



Legislation Introduced at Roll Call

Tuesday, December 1, 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

150494 [Planning, Building Codes - Conditional Use Required to Remove Any Residential Unit; Mandatory Legalization of Illegal Units; Permeable Surfaces and Landscaping Requirements]

Sponsor: Avalos

Ordinance amending the Planning Code to require Conditional Use authorization for the removal of any residential unit, whether legal or illegal, and compliance with landscaping and permeable surfaces requirements for building additions and residential mergers; amending the Building Code to require that notices of violation mandate legalization of an illegal unit unless infeasible under the Building Code or the Planning Commission approves its removal; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

151164 [Planning Code - Landmark Designation - 171 San Marcos Avenue (aka Cowell House)]

Sponsor: Yee

Ordinance designating 171 San Marcos Avenue (aka Cowell House), Assessor's Block No. 2882, Lot No. 035, as a Landmark under Planning Code, Article 10; and making environmental findings, public necessity, convenience and welfare 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 Land Use and Transportation Committee.

151225 [Taxable and/or Tax Exempt Certificates of Participation - Affordable Housing Projects - Not to Exceed \$95,000,000]

Sponsor: Mayor

Ordinance authorizing the execution and delivery of Certificates of Participation in an aggregate principal amount not to exceed \$95,000,000 to provide funds to assist in the development, acquisition, construction or rehabilitation of affordable rental housing projects; approving the form of a Supplemental Trust Agreement between the City and County of San Francisco and the Trustee named therein (including certain indemnities contained therein); approving the form of a Supplemental Property Lease between the City, as lessor, and the Trustee, as lessee; approving the form of a Supplemental Project Lease between the Trustee, as lessor, and the City, as lessee; approving the form of an Official Notice of Sale and Notice of Intention to Sell for the Certificates of Participation, if sold by competitive sale; authorizing certain actions relating to the Certificates of Participation, if sold by negotiated sale, including approving the form of a Purchase Contract between the City and the underwriter(s) selected in accordance City policies; approving the form of an official statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

151226 [Waiver of Certain Contract Requirements for Project Delivery Agreement for New Central Shops Facilities - Oryx LLC - \$55,000,000 Project Cost; Interdepartmental Property Transfers]

Sponsor: Mayor

Ordinance approving and authorizing the Director of Property of the General Services Agency's Real Estate Division ("RED") to execute a Project Delivery Agreement with Oryx, LLC ("Developer") for the design and construction of proposed improvements to future City owned real estate at 555 Selby Street and 1975 Galvez Avenue (Assessor's Block No. 5250, Lot No. 15, and Assessor's Block No. 5250, Lot No. 16), and tenant improvements to future City leased property at 450 Toland Street (Assessor's Block No. 5230, Lot No. 18), to create new facilities for the relocation of the City's Central Fleet Maintenance Shop ("Central Shops") from 1800 Jerrold Street (portions of Assessor's Block Nos. 5262 and 5270), with total anticipated project delivery cost of \$55,000,000 from San Francisco Public Utilities Commission ("SFPUC") Wastewater Enterprise funds; exempting the project from certain contracting requirements in Administrative Code, Chapter 6, by waiving the requirements of Administrative Code, Sections 6.61(b) and 6.61(c)(1) - (4), and approving the selection of Oryx, LLC as Developer, and Developer's selection of FM&E Architecture & Design as a Subcontractor to serve as the Project Architect and Charles Pankow Builders, Ltd., as a Subcontractor to serve as General Contractor, without competitive bidding; authorizing the jurisdictional transfer of 1800 Jerrold Street, from General Services Agency's Office of Contract Administration ("OCA") to the SFPUC Wastewater Enterprise, and the jurisdictional transfer of 555 Selby Street and 1975 Galvez Avenue, and the leasehold of 450 Toland Street, from the SFPUC to OCA, subject to the terms and conditions of the Memorandum of Understanding entered into between the RED, OCA, and SFPUC; and finding the proposed transactions are in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1. ASSIGNED to Budget and Finance Committee.

