



Legislation Introduced at Roll Call

Tuesday, November 17, 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.

Ordinances

150914 [Planning Code - Affordable Housing as Principal Use]

Sponsor: Wiener

Ordinance amending the Planning Code to permit affordable housing as a principal use and not requiring a conditional use permit, Section 309 review or large project authorization for affordable housing, except where residential uses are prohibited by the zoning, located in RH (Residential, House) zoning districts or on designated public open space or property under the jurisdiction of the Recreation and Park Department; 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. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

151174 [Authorizing Certificates of Participation - Rehabilitation Detention Facility Project - Not to Exceed \$215,000,000]

Sponsor: Mayor

Ordinance authorizing the execution and delivery of Certificates of Participation on a tax-exempt or taxable basis evidencing and representing an aggregate principal amount of not to exceed \$215,000,000 to finance the costs of acquisition, construction, and installation of certain additions and improvements for a rehabilitation detention facility to be located on property within the City; authorizing the issuance of commercial paper notes in advance of the delivery of the Certificates; approving the form of Trust Agreement between the City and County of San Francisco and the Trustee (including certain indemnities contained therein); authorizing the selection of the Trustee by the Director of Public Finance; approving respective forms of a Property Lease and a Lease Agreement, each between the City and the Trustee for the lease and lease back of all or a portion of certain hospital property and facilities; approving the forms of Purchase Contract, Official Notice of Sale, and Notice of Intention to Sell Certificates; directing the publication of the Notice of Intention to Sell Certificates; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of the Certificates; approving the form of the Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, execution, sale, and delivery of the Certificates; approving modifications to documents and agreements; declaring the City's intent to reimburse certain expenditures; and ratifying previous actions taken in connection therewith. ASSIGNED to Budget and Finance Committee.

- 151175 [Appropriation - Certificates of Participation for Construction of the Rehabilitation Detention Facility - \$215,000,000 - FY2015-2016]**
Sponsor: Mayor
 Ordinance appropriating \$215,000,000 in Certificates of Participation for construction of the Rehabilitation Detention Facility and associated costs in FY2015-2016, and placing these funds on Controller's Reserve pending the sale of the Certificates. ASSIGNED to Budget and Finance Committee.
- 151176 [Appropriation - Loan from Hetch Hetchy Power Enterprise's Fund Balance to Community Choice Aggregation Program, and Payment Terms - FY2015-2016 - \$4,000,000]**
Sponsors: Mayor; Breed
 Ordinance appropriating \$4,000,000 from the FY2015-2016 Hetch Hetchy Power Enterprise's fund balance to provide working capital for the Community Choice Aggregation Program (CleanPowerSF); and amending the repayment term of the existing loan authorized by Ordinance No. 120-15, and establishing the term for repayment of the additional loan, at five years from date of program launch in 2016. ASSIGNED to Budget and Finance Committee.
- 151177 [Appropriation and De-Appropriation - Expenditures for Mental Health Services - \$1,483,000 - FY2015-2016]**
Sponsor: Mayor
 Ordinance appropriating \$1,483,000 for capital construction for the renovation of San Francisco General Hospital to accommodate mental health services in the Department of Public Health and de-appropriating \$1,483,000 in FY2015-2016. ASSIGNED to Budget and Finance Committee.
- 151178 [Appropriation - General Fund Reserve - Facilities Improvements in the Recreation and Park Department and the Department of Public Health - \$5,000,000 - FY2015-2016]**
Sponsor: Avalos
 Ordinance appropriating \$5,000,000 from the General Fund Reserve, of which \$2,500,000 will be used in the Recreation and Park Department for facilities improvements in the Geneva Car Barn and \$2,500,000 will be used in the Department of Public Health for facilities improvements of 35 - 45 Onondaga Avenue, in FY2015-2016. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 151179 [Health Code - Banning the Sale of Tobacco Products to Persons Aged 18-20]**
Sponsors: Wiener; Mar, Cohen and Farrell
 Ordinance amending the Health Code to prohibit tobacco retailers from selling tobacco products, including smokeless tobacco and electronic cigarettes, to persons aged 18, 19, or 20. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.

