



Legislation Introduced at Roll Call

Tuesday, February 11, 2014

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

131063 [Planning and Administrative Codes - Construction of In-Law Units in Existing Residential Buildings or Auxiliary Structures on the Same Lot; Rent Control]

Sponsors: Wiener; Cohen

Ordinance amending the Planning Code to allow the construction of an additional dwelling unit or units within the existing envelope of a residential building or auxiliary structure on the same lot (In-Law Units) on any parcel in the Castro Street Neighborhood Commercial District and within 1,750 feet of the District boundaries, excluding any lot within 500 feet of Block No. 2623, Lot Nos. 116 through 154; and authorizing the Zoning Administrator to waive density and other Planning Code requirements in order to create the In-Law Units; amending the Administrative Code, to provide that an In-Law Unit constructed with a waiver of Code requirements shall be subject to the provisions of the San Francisco Residential Rent Stabilization and Arbitration Ordinance if the existing building, or any existing dwelling unit, is already subject to the Rent Ordinance; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development, in accordance with State law. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

131148 [Planning, Building, Administrative Codes - Legalization of Dwelling Units Installed Without a Permit]

Sponsors: Chiu; Wiener

Ordinance amending the Planning and Building Codes to provide a process for granting legal status to existing dwelling units constructed without the required permits, temporarily suspending the code enforcement process for units in the process of receiving legal status, and prohibiting units from being legalized under the provisions of this ordinance if there have been no-fault evictions; amending the Administrative Code to prohibit the costs of legalization from being passed through to the tenant; affirming the Planning Department's California Environmental Quality Act determination, making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and directing the Clerk of the Board of Supervisors to submit this Ordinance to the California Department of Housing and Community Development in accordance with State law. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

- 131207 [Environment Code - Bottled Water]**
Sponsors: Chiu; Mar
Ordinance amending the Environment Code to restrict the sale or distribution on City property of drinking water in plastic bottles of 21 ounces or less, set City policy to increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water; and making environmental findings. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.
- 140120 [Building Code - Earthquake Performance Evaluation of Private School Structures]**
Sponsors: Mayor; Breed, Campos, Chiu, Farrell, Mar, Tang, Wiener and Yee
Ordinance amending the Building Code to require that existing private elementary and secondary schools obtain an evaluation by a licensed structural engineer for performance during a future earthquake, and assessing a fee for Building Department review and related evaluation processing; requiring that a building changing to a school occupancy classification comply with the evaluation requirements; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 140121 [Appropriation - General Fund Reserve - Homeless Outreach Services - \$1,387,500 - FY2013-2014]**
Sponsor: Farrell
Ordinance appropriating \$1,387,500 of General Fund Reserves to the Department of Public Health to provide homeless outreach services in FY2013-2014. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 140122 [Planning, Building Codes - Fee Waiver Program - Small Business Month, May 2014]**
Sponsor: Tang
Ordinance recognizing Small Business Month in May 2014; amending the Planning Code and the Building Code to retroactively waive fees for the month of May for certain façade improvements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

Resolutions

- 140123 [Urging State Community College Chancellor Brice Harris to Restore City College of San Francisco's Duly Elected Board of Trustees]**
Sponsors: Campos; Mar, Avalos, Wiener, Yee, Kim, Chiu and Cohen
Resolution urging State Community College Chancellor Brice Harris to restore the voice of San Francisco voters and bring democratic decision-making, transparency, and public accountability back to City College of San Francisco by restoring the duly elected Board of Trustees . RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

- 140124 [Authorizing Expenditures - South of Market Community Stabilization Fund - \$105,000]**
Sponsor: Kim
 Resolution authorizing the Mayor's Office of Housing and Community Development to expend South of Market Community Stabilization Fund dollars in the amount of \$105,000 for capacity building and tenant counseling services. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140125 [Apply for Grants - California Department of Resources Recycling and Recovery Funds]**
Sponsor: Mayor
 Resolution authorizing the Department of the Environment to submit applications for a used oil recycling competitive grant, and all grants offered by California Department of Resources Recycling and Recovery, for the purpose of advancing zero waste, and safely managing and reducing household hazardous waste and used motor oil. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 140126 [Departmental Study of Waterfront Ballot Initiative]**
Sponsor: Wiener
 Resolution referring the initiative measure known as the "Waterfront Height Limit Right to Vote Initiative," to the Port of San Francisco, Planning Department, City Administrator, Controller, Office of Economic and Workforce Development, Municipal Transportation Agency, and Mayor's Office of Housing and Community Development, to report on the measure's potential impacts, if passed, on the City's future housing (including affordable housing), infrastructure, transportation, and open space needs, as well as the City's tax base. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 140127 [Landmark Designation Nomination - Tree Located at 3066 Market Street]**
Sponsor: Wiener
 Resolution of intent initiating the nomination of the Sequoiadendron giganteum tree at 3066 Market Street for landmark tree status pursuant to Public Works Code , Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Code , Section 810(d), and authorizing other official acts in furtherance of this Resolution . RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

