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, April 12, 2016

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

160199 [Administrative Code - Prevailing Wages for Commercial Vehicle Loading and Unloading on Park Property]

Sponsor: Wiener

Ordinance amending the Administrative Code to require that prevailing wages be paid for work loading or unloading materials, goods, or products for special events on City park property, and the driving of commercial vehicles for that purpose. SUBSTITUTED AND ASSIGNED to the Budget and Finance Sub-Committee.

160255 [Planning, Administrative Codes - Inclusionary Affordable Housing Fee and Requirements; Preparation of Economic Feasibility Report; Establishing Inclusionary Housing Technical Advisory Committee]

Sponsors: Kim; Peskin and Yee

Ordinance amending the Planning and Administrative Codes to increase the Inclusionary Affordable Housing fee and other requirements; require the Controller to prepare an economic feasibility report regarding the City's inclusionary housing requirements and make recommendations by July 31, 2016, and every three years thereafter; and establish the Inclusionary Housing Technical Advisory Committee to provide advice about the economic feasibility of proposals to set maximum economically viable inclusionary housing requirements, and set forth the membership and duties of the Advisory Committee; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public convenience, necessity, and welfare under Planning Code, Section 302; 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.

160357 [Appropriation - Proceeds from Short-Term Certificates of Participation - Transbay Transit Center Project - \$260,000,000 - FY2015-2016]

Sponsors: Mayor; Kim, Wiener and Campos

Ordinance appropriating \$260,000,000 of proceeds from short-term certificates of participation to general City responsibility for interim financing related to the Transbay Transit Center Project in FY2015-2016. ASSIGNED to Budget and Finance Sub-Committee.

160358 [Appropriation and De-Appropriation - Surplus Revenue and Expenditures -Supporting Increased Overtime Expenditures - \$23,817,135 - FY2015-20161

Sponsor: Mayor

Ordinance appropriating \$3,272,880 surplus revenues, de-appropriating \$20,544,255 from permanent salaries, fringe benefit expenses, and non-personnel services, and appropriating \$23,817,135 to overtime in the Sheriff's Department, Department of Emergency Management, Fire Department, Public Health Department, Public Utilities Commission, and Police Department operating budgets in order to support the Departments' projected increases in overtime as required per Ordinance No. 194-11 in FY2014-2015; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval of the Fire Department overtime appropriations, pursuant to Charter, Section 9.113(c), ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

160359 [Administrative Code - Establishing Municipal Fines and Fees Task Force] Sponsors: Avalos; Kim

Ordinance amending the Administrative Code to establish the Municipal Fines and Fees Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding policies that reduce fines and fees for low-income City residents; and setting forth the membership and duties of the Task Force. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

160360 [Zoning Map - Rezoning Potrero HOPE SF Parcels at 25th and Connecticut Streets1

Sponsor: Cohen

Ordinance amending the Planning Code to facilitate development of the Potrero HOPE SF (Housing Opportunities for People Everywhere San Francisco) Project by revising Zoning Map Sheet ZN08 to rezone Assessor's Parcel Block No. 4287, Lot No. 007, at 25th and Connecticut Streets from Public (P) to Residential, Mixed Districts, Moderate Density (RM-2); revising Zoning Map Sheet HT08 to rezone Assessor's Parcel Block No. 4287, Lot Nos. 001A and 007, from a 40-X height and bulk limit to a 50-X height and bulk limit; and making environmental findings under the California Environmental Quality Act, 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.

160361 [Administrative Code - Appraisals for the Acquisition, Conveyance, and Lease of Real Property]

Sponsors: Peskin; Campos

Ordinance amending the Administrative Code to require appraisals and appraisal reviews for certain City acquisitions, conveyances, and leases of real property; requiring that appraisals conform to the Uniform Standards of Professional Appraisal Practice and be prepared by qualified appraisers; and increasing the rent limits for the Director of Property's existing authority to enter into leases for the City. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

160362 [Administrative Code - Collection of Sexual Orientation and Gender Identity Data1

Sponsor: Wiener

Ordinance amending the Administrative Code to require City departments and contractors that provide health care and social services to seek to collect and analyze data concerning the sexual orientation and gender identity of the clients they serve. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

Resolutions

160363 [Annexation of Property to City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsors: Mayor; Kim, Wiener and Campos