Resolutions

- 151180 [Amended Ten-Year Capital Expenditure Plan - FYs 2016-2025]**
Sponsor: Mayor
Resolution amending the City's ten-year capital expenditure plan for FYs 2016-2025 to accept an award of \$80,000,000 from the California Board of State and Community Corrections for the proposed Rehabilitation and Detention Facility Project and to recognize the revised scope thereof; and to advance projects within the Justice Facilities Improvement Program financed through the Capital Plan's General Fund Debt Program. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151181 [Apply for, Accept and Expend Grant - Metropolitan Transportation Commission - State Transportation Improvement Program - \$1,910,000]**
Sponsor: Mayor
Resolution authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission (MTC); stating assurance to complete the projects; and authorizing the Department of Public Works to accept and expend \$1,910,000 in State Transportation Improvement Program grant funds awarded through MTC. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151182 [Sale of City Property - 30 Van Ness Holdings, LLC - 30 Van Ness Avenue - \$80,000,000]**
Sponsor: Mayor
Resolution ratifying the purchase and sale agreement by and between the City and 30 Van Ness Holdings, LLC, for the sale of City-owned property located at 30 Van Ness Avenue for \$80,000,000. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151183 [Office of Community Investment and Infrastructure, Operating as Successor Agency to the San Francisco Redevelopment Agency - Budget and Bonds Amendment - Mission Bay South Project Area - Not to Exceed \$135,000,000 - FY2015-2016]**
Sponsor: Mayor
Resolution approving an amendment to the FY2015-2016 budget of the Office of Community Investment and Infrastructure, operating as the Successor Agency to the San Francisco Redevelopment Agency, by increasing the Successor Agency's bond proceeds by \$135,000,000, authorizing expenditures in an amount not to exceed \$135,000,000, and approving the issuance of bonds in an additional principal amount not to exceed \$135,000,000 to finance enforceable obligations in the Mission Bay South Project Area. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151184 [Real Property Acquisition - 814-820 Bryant Street, 444-6 Street, 450-6 Street, and 470-6 Street - Various Owners - At Fair Market Value - Not to Exceed \$14,500,000]**
Sponsor: Mayor
Resolution authorizing the acquisition of real property at 814-820 Bryant Street, 444-6 Street, 450-6 Street, and 470-6 Street (Assessor's Block No. 3759, Lot Nos. 009, 012, 014, 043, and 045) from Lin Trust, Musso Trust, and Myung Chun, respectively; and the issuance of Commercial Paper Notes in an aggregate principal amount not to exceed \$14,500,000. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 151185 [Issuance of Tax Exempt and Taxable Commercial Paper Notes - Construction of Rehabilitation Detention Facility - Not to Exceed \$11,310,000]**
Sponsor: Mayor
Resolution authorizing the execution and delivery of tax-exempt and/or taxable commercial paper notes in an aggregate amount of up to \$11,310,000 to provide interim funding for the construction of the Rehabilitation Detention Facility to replace County Jail No. 3 and County Jail No. 4; and determining other matters in connection therewith. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151186 [Accept and Expend Grant - Gilead Sciences, Inc. - Curing HCV in Incarcerated Patients - \$517,119.17]**
Sponsor: Mayor
Resolution retroactively authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$517,119.17 from Gilead Sciences, Inc., to participate in a program entitled Curing HCV in Incarcerated Patients for the period of October 1, 2015, through March 31, 2017, waiving indirect costs. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151187 [Accept and Expend State Bond Financing - State Public Works Board - Construction of Rehabilitation and Detention Facility - \$80,000,000]**
Sponsor: Mayor
Resolution authorizing the Sheriff's Department to accept and expend \$80,000,000 of lease revenue bond financing from the State Public Works Board to fund the construction of the Rehabilitation and Detention Facility project to replace County Jail No. 3 and County Jail No. 4. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151188 [Apply for, Accept, and Expend Grant - Metropolitan Transportation Commission - Active Transportation Program - \$3,800,000]**
Sponsor: Mayor
Resolution authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission (MTC); committing any necessary matching funds; stating assurance to complete the projects; and authorizing the Public Works to accept and expend \$3,800,000 in Active Transportation Program grant funds awarded through MTC. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151189 [Agreement - Owners' Association for Administration/Management of Dogpatch & Northwest Potrero Hill Green Benefit District]**
Sponsor: Cohen
Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established property-based Green Benefit District known as the "Dogpatch & Northwest Potrero Hill Green Benefit District," pursuant to California Streets and Highway Code, Section 36651, for a period commencing upon Board approval, through June 30, 2025. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 151190 [License Amendment - UnitedLayer - Data Center Space and Services at 200 Paul Avenue - \$2,227,494 Total Rent in the First Year]**
Sponsor: Farrell
Resolution authorizing an amendment to the License of data center space and services which extends the term for five years with UnitedLayer at 200 Paul Avenue for use by the Department of Technology at \$185,624.50 monthly for \$2,227,494.00 total rent in the first year of the February 1, 2016, to January 31, 2021 term. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 151191 [Accept and Expend Grant - California Office of Traffic Safety - Alcohol and Drug Impaired Driver Vertical Prosecution Program - \$290,704]**
Sponsor: Farrell
 Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$290,704 from the California Office of Traffic Safety for the Alcohol and Drug Impaired Driver Vertical Prosecution Program for the grant period October 1, 2015, through September 30, 2016. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151192 [Agreement - Owners' Association for Administration/Management of Greater Rincon Hill Community Benefit District]**
Sponsor: Kim
 Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the "Greater Rincon Hill Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, through June 30, 2030. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 151193 [Accept and Expend Grant - California Governor's Office of Emergency Services, Human Trafficking Advocacy Program - \$110,276]**
Sponsor: Tang
 Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$110,276 from the California Governor's Office of Emergency Services for the Human Trafficking Advocacy Program for the grant period of October 1, 2015, through September 30, 2016, to ensure human trafficking victims receive comprehensive victim services and to enhance the collaboration with the Mayor's Task Force on Anti-Human Trafficking. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151194 [Accept and Expend Grant - Centers for Disease Control and Prevention - San Francisco PrEP and Data to Care Demonstration Projects -\$2,898,913]**
Sponsor: Wiener
 Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$2,898,913 from Centers for Disease Control and Prevention to participate in a program, entitled San Francisco PrEP and Data to Care Demonstration Projects, for the period of September 30, 2015, through September 29, 2016. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151195 [Accept and Expend Grant - California Public Utilities Commission - Energy Efficiency Program - \$6,930,000]**
Sponsor: Wiener
 Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$6,930,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to continue an Energy Use and Demand Reduction Through Energy Efficiency Program in the City and County of San Francisco, for the term of January 1, 2016, through December 31, 2016. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151196 [Accept and Expend Grant-In-Place - San Francisco Parks Alliance - Noe Valley Town Square - \$450,000]**
Sponsor: Wiener
 Resolution authorizing the Recreation and Park Department to accept and expend a Grant-in-Place, from the San Francisco Parks Alliance, of improvements to Noe Valley Town Square valued at \$450,000. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 151197 [World Prematurity Day - November 17, 2015]**
Sponsor: Farrell
 Resolution declaring November 17, 2015, as World Prematurity Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 151198 [Interim Zoning Controls Six-Month Extension - Formula Retail Uses in the Castro Street Neighborhood Commercial District]**
Sponsor: Wiener
 Resolution extending, for an additional six-month period, interim zoning controls in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization under Planning Code, Section 303.1, for a proposed use that has been determined to be Formula Retail, even if a project sponsor subsequently removes one or more distinguishing Formula Retail Use features from the project proposal; and affirming the Planning Department's determination under the California Environmental Quality Act. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 151202 [License Amendment - Telx Entities - 200 Paul Avenue - \$111,780 Total Rent in the First Year]**
Sponsor: Farrell
 Resolution authorizing an amendment to the Master Terms and Conditions License of space and services which extends the term for two years with three one-year options at fixed rents, and expands the existing 24-pair fiber connection to two 24-pair fiber connections with Telx Entities at 200 Paul Avenue for use by the Department of Technology at \$9,000 monthly plus a one-time set up fee of \$3,780 for \$111,780 total rent in the first year. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motion

