

# Board of Supervisors



City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689  
Tel. No. 554-5184  
TDD No. 554-5227

## Legislation Introduced at Roll Call

Tuesday, January 10, 2017

### 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

- 170028 [Planning Code, Zoning Map - Calle 24 Special Use District]**  
**Sponsors:** Mayor; Ronen  
Ordinance amending the Planning Code to create the Calle 24 Special Use District, and revising the Zoning Map to reflect the Calle 24 Special Use District generally bounded by 22nd Street, Potrero Avenue, Cesar Chavez Street, and Capp Street, as well as 24th Street to Bartlett Street, and as more specifically defined in 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. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 170029 [Campaign and Governmental Conduct Code - Disclosure Requirements for Campaign Fundraising and Prohibiting Campaign Contributions from Persons with Land Use Matters]**  
**Sponsor:** Peskin  
Ordinance amending the Campaign and Governmental Conduct Code to require disclosure of contributions solicited by City elective officers for ballot measure and independent expenditure committees; require disclosure of bundled campaign contributions; and prohibit campaign contributions to members of the Board of Supervisors, candidates for the Board, the Mayor, candidates for Mayor, and their controlled committees, from any person with pending or recently resolved land use matters. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 170030 [Police Code - Penalties for Violations of Peddling License Requirement]**  
**Sponsor:** Peskin  
Ordinance amending the Police Code to modify the penalties for unlawfully peddling goods. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 170031 [Administrative Code - Retention of Department of Building Inspection Records]**  
**Sponsor:** Peskin  
Ordinance amending the Administrative Code to require the Department of Building Inspection to retain certain records permanently. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

- 161316 [Administrative, Business and Tax Regulations, Police Codes - Elimination of Fees]**  
**Sponsor:** Yee  
Ordinance amending the Administrative, Business and Tax Regulations, and Police Codes to eliminate various fees imposed by the City. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

## **Resolutions**

- 170032 [Accept and Expend Grant - Association of Bay Area Governments - Implementation of the Lower Cherry Aqueduct Emergency Rehabilitation Project - Up to \$3,000,000]**  
**Sponsor:** Mayor  
Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) General Manager to accept an award of up to \$3,000,000 through the SFPUC's Memorandum of Understanding with the Association of Bay Area Governments for implementation of the Lower Cherry Aqueduct Emergency Rehabilitation Project funded in part by grant funds from the California Department of Water Resources. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170033 [Accept and Expend Grant - California Governor's Office of Emergency Services - Hazard Mitigation Grant Program - \$404,208]**  
**Sponsor:** Mayor  
Resolution authorizing the San Francisco Public Utilities Commission General Manager to accept and expend a grant in the amount of \$404,208 from the Federal Emergency Management Agency through the California Governor's Office of Emergency Services for the Hazard Mitigation Grant Program. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170034 [Urging the City and County to Join the Stepping Up Initiative]**  
**Sponsors:** Cohen; Breed, Kim, Sheehy and Fewer  
Resolution urging the City and County of San Francisco to join the Stepping Up Initiative, to reduce the number of people with mental illnesses in jails. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 170035 [Urging the United States not to Repeal the Patient Protection and Affordable Care Act]**  
**Sponsor:** Sheehy  
Resolution urging the United States Congress not to repeal the Patient Protection and Affordable Care Act without a clearly-defined replacement plan, and to maintain the current funding structure of the Medicaid program. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **Requests for Hearing**

- 170036 [Hearing - Cannabis State Legalization Task Force Update]**  
**Sponsor:** Cohen  
Hearing on the local impact of the Adult Use of Marijuana Act, including areas of legislative and administrative need; and requesting the Cannabis State Legalization Task Force to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

