

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, September 29, 2015

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.

Charter Amendment

140678 [Charter Amendment - Transportation Infrastructure Capital Appropriations and Transit Equity Strategy]

Sponsors: Wiener; Mar

Charter Amendment (Second Draft) to amend the Charter to require annual appropriations to Public Works and the Municipal Transportation Agency (MTA) to maintain, replace and improve the City's transportation infrastructure in an amount commencing with \$75,000,000 for FY2017-2018 and to require the MTA Board of Directors to adopt and biennially update a Transit Equity Strategy; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held on June 7, 2016. SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Rules Committee.

Ordinances

150871 [Planning Code - Technical Amendments and Corrections]

Sponsor: Mayor

Ordinance amending the Planning Code to correct errors, reenact previously-existing language that was repealed in error as part of the Article 2 Reorganization Ordinance, update the Code, and make nonsubstantive language revisions to simplify and clarify text; affirming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. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

- 150969 [Planning Code - Affordable Housing Bonus Programs]**
Sponsors: Mayor; Tang
Ordinance amending the Planning Code to create the Affordable Housing Bonus Programs, consisting of the Local Affordable Housing Bonus Program, the 100 Percent Affordable Housing Bonus Program, the Analyzed State Density Bonus Program, and the Individually Requested State Density Bonus Program, to provide for development bonuses and zoning modifications for affordable housing, in compliance with, and above those required by the State Density Bonus Law, Government Code, Section 65915, et seq.; to establish the procedures in which the Local Affordable Housing Bonus Program and the 100 Percent Affordable Housing Bonus Program shall be reviewed and approved; amending the Planning Code to exempt projects from the height limits specified in the Planning Code and the Zoning Maps; 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.
- 150970 [Appropriation and De-Appropriation - \$25,692,151 Consisting of \$20,819,204.36 in Fund Balance, \$665,000 in Cosco Busan Settlement Proceeds and \$4,207,946.64 in Surplus Project Expenditures to the Port Commission - FY2015-2016]**
Sponsor: Mayor
Ordinance appropriating \$25,692,151 consisting of \$20,819,204.36 in fund balance, \$665,000 in Cosco Busan settlement proceeds, and de-appropriating \$4,207,946.64 from surplus capital project expenditures to the Port Commission to support the completion of the Port Commission's ten year capital plan in FY2015-2016. ASSIGNED to Budget and Finance Committee.
- 150971 [De-Appropriation and Appropriation - Bond Issuance Costs from San Francisco Taxable General Obligation Bonds - Seismic Safety Loan Program - \$3,461,129 - FY2015-2016]**
Sponsor: Mayor
Ordinance de-appropriating and appropriating \$3,461,129 of City and County of San Francisco Taxable General Obligation Bonds, Series 2014, for the Seismic Safety Loan Program in the Mayor's Office of Housing and Community Development in FY2015-2016. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 150972 [Zoning - Interim Prohibition Extension on Commercial Mergers in the Proposed Calle 24 Special Use District]**
Sponsors: Mayor; Campos
Urgency Ordinance approving an extension of the interim prohibition on commercial storefront mergers of greater than 799 gross square feet in the proposed Calle 24 Special Use District, which generally includes all lots bounded by 22nd Street, Potrero Avenue, Cesar Chavez Street, Capp Street, and both sides of 24th Street from Capp Street to Bartlett Street, as well as certain additional adjacent lots, for 10 months and 15 days in accordance with California Government Code, Sections 65858, et seq.; 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 to Land Use and Transportation Committee.
- 150973 [Administrative Code - Storage of Peace Officers' Firearms in Vehicles]**
Sponsor: Campos
Ordinance amending the Administrative Code to prohibit City peace officers from placing, storing, or leaving unattended a City issued firearm in a vehicle under the peace officer's control unless it is in a locked container or in the locked trunk of the vehicle. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.

