversight Committee to advise the Board of Supervisors and the Mayor regarding the implementation and enforcement of City laws and regulations relating to cannabis; and to require the Director of the Office of Cannabis to report information to the Committee regarding the growth of the cannabis industry in the City.

10/16/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/16/2018; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Tang, Kim, Safai

19. [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) authorizing the Director to deny a massage establishment permit to an applicant who has been convicted of any offense related to prostitution or solicitation of prostitution; 5) adding or revising massage establishment operating standards relating to vermin, employee areas, locked doors, residential use, and advertising; 6) prohibiting a massage business from operating a massage school on the same premises as a massage establishment; 7) establishing a massage establishment reinspection fee of \$191 per hour; 8) updating administrative and permit penalties; 9) 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; 10) authorizing the City Attorney to institute civil proceedings for injunctive and monetary relief for violations of Article 29; 11) declaring violations of select provisions of Article 29 to be public nuisances; and 12) discontinuing the acceptance of applications for massage practitioner permits effective January 1, 2019.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
20. [180801](#) **[Amending Ordinance No. 1061 - Sidewalk Width Change - Portions of Beale Street, Howard Street, Main Street, and Mission Street]**
Sponsor: Kim
Ordinance amending Ordinance No. 1061, entitled “Regulating the Width of Sidewalks,” to change the official sidewalk width of certain locations fronting Assessor’s Parcel Block No. 3718, along the northeasterly side of Beale Street between Mission and Howard Streets, the northwesterly side of Howard Street between Main and Beale Streets, the southwesterly side of Main Street between Howard and Mission Streets, and the southeasterly side of Mission Street between Beale and Main Streets, and to eliminate and reduce portions of the official sidewalk fronting Assessor’s Parcel Block No. 3718, Lot Nos. 038 and 039; adopting 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.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

21. [180850](#) **[Agreements - Connection of City Solar Projects with Pacific Gas and Electric Company - Public Utilities Commission]**

Ordinance authorizing the Director of Transportation of the Municipal Transportation Agency (MTA) and the General Manager of the Public Utilities Commission (PUC) to enter into interconnection agreements with Pacific Gas and Electric Company (PG&E) for a solar power project at MTA's Field Operations Facility for a term in excess of ten years; authorizing the PUC's General Manager to enter into an interconnection agreement for Burton High School for a term in excess of ten years; delegating authority to the PUC's General Manager, the MTA's Director of Transportation, and the heads of the San Francisco International Airport, Port of San Francisco, Fire Department, Police Department, Department of Public Health, Real Estate Division, and Recreation and Park Department, or their respective designees, to enter into form interconnection agreements for solar projects with PG&E for terms in excess of ten years, subject to specified conditions; and authorizing deviations from certain otherwise applicable contract requirements in the Administrative Code and the Environment Code, as defined herein. (Public Utilities Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. [180854](#) **[Summary Street Vacation, New Sidewalks, and Property Transfer - Michigan Street]**

Sponsor: Cohen

Ordinance ordering the summary street vacation of portions of Michigan Street generally along Assessor's Parcel Block No. 4110, Lot No. 001, and Block No. 4111, Lot No. 004; establishing new official sidewalks on Michigan Street by amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks;" accepting a Public Works Order concerning the street vacation and establishment of new sidewalks; authorizing real property transfers and waiving the provisions of Administrative Code, Chapter 23; authorizing official acts in connection with this Ordinance, as defined herein; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. [180858](#) **[Resolution of Intent to Vacate Various Streets - Sunnydale HOPE SF Project]**

Sponsor: Cohen

Resolution declaring the intention of the Board of Supervisors to order the vacation of streets and easements in the Sunnydale HOPE SF Project site, generally bounded by Assessor's Parcel Block No. 6220 on the north, Velasco Avenue and Assessor's Parcel Block Nos. 6332 and 6331 on the south, Assessor's Parcel Block Nos. 6220 and 6316 on the west, and Hahn Street on the east, as part of Sunnydale HOPE SF Project, subject to certain conditions; and setting a hearing date for the Board of Supervisors to sit as a Committee of the Whole on January 15, 2019, for all persons interested in the proposed vacation of said public right-of-way and easements.

Question: Shall this Resolution be ADOPTED?