- 170037 [Hearing - Five-Year Monitoring Report for the Eastern Neighborhoods Plans]**  
**Sponsor:** Cohen  
Hearing on the Five-Year Monitoring Reports of the Eastern Neighborhoods Plan; and requesting the Planning Department and the Eastern Neighborhoods Citizen Advisory Committee to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 170038 [Hearing - Hydrogen Sulfide Flaring from Chevron's Richmond Refinery]**  
**Sponsor:** Farrell  
Hearing on the recent hydrogen sulfide flaring events at the Chevron Corporation's Richmond, California refinery; and requesting the Chevron Corporation and the Bay Area Air Quality Management District to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 170039 [Hearing - Update on Street Resurfacing Program and Analysis of the 2016 TRIP Report]**  
**Sponsor:** Peskin  
Hearing on San Francisco's poor road conditions as outlined in the November 2016 TRIP report, including analysis and mitigation strategies, and an update on Public Work's Street Resurfacing Program; and requesting Public Works, the San Francisco Municipal Transportation Agency, the Planning Department, and the San Francisco Public Utilities Commission to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 170040 [Hearing - Childcare in District 11]**  
**Sponsor:** Safai  
Hearing to evaluate access to quality, affordable childcare in District 11, including an analysis of the number of children aged five and under living in the district, and the available spots in both privately-operated and City-funded facilities; and requesting the Department of Children, Youth and Their Families, the Office of Early Care and Education, the First 5 San Francisco Children and Families Commission, and the San Francisco Unified School District to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 170041 [Hearing - Federal Budget Cuts to Health Care, Immigration Services, Homeless Services, and Services for the LGBTQ Community]**  
**Sponsor:** Sheehy  
Hearing on the federal budget cuts to health care, immigration services for undocumented San Franciscans, services for the LGBTQ community, homeless services, and cuts to services that have traditionally encouraged the stabilization and progress of protected classes that will be affected by new federal policies from the Trump administration; and requesting the Mayor's Budget Office, the Department of Public Health, the Human Services Agency, the Human Rights Commission, and the Department of Homelessness and Supportive Housing to report. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170042 [Hearing - Neighborhood Crime Prevention Strategy for San Francisco]**  
**Sponsor:** Sheehy  
Hearing to determine a comprehensive, coordinated, and compassionate neighborhood crime prevention strategy for San Francisco, addressing issues including but not limited to robberies, auto break-ins, bike thefts, and vandalism; and requesting the Police Department and District Attorney's Office to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

- 170043 [Hearing - Budget and Legislative Analyst's Performance Audit - Senior Services]**  
**Sponsors:** Yee; Sheehy, Cohen, Safai and Kim  
Hearing on the Performance Audit of Senior Services in San Francisco, prepared for the Board of Supervisors by the Budget and Legislative Analyst on July 13, 2016; and requesting the Department of Aging and Adult Services, Human Services Agency, Department of Public Health, Municipal Transportation Agency, the Recreation and Park Department, and the Mayor's Office of Housing and Community Development to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Introduced at the Request of a Department**

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

**PROPOSED ORDINANCES**

- 170002 [General Plan Amendment - Commerce and Industry Element; Guidelines for Eating and Drinking Establishments]**  
Ordinance amending the Commerce and Industry Element of the General Plan to update the guidelines regarding overconcentration of Eating and Drinking Establishments in a single area; 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. (Planning Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 170003 [Planning Code, Zoning Map - Upper Market Street Districts]**  
Ordinance amending the Planning Code to revise Sectional Map ZN07 of the Zoning Map to delete the Upper Market Street Neighborhood Commercial (NC) District and reclassify Assessor's Parcel Block No. 2623, Lot No. 006, at 376 Castro Street and Assessor's Parcel Block No. 2623, Lot No. 091, at 2416-2420 Market Street, from the Upper Market NC District to the Upper Market Street Neighborhood Commercial Transit (NCT) District; revising several sections of Article 4 to include the entirety of the Upper Market Street NCT District including portions outside of the Market and Octavia Plan Area; 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 convenience, necessity, and welfare under Planning Code, Section 302. (Planning Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 170004 [Administrative Code - Amending Local Hiring Policy to Set Percentages]**  
Ordinance amending the Administrative Code to move the Local Hiring Policy from Chapter 6 to a new Chapter 82, set mandatory participation levels for project work hours permanently at 30% for all projects covered by the policy, clarify language regarding application of the policy to projects outside of San Francisco, change the due date for annual reports regarding the policy from March 1 to April 1, and make other clarifications to the policy. (City Administrator). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

**170005 [Settlement of Lawsuit - The Regents of the University of California - \$473,530.02 Credit]**

Ordinance authorizing settlement of the lawsuit filed by The Regents of the University of California against the City and County of San Francisco for \$473,530.02; the lawsuit was filed on September 22, 2015, in San Francisco Superior Court, Case No. CGC-15-548090; entitled The Regents of the University of California v. City and County of San Francisco; the lawsuit involves a refund for overbilling; other material terms of the settlement are that the refund will be in the form of a credit against future charges for water service. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170006 [Settlement of Lawsuit - Decorative Plant Services Inc. - \$110,000]**