- 151203 [Board of Supervisors Regular Meeting Schedule - 2016]**
 Motion establishing the 2016 Board of Supervisors Regular Meeting Schedule pursuant to Board of Supervisors Rules of Order, Sections 4.2, and 4.2.1 by cancelling the Board meetings of January 5, January 19, February 16, May 31, July 5, October 11, and November 8 and 22; and all Board and Committee meetings during the summer and winter breaks from August 3 through September 5, and December 16, 2016, through December 31, 2016; 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). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 151097 [Hearing - Anticipated Impacts of Super Bowl 50]**
Sponsors: Cohen; Kim
 Hearing on the planning for anticipated neighborhood impacts, job opportunities, transportation issues, and safety plans for the events associated with Super Bowl 50, including specifics regarding any Market Street closure and possible removal of Muni overhead wires, as well as these impacts on transportation and commute times, pedestrian and bicyclist safety, and plans for mitigating impacts of closure or removal of wires on Market Street; and requesting the Mayor's Office, the Office of Economic and Workforce Development, the Municipal Transportation Agency, the Port, and the Police Department to report. SUBSTITUTED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

- 151199 [Hearing - Institutional Master Plan Ordinance and Student Housing]**
Sponsor: Avalos
Hearing on the Institutional Master Plan (IMP) Ordinance and the status of post-secondary educational institutions subject to IMPs and their plans for student housing; and requesting the Planning Commission to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 151200 [Hearing - Alternatives to Incarceration]**
Sponsors: Kim; Breed
Hearing on the alternatives to incarceration, including considering the mental health status and needs of the current San Francisco jail population, the current jail rebuild proposal, and the associated costs, including the cost of providing mental health treatment to those in custody vs. out of custody; and requesting the Department of Public Health, Public Works, the Capital Planning Committee, and the Controller's Office to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 151201 [Hearing - Review and Approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines - FYs 2016-2017 and 2017-2018]**
Hearing to consider the review and approval of the Board of Supervisors/Clerk of the Board annual budget guidelines for FYs 2016-2017 and 2017-2018. (Clerk of the Board). RECEIVED AND ASSIGNED to Budget and Finance 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 ORDINANCE

- 151163 [Settlement of Lawsuit - New Cingular Wireless, LLC, Donald Sipple, John Simon, Kark Simonsen, and Christopher Jacobs - \$3,038,832]**
Ordinance authorizing settlement of the lawsuit filed by New Cingular Wireless, LLC, Donald Sipple, John Simon, Karl Simonsen, and Christopher Jacobs against the City and County of San Francisco for \$3,038,832; the lawsuit was filed on May 27, 2011, in Los Angeles Superior Court, Case No. BC462270; entitled Donald Sipple, et al. v. City Of Alameda, et al.; other material terms of said settlement are dismissal of the cross-complaint filed by the City and County of San Francisco against New Cingular Wireless, LLC, and AT&T Mobility, LLC. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

- 151165 [Apply for Grant - United States Department of Housing and Urban Development - Continuum of Care Program - Not to Exceed \$33,000,000]**
Resolution approving the 2015 grant application for the United States Department of Housing and Urban Development Continuum of Care Program in an amount not to exceed \$33,000,000; and fulfilling the Board of Supervisors' review and approval process for all annual or otherwise recurring grants of \$5,000,000 or more. (Human Services Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 151166 [Mental Health Services Act Annual Report - FY2015-2016]**
Resolution authorizing adoption of the Mental Health Services Act Annual Report FY2015-2016. (Public Health Department). RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 151167 [Contract Amendment - Addiction, Research and Treatment, dba BAART - Behavioral Health Services - Not to Exceed \$52,724,278]**
Resolution retroactively approving amendment number three to the Department of Public Health contract for behavioral health services with Addiction, Research and Treatment, doing business as BAART, to extend the contract by three years, from July 1, 2010, through June 30, 2015, to July 1, 2010, through June 30, 2018, with a corresponding increase of \$26,681,213 for a total amount not to exceed \$52,724,278. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151168 [Agreement Amendment - APX, Inc. - Power Scheduling Coordination and Related Support Services - Not to Exceed \$105,000,000]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute the first amendment to Agreement No. CS-344, Power Scheduling Coordination and Related Support Services, with APX, Inc., increasing the not to exceed amount by \$100,000,000, for a total not-to-exceed amount of \$105,000,000, and with no change to the five-year agreement duration, to allow for the payment of the California Independent System Operator (CAISO) power transmission charges. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151169 [Water Enterprise Agreement - Planning and Design Services, Mountain Tunnel Improvements - Not to Exceed \$21,000,000]**
Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to negotiate and execute Hetch Hetchy Water and Power funded Agreement No. CS-249, Planning and Design Services, Mountain Tunnel Improvements, for an amount not to exceed \$21,000,000, and with a duration of up to ten years, pursuant to Charter, Section 9.118. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – November 17, 2015

Board Meeting Minutes for October 6, 2015 approved.

There were no Clerk to Act requests submitted at the November 17, 2015 Board Meeting.

In Memoriams

None