



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, December 4, 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.

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

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

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

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

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

Disability Access

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

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485.

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Approval of the October 30, 2018, Board Meeting Minutes.

AGENDA CHANGES

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Land Use and Transportation Committee

Present: Supervisors Tang, Kim, Safai

1. [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)

 (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.)

 11/13/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

 11/13/2018; PASSED ON FIRST READING AS AMENDED.

 11/27/2018; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

 11/27/2018; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Kim, Brown, Yee

2. [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)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Transportation Committee

Present: Supervisors Tang, Kim, Safai

3. [180282](#) **[Dedication for Public Use - Brewster Street Extension Project]**

Ordinance dedicating the Brewster Street extension consisting of improvements on portions of Brewster Street and Martin Avenue in the Bernal Heights neighborhood to public use, declaring this area as shown on official Public Works drawings as open public right-of-way, and designating it for street and roadway purposes; establishing official sidewalk widths, public right-of-way widths, and street grades in connection with the Brewster Street extension; accepting the Brewster Street extension for City maintenance and liability; accepting a Public Works Order recommending dedication and acceptance of Brewster Street extension; authorizing official acts in connection with this Ordinance; 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. (Public Works)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. [180778](#) **[Building Code - Penalties for Constructing an Impervious Surface in the Front Yard Setback Without the Required Permit]**

Sponsor: Safai

Ordinance amending the Building Code to modify the penalty for constructing an impervious surface in the front yard setback without a permit; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the California Building Standards Commission upon final passage.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 5. [180935](#) **[Planning Code, Zoning Map - 1550 Evans Avenue Special Use District]**
Sponsor: Cohen
Ordinance amending the Planning Code and Zoning Map to create the 1550 Evans Avenue Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 6. [181026](#) **[Public Works Code - Temporary Mobile Caterer Permit]**
Sponsor: Mandelman
Ordinance amending the Public Works Code to create a Temporary Mobile Caterer permit for restaurants that cannot operate during mandatory seismic retrofits of their buildings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Referred Without Recommendation from the Land Use and Transportation Committee

Present: Supervisors Tang, Kim, Safai

- 7. [181028](#) **[Planning Code - Off-Street Parking Requirements]**
Sponsors: Kim; Peskin, Brown and Mandelman
Ordinance amending the Planning Code to eliminate minimum off-street parking requirements City-wide; 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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Public Safety and Neighborhood Services Committee

Present: Supervisors Mandelman, Ronen, Peskin

- 8. [181002](#) **[Police Code - Prohibiting Criminal History Inquiries in Private College Admissions]**
Sponsors: Cohen; Ronen and Mandelman
Ordinance amending the Police Code to prohibit private post-secondary educational institutions from using an application form that contains questions about an applicant's criminal history, or asking U.S. applicants about criminal history for the purpose of deciding whether to offer admission; requiring educational institutions to retain relevant records for three years authorizing the Office of Labor Standards Enforcement to investigate possible violations and impose penalties; and providing for a private right of action.

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. [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.

Question: Shall this Motion be APPROVED?

Recommendations of the Rules Committee

Present: Supervisors Safai, Yee, Stefani

10. [180317](#) **[Campaign and Governmental Conduct Code - Expanding Whistleblower Protections]**
Sponsor: Cohen
Ordinance amending the Campaign and Governmental Conduct Code to provide additional retaliation protections for whistleblowers, establish retaliation protections for City contractors, increase the remedies available for whistleblowers who have suffered retaliation, and establish greater confidentiality protections for whistleblowers' identities.

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. [180925](#) **[Administrative Code - Acceptance of Gifts - SFO Museum]**
Ordinance amending the Administrative Code to authorize the Airport Commission to accept certain gifts, devises, and bequests of objects or other articles for the SFO Museum collection. (Airport Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. [180937](#) **[Administrative Code - Composition and Sunset Date - Single Room Occupancy Task Force]**
Sponsor: Kim
Ordinance amending the Administrative Code to extend the sunset date of the Single Room Occupancy (SRO) Task Force by three years to December 31, 2021; to eliminate one seat on the Task Force; and to change the membership of one seat on the Task Force.

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. [180960](#) **[Administrative Code - Official Band - San Francisco Lesbian/Gay Freedom Band]**
Sponsor: Mandelman
Ordinance amending the Administrative Code to designate the San Francisco Lesbian/Gay Freedom Band as the official band of the City and County of San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Referred Without Recommendation from the Rules Committee

Present: Supervisors Safai, Yee, Stefani

14. 181105 [Mayoral Appointment, Residential Rent Stabilization and Arbitration Board - Jeffrey Joshua Panzer]

Motion approving the Mayor's appointment of Jeffrey Joshua Panzer to the Residential Rent Stabilization and Arbitration Board, for a term ending September 1, 2022.

(Charter, Section 3.100(18), provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment within the 30-day period shall result in the appointee continuing to serve as appointed. Transmittal date: November 13, 2018.)