24. [180946](#) **[Urging BART to Add a Bus Node at 24th Street BART Station During Seismic Work]**
Sponsors: Ronen; Mandelman and Brown
Resolution urging Bay Area Rapid Transit (BART) to add a bus node at the 24th Street BART station in San Francisco during the Transbay Tube seismic retrofit.
Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Safai, Yee, Stefani

25. [180756](#) **[Various Codes - Authority to Require New or Upgraded Fire Safety Systems in Multi-Unit Residential Buildings with Recurring or Continuing Fire Hazards]**
Sponsors: Ronen; Mandelman, Fewer, Safai and Yee
Ordinance amending the Building, Housing, Fire, and Administrative Codes to authorize the Building and Fire Departments to require the installation of a new fire safety system or the improvement or upgrade of an existing system to current code requirements in a residential building of three or more dwelling units to remedy recurring or continuing fire hazards that substantially endanger the health and safety of the residents or the general public; amending the Rent Ordinance to prohibit landlords from increasing rents to cover the costs of compliance; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board to forward this Ordinance to the California Building Standards Commission upon final passage.
Question: Shall this Ordinance be PASSED ON FIRST READING?
26. [180890](#) **[Administrative Code - Seismic Safety Retrofit and Affordable Housing Loan Program]**
Sponsors: Mayor; Peskin and Safai
Ordinance amending the Administrative Code to conform to the passage by the voters on November 8, 2016, of Proposition C a measure, entitled "Loans to Finance Acquisition and Rehabilitation of Affordable Housing," and to otherwise conform such sections to current practices and make technical corrections.
Question: Shall this Ordinance be PASSED ON FIRST READING?
27. [180893](#) **[Administrative Code - Exempting Certain Municipal Transportation Agency Projects From Fiscal Feasibility Ordinance]**
Sponsor: Peskin
Ordinance amending the Administrative Code to exempt from the Fiscal Feasibility Ordinance capital improvement projects under the jurisdiction of the San Francisco Municipal Transportation Agency that will support an increase or improvement in Municipal Railway service.
Question: Shall this Ordinance be PASSED ON FIRST READING?

- 28. [180950](#) **[Appointments, Mental Health Board - Toni Parks and Marcus Dancer]**
Motion reappointing Toni Parks, term ending January 31, 2021, and appointing Marcus Dancer, term ending January 31, 2022, to the Mental Health Board. (Rules Committee)
Question: Shall this Motion be APPROVED?

- 29. [180978](#) **[Reappointments, South of Market Community Stabilization Fund Community Advisory Committee - Daniel Hlad and John Elberling]**
Motion reappointing Daniel Hlad and John Elberling, terms ending April 27, 2020, to the South of Market (SOMA) Community Stabilization Fund Community Advisory Committee. (Rules Committee)
Question: Shall this Motion be APPROVED?

- 30. [180979](#) **[Appointment, Children, Youth and Their Families Oversight and Advisory Committee - Joanna Powell]**
Motion appointing Joanna Powell, term ending July 1, 2020, to the Children, Youth and Their Families Oversight and Advisory Committee. (Rules Committee)
Question: Shall this Motion be APPROVED?

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Hearing scheduled pursuant to the approval of a motion made during the Board of Supervisors meeting of October 16, 2018.)

31. [181020](#) **[Hearing - Committee of the Whole - Administrative Code - Increasing the Minimum Compensation Hourly Rate - October 23, 2018]**
Hearing of the Board of Supervisors to sit as a Committee of the Whole on October 23, 2018, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance (File No. 170538) amending the Administrative Code to increase, on July 1, 2019, the minimum hourly compensation rate for employees under contracts with Nonprofit Corporations to \$16.00 plus an amount corresponding to the prior year's increase, if any, in the Consumer Price Index, and followed thereafter by annual cost-of-living increases; to increase the minimum hourly compensation rate for employees under contracts with public entities to \$17.00 on the 60th day following enactment of this ordinance and followed thereafter by annual cost-of-living increases; and establishing a working group to consider and advise on issues related to wage increases for employees under contracts with Nonprofit Corporations and public entities; scheduled pursuant to the approval of a motion made during the Board of Supervisors meeting of October 16, 2018. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

Called from the Budget and Finance Committee**32. 170538 [Administrative Code - Increasing the Minimum Compensation Hourly Rate for Employees Under Contracts with Nonprofit Corporations and Public Entities]****Sponsors: Kim; Fewer and Yee**

Ordinance amending the Administrative Code to increase, on July 1, 2019, the minimum hourly compensation rate for employees under contracts with Nonprofit Corporations to \$16.00 plus an amount corresponding to the prior year's increase, if any, in the Consumer Price Index, and followed thereafter by annual cost-of-living increases; to increase the minimum hourly compensation rate for employees under contracts with public entities to \$17.00 on the 60th day following enactment of this ordinance and followed thereafter by annual cost-of-living increases; and establishing a working group to consider and advise on issues related to wage increases for employees under contracts with Nonprofit Corporations and public entities.