Ordinance authorizing settlement of the unlawful detainer lawsuit filed by the City and County of San Francisco against Decorative Plant Services Inc. (Decorative Plant), by Decorative Plant's agreement to surrender possession no later than March 31, 2017, Decorative Plant's execution of a Stipulation for Entry of Judgment and a Writ of Possession, and San Francisco Public Utilities Commission (SFPUC) agreement to provide Decorative Plant a payment not to exceed \$110,000 for reimbursement of expenses related to relocation; the lawsuit was filed on November 28, 2016, in San Francisco Superior Court, Case No. CUD-16-657190; entitled City and County of San Francisco, through the Public Utilities Commission (PUC) v. Decorative Plant Services Inc., ACS Marketing Inc. dba S.F. Foliage, Inc., Goldman Enterprises dba Sunborne Nursery Inc., related to the termination of the lease agreement entered into June 1, 2004, between the SFPUC and Decorative Plant Services Inc., for 127,300 square feet at the Southeast Community Facility at 1150 Phelps Avenue. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170007 [Settlement of Lawsuit - Goldman Enterprises dba Sunborne Nursery Inc. - \$110,000]**

Ordinance authorizing settlement of the unlawful detainer lawsuit filed by the City and County of San Francisco against Goldman Enterprises, dba Sunborne Nursery Inc. (Sunborne), by Sunborne's agreement to surrender possession no later than March 31, 2017, Sunborne's execution of a Stipulation for Entry of Judgment and a Writ of Possession, and San Francisco Public Utilities Commission (SFPUC) agreement to provide Sunborne a payment not to exceed \$110,000 for reimbursement of expenses related to relocation; the lawsuit was filed on November 28, 2016, in San Francisco Superior Court, Case No. CUD-16-657190; entitled City and County of San Francisco, through the Public Utilities Commission (PUC) v. Decorative Plant Services Inc., ACS Marketing Inc. dba S.F. Foliage, Inc., Goldman Enterprises dba Sunborne Nursery Inc., related to the termination of the lease agreement entered into June 1, 2004, between the SFPUC and Decorative Plant Services Inc. and the sublease to Goldman Enterprises, dba Sunborne Nursery Inc., for 127,300 square feet at the Southeast Community Facility at 1150 Phelps Avenue. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170008 [Settlement of Lawsuit - ACS Marketing Inc., dba S.F. Foliage Inc. - \$110,000]**  
Ordinance authorizing settlement of the unlawful detainer lawsuit filed by the City and County of San Francisco against ACS Marketing Inc., dba S.F. Foliage Inc. (S.F. Foliage), by S.F. Foliage's agreement to surrender possession no later than March 31, 2017, S.F. Foliage's execution of a Stipulation for Entry of Judgment and a Writ of Possession, and San Francisco Public Utilities Commission (SFPUC) agreement to provide S.F. Foliage a payment not to exceed \$110,000 for reimbursement of expenses related to relocation; the lawsuit was filed on November 28, 2016, in San Francisco Superior Court, Case No. CUD-16-657190; entitled City and County of San Francisco, through the Public Utilities Commission (PUC) v. Decorative Plant Services Inc., ACS Marketing Inc. dba S.F. Foliage, Inc., Goldman Enterprises dba Sunborne Nursery Inc., related to the termination of the lease agreement entered into June 1, 2004, between the SFPUC and Decorative Plant Services Inc., and sublease to ACS Marketing, dba S.F. Foliage, for 127,300 square feet at the Southeast Community Facility at 1150 Phelps Avenue. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **PROPOSED RESOLUTIONS**