151227 [Administrative Code - Equal Pay Advisory Board Reporting Deadlines and Sunset Date]

Sponsor: Campos

Ordinance amending the Administrative Code to revise reporting deadlines regarding equal pay reports, and extending the sunset date of the Equal Pay Advisory Board by nine months to July 2, 2018. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

- 151228 [Administrative Code - Special Law Enforcement Services (“10B Officers”)]**
Sponsors: Campos; Farrell and Avalos
 Ordinance amending the Administrative Code to require event organizers seeking additional Police Department personnel (“10B officers”) and equipment for law enforcement purposes to include a request for approval of alcohol license application, if applicable, and a security plan with the request for those services; require the Department to respond to the request for services, and provide a staffing plan if the response is favorable, at least 90 days before the event if the request was received at least 125 days before the event; require the Chief of Police to reconsider denials and staffing plans if so requested; and require the Department after the event to provide to the event organizer and the Entertainment Commission a written report reviewing the use of 10B officers at the event and the costs of the event. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.
- 151229 [Administrative Code - Notice to Tenants in Event of Eviction]**
Sponsor: Tang
 Ordinance amending the Administrative Code to provide notice to tenants facing eviction regarding eligibility for City affordable housing programs, and to modify vacancy control requirements applicable to certain agreements with governmental agencies. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 151241 [Administrative Code - Cash Revolving Fund for Office of the Clerk of the Board]**
 Ordinance amending the Administrative Code to create a cash revolving fund allowing the Office of the Clerk of the Board to keep up to \$100 in petty cash in the office; and making nonsubstantive changes to other sections of the Administrative Code that establish cash revolving funds for City departments. (Clerk of the Board). ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

Resolutions

- 151230 [Urging the California Public Utilities Commission to Reject the Pacific Gas and Electric Company’s Proposed Increases to Net Energy Metering Fees]**
Sponsors: Avalos; Breed, Campos and Mar
 Resolution urging the California Public Utilities Commission to reject the Pacific Gas and Electric Company’s proposed increased fees to net energy metering program, and support alternatives that will minimize fees and ensure that customers receive a fair price for excess electricity they export to utilities. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 151231 [Urging the California Public Utilities Commission to Re-Examine Fairness of Proposed Increase to Power Charge Indifference Adjustment]**
Sponsors: Avalos; Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee
 Resolution urging the California Public Utilities Commission (“CPUC”) to reject the Pacific Gas and Electric Company’s proposed increase to the Power Charge Indifference Adjustment (“PCIA”) in Application 15-06-001 and support alternatives that will mitigate the impacts of proposed rate increases on Community Choice Aggregation (“CCA”) customers and prospective CCA customers; and to express support for the CPUC’s re-examination of how the PCIA is calculated and applied to CCA customers. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

- 151232 [Cooperative Agreement - State of California (Caltrans) - Van Ness Transit Improvement Project]**
Sponsor: Breed
Resolution approving a Cooperative Agreement with the State of California (Caltrans) regarding construction support and funding of the Van Ness Transit Improvement Project; and making findings under the California Environmental Quality Act. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151233 [Temporary Sidewalk Closure - Minna Street from 2nd Street to New Montgomery Street]**
Sponsor: Kim
Resolution temporarily closing the public sidewalk on Minna Street from 2nd Street to New Montgomery Street on Monday, January 11, 2016, from 5 p.m. to 10 p.m. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 151234 [Authorizing Expenditures - SoMa Community Stabilization Fund - \$3,000,000]**
Sponsor: Kim
Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund dollars in the amount of \$3,000,000. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151235 [Accept and Expend Grant - Friends of the San Francisco Public Library - Annual Grant Award FY2015-2016 - Up to \$738,000 of In-Kind Gifts]**
Sponsor: Wiener
Resolution retroactively authorizing the San Francisco Public Library to accept and expend a grant in the amount of up to \$738,000 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services in FY2015-2016. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151236 [Contract Amendment - New Flyer of America, Inc. - Purchase of Low Floor Diesel-Hybrid Buses - Not to Exceed \$412,270,421]**
Sponsors: Wiener; Breed
Resolution approving Amendment No. 2 to Contract No. CPT 713 (Procurement of 40-Ft and 60-Ft Low Floor Diesel Hybrid Coaches) with New Flyer of America Inc., to purchase an additional 152 standard and 113 articulated low floor diesel-hybrid buses, for an additional amount of \$244,630,752 and a total contract amount not to exceed \$412,270,421 subject to availability of funding, with no change to the term of the contract and the notice to proceed contingent on funding availability. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 151237 [Castro/Upper Market Community Benefit District - FY2013-2014 Annual Report to the City]**
Sponsor: Wiener
Resolution receiving and approving an annual report for the Castro/Upper Market Community Benefit District for FY2013-2014, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