Question: Shall this Motion be APPROVED?

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

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, November 29, 2018, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, December 4, 2018.

15. 180646 [Environment Code - Refuse Separation Compliance]

Sponsors: Safai; Tang

Ordinance amending the Environment Code to require audits every three years of large refuse generators for compliance with refuse separation requirements; to establish enforcement measures applicable to large refuse generators found noncompliant; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 180932 [Appropriation - Proceeds from Special Tax Bonds - Transbay Transit Center Project - FY2018-2019 - \$200,000,000]

Sponsor: Mayor

Ordinance appropriating \$200,000,000 of Special Tax Bonds, Series 2018A and Series 2018B, for financing related to the Transbay Transit Center Project and Transbay Plan Infrastructure Project in FY2018-2019.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. [180940](#) **[Authorizing Issuance of Special Tax Bonds - Community Facilities District No. 2014-1 (Transbay Transit Center) - Not to Exceed Aggregate Principal Amount of \$200,000,000; Confirming Annexation of Properties into Community Facilities District No. 2014-1]**
Sponsor: Mayor
Resolution authorizing the issuance and sale of one or more series of Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) in the aggregate principal amount not to exceed \$200,000,000; approving related documents, including an Official Statement, First Supplement to Fiscal Agent Agreement, Bond Purchase Agreement and Continuing Disclosure Undertaking; confirming annexation of properties into City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center); and determining other matters in connection therewith, as defined herein.
- Question: Shall this Resolution be ADOPTED?**
18. [181077](#) **[Business and Tax Regulations Code - Validation Actions and Statute of Repose for November 2018 Proposition C]**
Sponsors: Mayor; Cohen
Ordinance amending the Business and Tax Regulations Code to permit validation actions and impose a statute of repose with respect to Proposition C, adopted by San Francisco voters on November 6, 2018.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
19. [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)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
20. [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)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

The following items will be considered by the Land Use and Transportation Committee at a Regular Meeting on Monday, December 3, 2018, at 1:30 p.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, December 4, 2018.

21. [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.
Question: Shall this Ordinance be PASSED ON FIRST READING?
22. [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; 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 pursuant to Planning Code, Section 302.
Question: Shall this Ordinance be PASSED ON FIRST READING?
23. [181031](#) **[Planning Code - Permit Review Procedures for Uses in Neighborhood Commercial Districts]**
Sponsors: Tang; Safai
Ordinance amending the Planning Code to make permanent the pilot program removing neighborhood notice and Planning Commission review for certain uses in Neighborhood Commercial Districts in the areas generally bounded by Supervisorial Districts 4 and 11; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.
Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Rules Committee at a Special Meeting on Monday, December 3, 2018, at 10:00 a.m. The Chair intends to request the Committee to send the following items as Committee Reports on Tuesday, December 4, 2018.

(Pursuant to the provisions of Board of Supervisors Rule 2.22.7, at least six days must intervene between the first appearance of a proposed Charter Amendment, before the Board as a referral from Committee, and any Board order of submission to the electorate. In accordance therewith, consideration of the following proposed Charter Amendment appropriately may be continued at least one week.)

24. [181001](#) **[Charter Amendment - Free City College Fund]**
Sponsors: Kim; Mandelman and Yee
Charter Amendment (Second Draft) to establish the Free City College Fund to defray certain costs of City College students, and to require annual appropriations in designated amounts to the Fund; at an election to be held on November 5, 2019.
- Question: Shall this Charter Amendment be CONTINUED?**
25. [180805](#) **[Police Code - Apprentice Hiring Requirements for Cannabis Businesses]**
Sponsor: Safai
Ordinance amending the Police Code to require Cannabis Businesses, when entering into a City-mandated Labor Peace Agreement or collective bargaining agreement, to also agree that 35% of new hires shall be graduates of State-approved apprenticeship programs or of City-certified pre-apprenticeship programs, if a relevant program of either type exists.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
26. [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 and revising Equity Criteria, for purposes of the Equity Program; 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) revising requirements associated with a Cannabis Business' change in ownership and structure; 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 revising eligibility requirements for medical cannabis dispensaries seeking 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.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

27. [181023](#) **[Administrative Code - Extension of the Public Utilities Revenue Bond Oversight Committee]**

Ordinance amending the Administrative Code to extend the sunset date of the Public Utilities Revenue Bond Oversight Committee; and suspend provisions of Board Rule 2.21, to extend the Committee for an additional six years to January 1, 2025. (Public Utilities Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. [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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. **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.