Resolution determining that certain property in the future annexation area, namely Assessor's Parcel Block No. 3721, Lot No. 019, Block No. 3721, Lot No. 020, and Block No. 3721, Lot No. 029, is Annexed to the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160364 [Certificates of Participation - Interim Financing for Phase 1 of the Transbay Transit Center Project - Not to Exceed \$260,000,000]

Sponsors: Mayor; Kim, Wiener and Campos

Resolution approving and authorizing the execution and delivery of Tax Exempt and/or Taxable Lease Revenue Commercial Paper Certificates of Participation and Tax Exempt and/or Taxable Direct Placement Revolving Certificates of Participation in a combined aggregate principal of amount not to exceed \$260,000,000 to provide interim financing for Phase 1 of the Transbay Transit Center Project; approving and authorizing execution of one or more trust agreements, site leases, subleases, a leaseback, one or more letters of credit and reimbursement agreements and/or lines of credit, and one or more certificate purchase agreements and related documents; and Declaring the Official Intent of the City to reimburse itself from proceeds of Tax-Exempt Obligations in accordance with the Internal Revenue Code of 1986, as amended; and making certain public benefit findings for the Transbay Transit Center Project under California Government Code, Section 6586.5. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160365 [Apply for, Accept, and Expend Grant - Community Development Block Grant Program - \$19,163,346 - FY2016-2017]

Sponsor: Mayor

Resolution approving the FY2016-2017 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 CDBG Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$16,485,875, and to expend program income and reprogrammed funds in the amount of \$2,677,471, for a period beginning July 1, 2016, through the date when all funds are expended. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160366 [Apply for, Accept, and Expend Grant - Housing Opportunities for Persons with AIDS Program - \$9,213,182 - FY2016-2017]

Sponsor: Mayor

Resolution approving the FY2016-2017 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$7,089,501 and to expend program income and reprogrammed funds in the amount of \$2,123,681 for a combined total of \$9,213,182 for the period of July 1, 2016, through June 30, 2021. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160367 [Apply for, Accept, and Expend Grant - HOME Program - \$4,236,238 - FY2016-2017]

Sponsor: Mayor

Resolution approving the FY2016-2017 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$4,136,238 and to expend program income in the amount of \$100,000 for a combined total of \$4,236,238 for the term of July 1, 2016, through June 30, 2021. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160368 [Apply for, Accept, and Expend Grant - Emergency Solutions Grants Program - \$1,484,425 - FY2016-2017]

Sponsor: Mayor

Resolution approving the FY2016-2017 Emergency Solutions Grants (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2016-2017 ESG Program entitlement from the U.S. Department of Housing and Urban Development, in the amount of \$1,484,425 for an unspecified period starting July 1, 2016. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160369 [Multifamily Housing Revenue Bonds - 1101 Connecticut Street (also known as Potrero Block X) - Not to Exceed \$56,000,000]

Sponsor: Cohen

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$56,000,000 for 1101 Connecticut Street (also known as Potrero Block X): authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$56,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein, (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160370 [Multifamily Housing Revenue Bonds - Transbay Block 7 Affordable Housing - Not to Exceed \$35,000,000]

Sponsor: Kim

Resolution authorizing the issuance, sale, and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$35,000,000 for the purpose of providing financing for the construction of a 120-unit multifamily rental housing project known as Transbay Block 7 Affordable Housing; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; approving modifications, changes, and additions to the documents; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160371 [Multifamily Housing Revenue Bonds - 1035 Folsom Street and 21 Columbia Square Street - Not to Exceed \$16,000,000]

Sponsor: Kim

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$16,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 50-unit multifamily residential rental housing project known as Columbia Park Apartments; ratifying the approvals and terms and conditions of a previous Resolution; and related matters. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160372 [Urging the California Attorney General to Investigate the Racist Text Messages and Practices of the San Francisco Police Department]

Sponsors: Cohen; Kim and Yee

Resolution urging California Attorney General Kamala Harris initiate a civil-rights investigation, pursuant to California Civil Code, Section 52.3, into the San Francisco Police Department's racist text messages and practices. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160373 [Asian Pacific American Heritage Month, Day of Commendation - First Tuesday of May]