- 150974 [Administrative Code - Office of Labor Standards Enforcement Rules and Guidance]**
Sponsor: Farrell
Ordinance amending the Administrative Code to prescribe an operative date of 180 days after enactment for new ordinances that the Office of Labor Standards Enforcement (OLSE) implements or enforces, establish notice procedures for OLSE's issuance of rules and administrative guidance, and establish timelines delaying OLSE's enforcement of such rules and guidance. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.
- 150975 [Transportation Code - Expanding the Membership of the Interdepartmental Staff Committee on Traffic and Transportation]**
Sponsors: Wiener; Christensen
Ordinance amending the Transportation Code to change the membership of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) by adding a seat for a representative of the Port, and adding four seats for appointees of the Board of Supervisors. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

Resolutions

- 150976 [California Enterprise Development Authority Issuance of Tax-Exempt Bonds - Mission Resource Center, LLC - Not to Exceed \$7,000,000]**
Sponsor: Campos
Resolution approving in accordance with Internal Revenue Code of 1986, as amended, Section 147(f) thereof, the issuance of tax-exempt Bonds by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$7,000,000 to finance and refinance various capital facilities owned by Mission Resource Center, LLC, and determining other matters in connection therewith. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 150977 [Approval of a 120-Day Extension for Planning Commission Review of New Restaurants and Bars in the North Beach Special Use District (File No. 150816)]**
Sponsor: Christensen
Resolution extending by 120 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 150816) amending the Planning Code to allow a restaurant or bar in the North Beach Special Use District, with conditional use authorization, to occupy a space currently or last occupied by a limited restaurant; affirming the Planning Department's determination under the California Environmental Quality Act; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of the Planning Code, Section 101.1. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 150978 [Supporting Planned Parenthood]**
Sponsors: Kim, Campos, Christensen, Tang, Mar, Avalos, Wiener, Yee and Cohen
Resolution supporting Planned Parenthood, urging the United States Congress to continue funding reproductive and health care services nationwide, and prioritizing approval of funding to support the continued operation of the San Francisco Health Center in the event of federal de-funding. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

150979 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance to Re-Define Formula Retail to Include Subsidiaries (File No. 150731)]

Sponsor: Mar

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 150731) amending the Planning Code to revise the definition of formula retail to include subsidiaries or affiliates of formula retail meeting certain criteria; affirming the Planning Department's determination under the California Environmental Quality Act; making Planning Code, Section 302, findings; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

150980 [Approval of a 90-Day Extension for Planning Commission Review of Four Ordinances Restricting Accessory Dwelling Units (File Nos. 150810, 150811, 150585, and 150365)]

Sponsors: Wiener; Christensen

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on Ordinances (File Nos. 150810 and 150811) amending the Planning Code to prohibit Accessory Dwelling Units (ADU) from being used as a Short Term Rental and from being approved for construction in buildings where a tenant has been evicted under the Ellis Act within ten years prior to filing the application; and on Ordinances (File Nos. 150585 and 150365) that would prohibit a subdivision allowing an ADU to be separately sold or financed; amending the Administrative Code to correct section references; 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 directing the Clerk of the Board of Supervisors to send a copy of the ordinances to the California Department of Housing and Community Development after adoption. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

150982 [Mike Reigle Day - October 12, 2015]

Sponsor: Kim

Resolution declaring October 12, 2015, as Mike Reigle Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

150936 [Donation of Obsolete Ambulance to San Francisco Unified School District]

Sponsor: Breed

Resolution authorizing the Fire Department to donate an obsolete ambulance to the San Francisco Unified School District's Health Academy at Galileo High School. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150937 [Donation of Retired Fire Engine to City College of San Francisco]

Sponsor: Breed

Resolution authorizing the Fire Department to donate a retired fire engine to the City College of San Francisco Fire Academy Program. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 150609 [Board Response - Civil Grand Jury - Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2014-2015 Civil Grand Jury Report, entitled "Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Motion