- 140128 [Setting the 2014 Budget and Legislative Analyst Services Audit Plan]**
Sponsors: Breed; Cohen
 Motion directing the Budget and Legislative Analyst to conduct two performance audits in 2014 and setting the priority as follows: 1) the Fire Department's allocation of resources to emergency medical services; and 2) the Fire Department's administrative staffing and strategic planning; and removing from the Budget and Legislative Analyst's audit plan the Department of Public Health's compliance with privacy and security regulations as defined by the Health Information Technology for Economic and Clinical Health Act and Health Insurance Portability and Accountability Act , previously approved by the Board of Supervisors. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140129 [Closed Session - Update on Labor Negotiations]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on February 25, 2014, with the Mayor's Office and the Department of Human Resources pursuant to San Francisco Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding negotiations with labor unions representing City employees. RECEIVED AND ASSIGNED to Board of Supervisors on 2/25/14.

140130 [Suspending Board Rule 3.26.1 and Amending Board Rule 3.31 Extending the Joint City and School District Select Committee through March 1, 2015, and Setting Monthly Meetings]

Sponsor: Kim

Motion suspending the Board of Supervisors' Rules of Order 3.26.1 to consider, without reference, an amendment to Board Rule 3.31 to extend the term of the Joint City and School District Select Committee through March 1, 2015; ordering the City and School District Select Committee meetings of the Board of Supervisors be held on the third Thursdays of each month at 3:30 p.m. in the Board of Supervisors' Chamber. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

140131 [Hearing - Department of Housing and Urban Development's Rental Assistance Demonstration Program for Public Housing]

Sponsors: Breed; Avalos and Cohen

Hearing directed to the Housing Authority and Mayor's Office of Housing and Community Development to discuss the US Department of Housing and Urban Development's recent approval of a Rental Assistance Demonstration (RAD) program for public housing in San Francisco, specifically: How will RAD impact the 4,500 public housing units involved? What is the impetus for, and the advantages and disadvantages of, the public-private approach? What does this approval mean for current and future residents? What are the maintenance plans for these developments? How will these changes improve the quality of life and job opportunities for San Francisco's public housing residents? RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140132 [Hearing - City Funded Mental Health Services and Spending]

Sponsor: Farrell

Hearing on the mental health services that are funded and implemented by the City and County of San Francisco. RECEIVED AND ASSIGNED to Neighborhood Services and Safety 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 and introduced by the President.

PROPOSED ORDINANCE

- 140084 [Administrative Code - Jail Inmate Health Insurance Enrollment]**
Ordinance amending the Administrative Code, to designate the Sheriff as the entity to assist county jail inmates with submitting an application for a health insurance affordability program consistent with federal requirements. (Sheriff). ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee.

PROPOSED RESOLUTIONS

- 140088 [Settlement of Grievance - SEIU, Local 1021 - \$171,651.10]**
Resolution approving the settlement of Grievance No. 82-12-2540 filed by SEIU, Local 1021, against the City and County of San Francisco for \$171,651.10 on August 1, 2012. (City Attorney's Office). RECEIVED AND ASSIGNED to Rules Committee.
- 140089 [Lease Agreement - Southwest Airlines, Co. - Airport Cargo Building 606 - \$1,313,761]**
Resolution approving and authorizing the execution of a Lease Agreement for Cargo Building 606, and Related Areas on Plot 9B, No. L13-0257, between Southwest Airlines, Co., and the City and County of San Francisco, acting by and through its Airport Commission, for an amount not to exceed \$1,313,761 for a term of five years, to commence upon Board approval. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140092 [Agreement - Itron, Inc. - Meter Reading and Forecasting Software Maintenance - \$171,000]**
Resolution authorizing the General Manager of the Public Utilities Commission to enter into an agreement with Itron, Inc., for meter reading and forecasting software maintenance, for a term of five and one-half years, from March 30, 2014, to September 30, 2019, in the amount of \$171,000 pursuant to Charter, Section 9.118(b). (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140093 [Contract Amendment - San Francisco AutoReturn Towing - \$147,928.28 Monthly]**
Resolution approving the First Amendment to the restated and amended Towing Agreement and Property Use License for towing, storage and disposal of abandoned and illegally parked vehicles, between the Municipal Transportation Agency and TEGSCO, LLC, dba San Francisco AutoReturn, for a per-month rent amount of \$147,928.28 for a period commencing upon Board approval to July 21, 2015. (Municipal Transportation Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – February 11 2014

There were no Board Meeting Minutes for approval.