151238 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Creating the Affordable Housing Bonus Programs (File No. 150969)]

Sponsors: Mayor; Tang

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 150969) 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. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

151239 [Human Services Agency's Imminent Danger Policy Regarding Victims of Domestic Violence]

Sponsors: Tang; Breed, Christensen, Kim and Cohen

Resolution urging the adoption of the Shelter Monitoring Committee's recommendations for amending the Human Services Agency's Imminent Danger policy as it pertains to victims of domestic violence. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

151240 [Budget and Legislative Analyst Audit of Homeless Services]

Sponsor: Breed

Motion directing the Budget and Legislative Analyst to conduct a performance audit of homeless services in San Francisco, including: 1) an inventory of all homeless services with provider level specificity; 2) a review of homeless population data and needs assessments; 3) an evaluation of the contracting procedures for homeless services, including how contracted services meet assessed needs and are monitored for quality performance, with a particular focus on services targeting the homeless population with behavioral health needs; 4) an assessment of the existing service mix and funds to support the homeless; and 5) a best practices survey to identify opportunities to implement other successful strategies related to homeless services. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

151242 [Hearing - Equal Pay Advisory Board's Final Report for 2015]

Sponsor: Campos

Hearing to review the Equal Pay Advisory Board's final report and recommendation to the Board of Supervisors, analyzing and recommending the best methods of data collection to identify wage gaps based on gender and race, and which will minimize the burden on City contractors in providing the data; and requesting the Equal Pay Advisory Board to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

- 151243 [Hearing - County Clerk's Management, Policies, and Practices related to the City's Identification Card Program]**
Sponsor: Campos
Hearing on the County Clerk's City Identification Card Program, reviewing their policies, training, and procedures regarding customer service, and addressing how the County Clerk's office plans to ensure that their office is free of xenophobia, homophobia, and transphobia; and requesting the County Clerk's Office to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 151244 [Hearing - Update on Progress Towards Meeting Food Security Goals]**
Sponsor: Mar
Hearing to receive an update on progress made toward meeting the goals articulated in Board of Supervisors Resolution No. 447-13, committing to a food secure and hunger free San Francisco; and requesting the Food Security Task Force to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 151245 [Hearing - Short-Term Residential Rentals Enforcement]**
Sponsor: Wiener
Hearing on short-term residential rentals registration and enforcement activity, current staffing levels of the Office of Short-Term Residential Rental Administration and Enforcement, and any need for additional resources of policies to adequately enforce the law; and requesting the Office of Short-Term Residential Rental Administration and Enforcement to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 151246 [Hearing - Coyotes in San Francisco]**
Sponsor: Yee
Hearing to assess the impact of coyotes in neighborhoods citywide and to discuss the City's response plan; and requesting the the Department of Animal Care and Control, the Recreation and Park Department, and the Presidio Trust to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services 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