**161363 [Real Property Sublease - Harrison Assets, LLC - 1440 Harrison Street - \$3,577,644 Total Rent in the First Year]**  
Resolution authorizing a Sublease for the term of July 1, 2017, through September 30, 2025, at 1440 Harrison Street, with Harrison Assets, LLC, a California limited liability company, for approximately 56,788 square feet at \$298,137 monthly for a total first year rent of \$3,577,644 which amount shall increase annually on each July 1 beginning in 2018 by 3% and two five-year options to extend for use by the Human Services Agency. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170009 [Public Auction - Tax-Defaulted Real Property]**  
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property, as defined herein. (Treasurer-Tax Collector). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170010 [Contract Amendment - AdvanTel Networks - \$15,000,000]**  
Resolution authorizing the Office of Contract Administration to enter into the Fourth Amendment of the contract agreement between the City and County of San Francisco and AdvanTel Networks, to increase the contract limit from \$9,900,000 to \$15,000,000 for the period of October 13, 2011, through September 30, 2018. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**170011 [Contract Amendment - ComputerLand of Silicon Valley - Technology Marketplace, Tier 1A - \$58,000,000]**  
Resolution authorizing the Office of Contract Administration to enter into the Third Amendment to the contract agreement between the City and County of San Francisco and ComputerLand of Silicon Valley, a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from \$44,000,000 to \$58,000,000 for the period of October 1, 2014, through September 30, 2018. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 170012 [Contract Amendment - En Pointe Technologies Sales, Inc. - Technology Marketplace, Tier 1A - \$77,000,000]**  
 Resolution authorizing the Office of Contract Administration to enter into the Third Amendment to the contract agreement between the City and County of San Francisco and En Pointe Technologies Sales, Inc., a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from \$50,000,000 to \$77,000,000 for the period of October 1, 2014, through September 30, 2018. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170013 [Contract Amendment - Xtech JV - Technology Marketplace, Tier 1A - \$94,000,000]**  
 Resolution authorizing the Office of Contract Administration to enter into the Third Amendment to the contract agreement between the City and County of San Francisco and Xtech JV, a Technology Marketplace, Tier 1A Generalist contractor, to increase the contract limit from \$56,000,000 to \$94,000,000 for the period of October 1, 2014, through September 30, 2018. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170014 [Contract Amendment - InterVision Systems Technologies, Inc. - Technology Marketplace, Tier 1B - \$30,000,000]**  
 Resolution authorizing the Office of Contract Administration to enter into the Third Amendment of the contract agreement between the City and County of San Francisco and InterVision Systems Technologies, Inc., a Technology Marketplace, Tier 1B Specialist contractor, to increase the contract limit from \$15,499,000 to \$30,000,000 for the period of October 1, 2014, through September 30, 2018. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170015 [Prevailing Wage Rates - Loading, Unloading, and Driving Commercial Vehicles on City Property]**  
 Resolution fixing prevailing wage rates for individuals engaged in loading or unloading on City property of materials, goods, or products into or from a commercial vehicle in connection with a show or special event, and individuals engaged in driving a commercial vehicle into or from which materials, goods, or products are loaded or unloaded on City property in connection with a show or special event. (Civil Service Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170016 [Emergency Declaration - Temporary Replacement and Repair of Dewatering Equipment - Oceanside Wastewater Treatment Plant - Total Estimated Cost of Work and Contract \$500,000]**  
 Resolution approving an emergency declaration of the San Francisco Public Utilities Commission (SFPUC) pursuant to Administrative Code, Section 21.15(c), for the temporary replacement and repair of the dewatering equipment at the Oceanside Wastewater Treatment Plant; estimated cost of approximately \$500,000. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170017 [Settlement of Unlitigated Claim - Mignon Dunbar - \$70,000]**  
 Resolution approving the settlement of unlitigated claim filed by Mignon Dunbar against the City and County of San Francisco for \$70,000; including two charges that were filed with the Department of Fair Employment and Housing, one on November 24, 2014, the other on February 4, 2015; the claim involves an employment dispute; additional material terms of the settlement are that Dunbar resigns employment effective August 19, 2016, and that she agrees not to seek or accept future employment with the Police Department. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**170018 [Nomination of County Veterans Service Officer - Sergeant Dorian J. Carr, United States Air Force, Retired]**

Resolution confirming the nomination of Sergeant Dorian J. Carr, United States Air Force, Retired, as County Veterans Service Officer. (City Administrator). RECEIVED AND ASSIGNED to Rules Committee.



**Clerk to Act - January 10, 2017**

**Regular Board Meeting Minutes for November 15, 2016 and Special Board Joint Meeting Minutes with the Police Commission for November 15, 2016 are approved.**

**Requests Granted**

From: Supervisor Sheehy

To: Sheriff's Department

Requesting/Inquiring: Inquires about the progress of properly classifying transgender individuals in Sheriff's custody and departmental policies to ensure respectful treatment.

**In Memoriam**

Mary Beth Marks - Supervisor Peskin

Todd Lewis - Entire Board of Supervisors