Requests Granted

From: Supervisor Chiu

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney draft legislation creating a Tenant Right of First Refusal. See attached.

In Memoriams

There were no In Memoriams



DAVID CHIU
邱信福
市參事會主席

FOR IMMEDIATE RELEASE
February 11, 2014

Contact: Amy Chan
amy.chan@sfgov.org
415.554.7419

Board President David Chiu Calls for Tenant Right of First Refusal Legislation

*Request to Create Right for Tenants to Offer to
Purchase Buildings and Expand Funding for Acquisition*

San Francisco, CA—Board of Supervisors President David Chiu today called for legislation that would create a Tenant Right of First Refusal. The Right of First Refusal would give tenants the opportunity to purchase their buildings at fair market value.

In similar legislation adopted in Washington, D.C., Baltimore, MD and the State of Florida, tenants are provided notice that the property will be up for sale and have a specified amount of time to match sale terms offered by another party.

“We need to do more to put housing in the hands of San Francisco tenants who are in danger of being evicted by speculative investors,” said Supervisor Chiu.

When exercised successfully, two outcomes would be created:

- Stabilizing the existing residential diversity in our neighborhoods; and
- Creating long-term, affordable, workforce homeownership or rental housing

The Right of First Refusal proposal responds to recent concerns over increasing Ellis Act evictions, which frequently occur in small buildings that house our City’s most diverse populations, including seniors and disabled residents. Under the proposal, a property owner that wants to go out of the rental business would have the option to sell to its tenants at market-rate instead of a short-term investor whose business plan is to evict the tenants and flip the building. The proposal would protect an owner’s ability to sell at market rate while preventing tenant displacement and achieving neighborhood stability.

“Done right, this could stabilize San Francisco's neighborhoods and save the fabric of our communities,” said Reverend Norman Fong of Chinatown Community Development Center. “We are looking forward to working with President Chiu, the Board, and the Mayor in hammering out the details.”

“With this legislation, tenants can fight off real estate speculators who are looking to buy rent controlled buildings with the intent of evicting all the tenants,” said Ted Gullicksen of the San Francisco Tenants Union.

Because the Right of First Refusal needs to be supported by funding streams to assist tenants in purchasing their buildings, Supervisor Chiu will explore funding streams to increase the existing Small Site Acquisition Fund to complement the legislation. The Small Site Acquisition Fund was created through a small contribution from the Inclusionary Housing Program and the Housing Trust Fund in order to acquire small buildings and convert them into affordable housing.

Supervisor Chiu will work with the housing community in the coming weeks to develop the parameters of the legislation, including identifying buildings and neighborhoods where this program would generate the highest impact and success.

In 2009, Supervisor Chiu worked with community members to successfully convert 53 Columbus Avenue in Chinatown/North Beach into a permanently affordable limited-equity cooperative with funding assistance from the City, creating the first land trust in San Francisco. Now called the Columbus United Cooperative, the 21-unit building will remain affordable in perpetuity, and shares of the building cannot be resold at higher market values.

"As we experience an increase in no-fault evictions and absentee investor ownership of property in San Francisco, this new legislation will enable local residents to have more control over their homes through the option to either directly purchase or approve an affordable housing nonprofit organization to purchase their building, when a landlord decides to sell. It's a win for both landlord and tenant," said Tracy Parent of the San Francisco Community Land Trust.

“This is another way of stabilizing small apartment buildings that often are most vulnerable to speculation and staving off the displacement of the resident workforce in our City’s front-line neighborhoods,” said Fernando Martí of the Council of Community Housing Organizations (CCHO). “CCHO identified this as a housing policy priority for 2014 and we are pleased that Supervisor Chiu has acted to move this idea forward so quickly. We look forward to working with the full Board of Supervisors and the Mayor to craft the legislation.”

Supervisor Chiu’s proposal would further creative affordable housing models like limited-equity cooperatives to protect tenants from displacement and preserve the existing housing stock.

###