(Fiscal Impact)

10/02/2018; CALLED FROM COMMITTEE.

10/16/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/16/2018; CONTINUED AS AMENDED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

COMMITTEE REPORTS

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

The following items will be considered by the Budget and Finance Committee at a Regular Meeting on Thursday, October 18, 2018, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as Committee Reports on Tuesday, October 23, 2018.

33. 180906 [Contract - ARAMARK Correctional Services, Inc. - Jail Food Services - \$20,000,000]

Resolution authorizing the Sheriff's Department to contract with ARAMARK Correctional Services, Inc. for jail food services, acting by and through the Sheriff's Department for a five year period from November 1, 2018, through October 31, 2023, for a contract total not to exceed amount of \$20,000,000 with two one-year options to extend. (Sheriff)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

34. [180961](#) [Peninsula Corridor Joint Powers Board - Issuance and Sale of Farebox Revenue Bonds, Not to Exceed \$62,000,000 - Increase in Existing Credit Facility, Not to Exceed \$170,000,000 - Additional Credit Facility, Not to Exceed \$30,000,000]

Sponsor: Mayor

Resolution authorizing the issuance and sale by the Peninsula Corridor Joint Powers Board of Farebox Revenue Bonds and Refunding Revenue Bonds in one or more series in an aggregate principal amount not to exceed \$62,000,000; approving an increase in amount of existing credit facility by the Peninsula Corridor Joint Powers Board, from an aggregate principal amount not to exceed \$150,000,000 outstanding at any one time to an aggregate principal amount not to exceed \$170,000,000 outstanding at any one time; and approving an additional credit facility by the Peninsula Corridor Joint Powers Board in an aggregate principal amount not to exceed \$30,000,000 outstanding at any one time.

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, October 22, 2018, at 1:30 p.m. The Chair intends to request the Committee to send the following item to the Board as a Committee Report on Tuesday, October 23, 2018.

35. [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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. ROLL CALL FOR INTRODUCTIONS

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

37. PUBLIC COMMENT

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

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

Items 38 through 41

38. [181010](#) **[Sexual Assault Survivor Day - October 6]**
Sponsors: Cohen; Ronen, Tang, Fewer, Brown, Kim, Stefani, Peskin, Mandelman and Yee
 Resolution declaring October 6 as “Sexual Assault Survivor Day” annually in the City and County of San Francisco.

 10/16/2018; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
39. [180990](#) **[Final Map 9165 - 901 Tennessee Street]**
 Motion approving Final Map 9165, a 40 residential unit condominium project, located at 901 Tennessee Street, being a subdivision of Assessor’s Parcel Block No. 4108, Lot No. 017; and adopting findings pursuant to the General Plan, and the priority policies of Planning Code, Section 101.1. (Public Works)

 10/05/2018; RECEIVED FROM DEPARTMENT.

 10/17/2018; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

40. [180991](#) **[Final Map 4896 - 601 Crescent Way]**
Motion approving Final Map 4896, a 465 residential unit condominium project, located at 601 Crescent Way, being a subdivision of Assessor's Parcel Block No. 4991, Lot Nos. 240 and 240A; and adopting findings pursuant to the General Plan, and the priority policies of Planning Code, Section 101.1. (Public Works)

10/05/2018; RECEIVED FROM DEPARTMENT.

10/17/2018; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

41. [180992](#) **[Final Map 8623 - 3241-3249 25th Street]**
Motion approving Final Map 8623, a four residential and one commercial unit mixed-use condominium project, located at 3241-3249 25th Street, being a subdivision of Assessor's Parcel Block No. 6525, Lot No. 034; and adopting findings pursuant to the General Plan, and the priority policies of Planning Code, Section 101.1. (Public Works)

10/05/2018; RECEIVED FROM DEPARTMENT.

10/17/2018; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

42. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

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

Introduced at the Request of a Department

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

PROPOSED ORDINANCE

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)

10/15/2018; RECEIVED FROM DEPARTMENT.