Sponsors: Mar; Kim, Tang and Yee

Resolution declaring the first Tuesday of May each year as the Board of Supervisors' commendation date in celebration of Asian Pacific American Heritage Month, and in recognition of outstanding Asian Pacific Americans in each of the eleven Districts in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160374 [Commending the Golden State Warriors for a Historic and Record-Breaking Season]

Sponsors: Tang; Farrell and Kim

Resolution commending the Golden State Warriors for tying the record for most victories in a season with 72 wins during the 2015-2016 National Basketball Association season and wishing the team the best of luck in the postseason. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160375 [Urging the Department of Human Resources to Analyze and Implement Strategies to Reduce Implicit Bias in Recruitment for Employment]

Sponsors: Tang; Kim, Cohen, Farrell and Yee

Resolution urging the Department of Human Resources (DHR) to analyze strategies and create a plan to reduce implicit bias in the hiring process for City and County of San Francisco employment, and further urging DHR to report its findings and plan to the Board of Supervisors by June 2016. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

160376 [Committee of the Whole - Joint Meeting with the San Francisco Youth Commission - Charter Amendment (File No. 150267) - Sixteen and

Seventeen-Year-Old Voting for Municipal Elections - May 3, 2016] Sponsor: Avalos

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 3, 2016, at 5:00 p.m., in a joint meeting with the San Francisco Youth Commission, to hold a public hearing to consider the proposed Charter Amendment (File No. 150267) authorizing sixteen and seventeen-year-olds to vote in municipal elections, to be proposed to the voters at

the November 8, 2016, election. REFERRED FOR ADOPTION WITHOUT COMMITTEE

REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160349 [Committee of the Whole - Report of Assessment Costs for Blighted Properties]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 17, 2016, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

160377 [Hearing - Economic Impact Report on Zoning and Land-Use Regulations]

Sponsor: Farrell

Hearing on an Economic Impact Report on San Francisco's Zoning and Land-Use regulations; and requesting the Controller's Office to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

160378 [Hearing - Comprehensive Annual Financial Report - FY2014-2015]

Sponsor: Peskin

Hearing to present the Comprehensive Annual Financial Report (CAFR), Single Audit, and management letters prepared by the City's external auditors Macias Gini & O'Connell and KPMG, LLP, for FY2014-2015, and their audit plans for FY2015-2016, pursuant to Charter, Section 9.117; and requesting the external auditors and the Controller's Office 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

160306 [Settlement of Unlitigated Claim - Asiana Airlines - City to Receive \$3,450,000]

Ordinance authorizing settlement of an unlitigated claim by the City and County of San Francisco against Asiana Airlines for a payment of \$3,450,000 by Asiana Airlines to the City, appropriating funds from the settlement to the City Attorney's Office to pay the City's attorneys' fees and legal expenses, and allocating funds from the settlement to the Airport to pay the Airport's costs; other material terms of the settlement include payment by Asiana Airlines to the City's aviation insurer, the City's acceptance of the site cleanup performed by contractors to Asiana Airlines and approved by the San Francisco Bay Regional Water Quality Control Board, the City's agreement not to originate a lawsuit against the aircraft manufacturer, and mutual release of claims arising out of the July 6, 2013 crash of Asiana Airlines Flight 214; the City made its claim on July 16, 2013. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160307 [Settlement of Lawsuit - Fernando Guanill - \$150,000]

Ordinance authorizing settlement of the lawsuit filed by Fernando Guanill against the City and County of San Francisco for \$150,000; the lawsuit was filed on October 14, 2015, in the United States District Court for the Northern District of California, Case No. 15-cv-04745 LB; entitled Fernando Guanill v. Michael Robert Lewelling, et al.; the lawsuit involves alleged civil rights violations. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160308 [Settlement of Lawsuit - J.C.R., a Minor, By and Through His Guardian Ad Litem, Guillerma Bojorquez - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by J.C.R., a minor, by and through his guardian ad litem, Guillerma Bojorquez, against the City and County of San Francisco for \$50,000; the lawsuit was filed on August 28, 2014, in the United States District Court for the Northern District of California, Case No. 3: 14-cv-3918 NC; entitled J.C.R., a minor, by and through his guardian ad litem, Guillerma Borjorquez v. The City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160309 [Settlement of Lawsuit - Fireman's Fund Insurance Company - \$125,000]