- 151210 [Lease Amendment - Coit Tower, LLC - Lease and Operation of Coit Tower]**
Ordinance approving the amendment to the lease with Coit Tower, LLC, for the operation of Coit Tower to allow a service charge for online elevator ticket sales in addition to the general fees for elevator tickets provided in Park Code, Section 12.06, allow the sale of food and beverage from a kiosk exterior to Coit Tower on a part of a vacated street or other space designated by the Recreation and Park Department General Manager if the street is not vacated, provide an ongoing rent credit of up to \$9,500 per month for increased mural protection staffing, provide a short-term rent credit of up to \$7,000 per month on account of delay in identifying a food service premises, allow a retroactive and ongoing credit for credit card fees associated with elevator tickets purchased by visitors, and amend the lease in certain other respects; 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. (Recreation and Park Department). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 151211 [Planning Code - Landmark Designation - 90-92 Second Street (aka the Bourdette Building)]**
Ordinance designating 90-92 Second Street (aka the Bourdette Building), Assessor's Block No. 3707, Lot No. 012, as a Landmark under Planning Code, Article 10; and making environmental findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 151212 [Settlement of Lawsuit - Filip Kesler 2011 Revocable Trust and Brandon Hughes - \$82,500]**
Ordinance authorizing settlement of the lawsuit filed by Filip Kesler 2011 Revocable Trust and Brandon Hughes against the City and County of San Francisco for \$82,500; the lawsuit was filed on September 29, 2014, in San Francisco Superior Court, Case No. CGC-14-541914; entitled Filip Kesler 2011 Revocable Trust and Brandon Hughes v. City and County of San Francisco. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

- 151213 [California Constitution Appropriations Limit - FY2015-2016 - \$2,991,417,308]**
Resolution establishing the appropriations limit for FY2015-2016 as \$2,991,417,308, pursuant to California Constitution, Article XIII B. (Controller). RECEIVED AND ASSIGNED to Budget and Finance Committee.

151214 [Real Property Lease - Sprint Spectrum, L.P. - 887 Potrero Avenue - \$69,600 Per Year Base Rent]

Resolution authorizing the lease of telecommunications facilities on the roof of property located at 887 Potrero Avenue, with Sprint Spectrum, L.P., a Delaware limited partnership, for an initial five-year term at a base rent of \$69,600 per year, to commence upon approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

151215 [Real Property Lease - 450 Toland Street - Four Fifty Toland, LLC - \$735,600 per Year - Purchase and Sale Agreements - 555 Selby Street, and 1975 Galvez Avenue - Selby and Hudson Corporation, W.Y.L. Five Star Service Industries - \$6,300,000 and \$5,000,000]

Resolution authorizing the execution and acceptance of a Lease by and between the City and County of San Francisco and Four Fifty Toland, LLC, a California Limited Liability Company, for the real property located at 450 Toland Street with an initial lease amount of \$735,600 per year; the execution and acceptance of a Purchase and Sale Agreement by and between City and Selby and Hudson Corporation, a California corporation, for the real property located at 555 Selby Street for \$6,300,000; the execution and acceptance of a Purchase and Sale Agreement by and between the City and W.Y.L. Five Star Service Industries, Inc., a California corporation, for the real property located at 1975 Galvez Avenue for \$5,000,000; and finding the proposed transactions are in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

151216 [Agreement Amendment - Hellmuth, Obata & Kassabaum, Inc. - Traffic Company and Forensic Services Division Facility - Earthquake Safety and Emergency Response Bond Program - Not to Exceed \$11,862,305]

Resolution authorizing the Director of Public Works to execute an amendment to the Agreement between the City and County of San Francisco and Hellmuth, Obata & Kassabaum, Inc., to furnish architectural and engineering design and related other consulting services for the Traffic Company and Forensic Services Division Facility under the Earthquake Safety and Emergency Response bond program, and increasing the not-to-exceed amount from \$993,952 to \$11,862,305. (Public Works). RECEIVED AND ASSIGNED to Budget and Finance Committee.

151217 [Settlement of Unlitigated Claim - David Leung - \$62,290]

Resolution approving the settlement of the unlitigated claim filed by David Leung against the City and County of San Francisco for \$62,290; claim was filed on January 5, 2015. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Clerk to Act – December 1, 2015

Board Meeting Minutes for October 20, 2015 approved.

There were no Clerk to Act requests submitted at the December 1, 2015 Board Meeting.

In Memoriams

Estelle Crawford - Supervisor Breed

Christopher "Mitch" Mitchell - Supervisor Wiener

Dennis Nix - Supervisor Wiener

Ben Robinson - Supervisor Cohen