- 150968 [Zoning - Report on Interim Prohibition on Commercial Mergers in the Proposed Calle 24 Special Use District]**
Motion adopting the Planning Department's report on the interim zoning prohibition on commercial storefront mergers of greater than 799 gross square feet in the proposed Calle 24 Special Use District, which generally includes all lots bounded by 22nd Street, Potrero Avenue, Cesar Chavez Street, Capp Street, and both sides of 24th Street from Capp Street to Bartlett Street, as well as certain additional adjacent lots. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 150338 [Hearing - Driver's License Citations, Suspensions, and Related Collection Practices for Court-Ordered Debt]**
Sponsors: Kim and Avalos
Hearing to review City practices related to driver's license suspensions, citations that can lead to driver's license suspensions, and collection practices for court-ordered debt; to request information regarding San Francisco's body of municipal fines, including but not limited to, the issues regarding how the City determines fee schedules, options for payment for varying levels of income, how the City spends funds derived from municipal fines, and how San Francisco compares with other like urban municipalities; and requesting various departments and agencies, including the Municipal Transportation Agency, to report. SUBSTITUTED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 150981 [Hearing - Pacific Gas and Electric Company Transformers]**
Sponsor: Campos
Hearing on measures to ensure public safety around Pacific Gas and Electric (PG&E) Company Transformers citywide; and requesting the Fire Department to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

Introduced bat 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

- 150932 [General Plan - Fifth and Mission Special Use District]**
Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 of the Downtown Plan to reclassify Lot Nos. 005, 006, 008, 009, 012, and 098 in Assessor's Block No. 3725 as C-3-S (Downtown Support); amending Map 5 of the Downtown Plan to reclassify the height and bulk limits in accordance with the Fifth and Mission Special Use District and Sectional Map HT001; amending Figures 2, 3, and 4 of the Downtown Plan to refer to the Fifth and Mission Special Use District, Planning Code, Section 249.74; amending Maps 4 and 5 of the Urban Design Element to refer to the Fifth and Mission Special Use District; amending Maps 2, 3, 5, and 7 of the South of Market Area Plan to remove Lot Nos. 005, 006, 008, 009, 012, and 098 in Assessor's Block No. 3725 from the boundaries of the South of Market Area Plan; and adopting findings, including environmental findings, Section 340, findings, and 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.
- 150933 [Settlement of Lawsuit - State of Nevada, the Nevada Department of Health and Human Services; Southern Nevada Adult Mental Health Services - City to Receive \$400,000]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against State of Nevada, the Nevada Department of Health and Human Services ("DHHS"); Richard Whitley in his official capacity as Director of DHHS; the Southern Nevada Adult Mental Health Services ("SNAMHS"); and Joanne Malay in her official capacity as Hospital Administrator of SNAMHS for \$400,000; the lawsuit was filed on September 10, 2013, in San Francisco Superior Court, Case No. CGC-13-534108; entitled City and County of San Francisco v. State of Nevada, the Nevada Department of Health and Human Services ("DHHS"); Richard Whitley in his official capacity as Director of DHHS; the Southern Nevada Adult Mental Health Services ("SNAMHS"); and Joanne Malay in her official capacity as Hospital Administrator of SNAMHS; other material terms of the settlement are contractual obligations limiting Defendants' practices relating to transfer of patients from Defendants psychiatric hospital to any city or county in the State of California. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

- 150934 [Settlement of Unliltigated Claim - Hensel Phelps Construction Company - \$35,066.75]**
Resolution approving the settlement of the unlitigated claim filed by Hensel Phelps Construction Company against the City and County of San Francisco for \$35,066.75; the claim was filed on March 13, 2015. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 150935 [Apply for, Accept, and Expend Grant - Board of State and Community Corrections - Mentally Ill Offender Crime Reduction Grant Program - \$950,000]**
Resolution retroactively authorizing the Sheriff's Department to apply for, accept, and expend \$950,000 of Mentally Ill Offender Crime Reduction Grant Program funds administered by the Board of State and Community Corrections through the State Recidivism Fund for the period of July 1, 2015, through June 30, 2018. (Sheriff). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 150938 [Agreement - State Board of Equalization - Implementation of Local Prepaid Mobile Telephony Services Collection Act]**
Resolution authorizing the Treasurer to execute an agreement with the State Board of Equalization for implementation of the Local Prepaid Mobile Telephony Services Collection Act, for a term to commence following Board approval, through expiration of the Act. (Treasurer-Tax Collector). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – September 29, 2015

There were no Board Meeting Minutes for approval.

There were no Clerk to Act requests submitted at the September 29, 2015 Board Meeting.

In Memoriam

Tracy Michele Dyson - Supervisor Breed