30. **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 31 through 33

31. [181163](#) **[Declaration of Election Results - November 6, 2018 - Consolidated General Election]**
Sponsor: Cohen
Resolution declaring the results of the Consolidated General Election of November 6, 2018.
- 11/27/2018; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
32. [181149](#) **[Final Map 8519 - 140 Divisadero Street]**
Motion approving Final Map 8519, a six residential unit condominium project, located at 140 Divisadero Street, being a subdivision of Assessor's Parcel Block No. 1260, Lot No. 056; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)
- 11/26/2018; RECEIVED FROM DEPARTMENT.
- 11/28/2018; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
33. [181164](#) **[Board of Supervisors Regular Meeting Schedule - 2019]**
Motion establishing the 2019 Board of Supervisors Regular Meeting Schedule pursuant to Board of Supervisors Rules of Order, Rules 4.2 and 4.2.1, by cancelling the Regular Board meetings of January 1 and 22, February 19, May 28, July 2, October 15, November 26, and December 3, 2019; and all Regular Board and Committee meetings during the spring, summer and winter breaks from March 25 through March 29, July 31 through September 2, and December 18 through January 6, 2020; and further suspending portions of Board Rule 4.2, to effectuate certain dates within the regular meeting schedule to augment the flow of business. (Clerk of the Board)
- 11/27/2018; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

34. 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 ORDINANCES

181145 **[Settlement of Lawsuit - Sentinel Insurance Company, Ltd. - \$600,000]**
Ordinance authorizing settlement of the lawsuit filed by Sentinel Insurance Company, Ltd. against the City and County of San Francisco for \$600,000; the lawsuit was filed on September 12, 2017, in San Francisco Superior Court, Case No. CGC-17-561235; entitled Sentinel Insurance Company v. City and County of San Francisco; the lawsuit involves alleged damage from a leaking San Francisco Public Utilities Commission pipe; and appropriating funds for this payment from the Public Utilities Commission Water Enterprise fund balance. (City Attorney)

11/21/2018; RECEIVED FROM DEPARTMENT.

12/04/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

181146 **[Settlement of Unlitigated Claims - Sherry Jackson - \$105,000; Related Appropriation Wastewater Enterprise Fund Balance]**
Ordinance approving the settlement of the unlitigated claims filed by Sherry Jackson against the City and County of San Francisco for \$105,000; the claims were filed on May 1, 2018; the claims involve alleged property damages due to sewer flooding; appropriating \$105,000 from Public Utilities Commission Wastewater Enterprise fund balance for payment of settlement. (City Attorney)

11/21/2018; RECEIVED FROM DEPARTMENT.

12/04/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

181147 **[Settlement of Unlitigated Claim - Jeffrey K. Schalk - \$43,719.45]**
Resolution approving the settlement of the unlitigated claim filed by Jeffrey K. Schalk against the City and County of San Francisco for \$43,719.45; the claim was filed on May 9, 2018; the claim involves alleged property damages due to sewer flooding. (City Attorney)

11/21/2018; RECEIVED FROM DEPARTMENT.

12/04/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

181148

[Settlement of Unlitigated Claim - Veritas-B Mezz 1, LLC - \$2,035,769]

Resolution approving the settlement of the unlitigated claim filed by Veritas-B Mezz 1, LLC, against the City and County of San Francisco for \$2,035,769; the claim was filed on June 12, 2018; the claim involves an alleged overpayment of transfer tax. (City Attorney)

11/21/2018; RECEIVED FROM DEPARTMENT.

12/04/2018; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

181157

[Petitions and Communications]

Petitions and Communications received from November 19, 2018, through November 26, 2018, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 4, 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 Administrative Code, Section 5.9, submitting State Legislation Committee approved bill positions from the November 14, 2018, meeting. Copy: Each Supervisor. (1)

From the Recreation and Park Department, pursuant to Administrative Code, Section 6.60(b), submitting notice of a declaration of emergency due to failure of the domestic hot water system at The Beach Chalet. Copy: Each Supervisor. (2)

From Public Works, regarding the Third Street sewer system emergency repair. Copy: Each Supervisor. (3)

From California Fish and Game, submitting notice of proposed regulatory action relative to California Code of Regulations, Section 29.06, Title 14, regarding the Purple Sea Urchin on the Northern California coast and filleting of fish on vessels (California Sheephead). 2 letters. Copy: Each Supervisor. (4)

From Theresa Rettinghouse, of Lozeau Drury, LLP, regarding a CEQA and Land Use Notice Request for the Balboa Reservoir. Copy Each Supervisor. (5)

From Pacific Gas & Electric, regarding notice of request to offer new rates for commercial electric vehicle charging. Copy: Each Supervisor. (6)

From Henry Karnilowicz, regarding refuse separation compliance. File No. 180646. 2 letters. Copy: Each Supervisor. (7)

From Frances Taylor, regarding e-scooters. Copy: Each Supervisor. (8)

From Roan Kattouw, regarding off street parking requirements. File No. 181028. Copy: Each Supervisor. (9)

From Aaron Goodman, regarding SFSU-CSU master-planning. Copy: Each Supervisor. (10)

From Aaron Goodman, regarding Spare the Air Day. Copy: Each Supervisor. (11)

ADJOURNMENT