10/23/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

180981 [Lease Modification - American Airlines, Inc. - SuperBay Hangar Lease No. L13-0071 - Extension of Term, Rent Increase, and Premises Reduction - \$6,076,388 Initial Annual Base Rent]

Resolution approving Modification No. 3 of the SuperBay Hangar Lease No. L13-0071, between American Airlines, Inc. and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term by four years and eight months, to commence November 1, 2018, through June 30, 2023; increase the initial base rent to \$6,076,388 with rent increases adjusted annually in the Consumer Price Index; and reduce the premises by recapture of certain land at Plot 40 at the San Francisco International Airport. (Airport Commission)

10/05/2018; RECEIVED FROM DEPARTMENT.

10/23/2018; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

180982 [Settlement of Unlitigated Claim - Estate Research Associates - up to \$76,866.20]

Resolution approving the settlement of the unlitigated claim filed by Estate Research Associates against the City and County of San Francisco for up to \$76,866.20; 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)

10/10/2018; RECEIVED FROM DEPARTMENT.

10/23/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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)

10/10/2018; RECEIVED FROM DEPARTMENT.

10/23/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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)

10/10/2018; RECEIVED FROM DEPARTMENT.

10/23/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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

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)

10/10/2018; RECEIVED FROM DEPARTMENT.

10/23/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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)

10/10/2018; RECEIVED FROM DEPARTMENT.

10/23/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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

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)

10/10/2018; RECEIVED FROM DEPARTMENT.

10/23/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

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

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)

10/10/2018; RECEIVED FROM DEPARTMENT.

10/23/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

180989**[Airport Professional Services Agreement - ThyssenKrupp Elevator Corporation - Escalator and Electric Walk Maintenance Services - Not to Exceed \$19,500,000]**

Resolution approving Modification No. 1 to Professional Services Agreement for Airport Contract No. 9313 - Escalator and Electric Walk Maintenance Service, between ThyssenKrupp Elevator Corporation and the City and County of San Francisco, to increase the contract term by six months from January 1, 2019, through June 30, 2019, and to increase the contract amount by \$2,500,000 for a new total contract amount not to exceed \$19,500,000 pursuant to Charter, Section 9.118(b). (Airport Commission)

10/12/2018; RECEIVED FROM DEPARTMENT.

10/23/2018; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

181021 [Petitions and Communications]

Petitions and Communications received from October 5, 2018, through October 15, 2018, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 23, 2018.

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

From the Office of the Mayor, pursuant to Charter, Section 3.100(18), making the following reappointment: Copy: Each Supervisor. (1)
Peter Stern - Airport Commission - term ending August 31, 2022

From the Department of Elections, submitting the Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard) elector certification. Copy: Each Supervisor. (2)

From the Youth Commission, submitting responses to hearings discussing Police Department and San Francisco Unified School District's current protocols and policies where students are questioned and arrested at their school site, juvenile justice system and strategies, and updates from the Work Group to Re-Envision the jail project report outcomes. File Nos. 180901, 180922, and 180923. Copy: Each Supervisor. (3)

From West Area California Public Utilities Commission, submitting CPUC Notification regarding Verizon Wireless PacHeights SF PAC019 and San Francisco-Oakland, CA, and SF UM002d San Francisco-Oakland, CA. 2 letters. Copy: Each Supervisor. (4)

From Bay Area Air Quality Managment District, Council of Community Housing Organizations, and concerned citizens, regarding the proposed project at 700 Innes Avenue and India Basin Shoreline Park. 4 letters. File No. 180841. Copy: Each Supervisor. (5)

From Henry Karnilowicz, President of the San Francisco Council of District Merchants Association, regarding the appointment of Jessica Cabrera to the Graffiti Advisory Board. Copy: Each Supervisor. (6)

From B. Edwards, regarding the Office of the Clerk of the Board. Copy: Each Supervisor. (7)

From concerned citizens, regarding transit only lanes. 3 letters. Copy: Each Supervisor. (8)

From Christopher Richard, regarding the restoration of fresh water in the Tuolumne River to San Francisco Bay. Copy: Each Supervisor. (9)

From a concerned citizen, regarding Junipero Serra Park. Copy: Each Supervisor. (10)

From Jordan Davis, regarding the proposed Inclusionary Housing legislation. File No. 180911. Copy: Each Supervisor. (11)

ADJOURNMENT