Ordinance authorizing settlement of the lawsuit filed by Fireman's Fund Insurance Company against the City and County of San Francisco for \$125,000; the lawsuit was filed on July 17, 2014, in San Francisco Superior Court, Case No. CGC-14-540616; entitled Fireman's Fund Insurance Company vs. Alliance of Event Planners and Vendors, Inc., et al.; the lawsuit involves an insurance dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

160310 [Early Lease Termination and Reimbursement of Unamortized Construction Costs - Legends Bar of San Francisco, LLC - \$70,270]

Resolution approving the early termination of Boarding Area B Casual Dining and Bar Lease No. 05-0075, between Legends Bar of San Francisco, LLC and the City and County of San Francisco, acting by and through its Airport Commission; and the reimbursement of \$70,270 in unamortized construction costs. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160311 [Lease Agreement - China Airlines Limited - Airport Building No. 648 and Related Areas on Plot 10 - \$5.740.480.681

Resolution retroactively approving and authorizing the execution of Facility Lease Agreement No. 16-0072 for Cargo Building 648 on Plot 10, between China Airlines Limited and the City and County of San Francisco, acting by and through its Airport Commission, for an estimated rent of \$5,740,480.68 for a three-year term to commence April 9, 2016, through April 8, 2019, with one three-year option to extend. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160312 [Lease Amendment - Hudson News Company - Terminal 1 Boarding Area C Retail Lease - \$1,320,973.20 Minimum Annual Guarantee, \$2,506 Annual Promotional Charge, and Reimbursing \$173,022.24 for Unamortized Construction Costs]

Resolution approving Amendment No. 1 to the Terminal 1 Boarding Area C Retail Lease No. 09-0093, between Hudson News Company and the City and County of San Francisco, acting by and through its Airport Commission, reducing the minimum annual guarantee to \$1,320,973.20, the annual promotional charge to \$2,506, and reimbursing the Hudson News Company \$173,022.24 for unamortized construction costs. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160313 [Home Detention Electronic Monitoring Program Rules and Regulations and Program Administrator's Evidence of Financial Responsibility - 2016]

Resolution approving the Sheriff Department's home detention and electronic monitoring program rules and regulations and approving evidence of financial responsibility demonstrated by program administrator, Leaders in Community Alternatives, for the 2016 calendar year. (Sheriff). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160314 [Contract Amendment - Regents of the University of California, Division of Substance Abuse and Addiction Medicine - Behavioral Health Services - Not to Exceed \$27,552,154]

Resolution retroactively approving amendment number one to the Department of Public Health contract for behavioral health services with the Regents of the University of California, Division of Substance Abuse and Addiction Medicine, to extend the contract by two years, from July 1, 2010, through December 31, 2015, to July 1 2010, through December 31, 2017, with a corresponding increase of \$9,648,526 for a total amount not to exceed \$27,552,154. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160315 [Agreement Amendment - Cogsdale Corporation - Software Maintenance, FAMIS Project - Maximum Expenditure of \$1,759,067.62]

Resolution authorizing the Controller to enter into the Ninth Amendment of a Software Maintenance Agreement with Cogsdale Corporation, for perpetual software maintenance services for the Controller's Financial Accounting and Management Information System ("FAMIS") Project, extending the contract term of July 1, 2006, through June 30, 2016, up to three years through June 30, 2019, and increasing the maximum expenditure for the Ninth Amendment up to \$452,661.65, and a total contract amount up to \$1,759,067.62. (Controller). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

160316 [Settlement of Unlitigated Claim - 700 Cabrillo Street HOA - \$35,000]

Resolution approving the settlement of the unlitigated claim filed by the 700 Cabrillo Street HOA against the City and County of San Francisco for \$35,000; the claim was filed on October 8, 2015; the claim involves alleged property damage arising from a sewage flood. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160317 [Public Utilities Commission - Issuance Wastewater Revenue Bonds - Not to Exceed \$621,000,000]

Resolution approving the issuance of wastewater revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco in an aggregate principal amount not to exceed \$621,000,000 to finance and refinance capital projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by voters on November 5, 2002, as Proposition E; affirming covenants contained in the indenture pursuant to which the wastewater revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Clerk to Act - April 12, 2016

Board Meeting Minutes for March 8, 2016 approved.

There were no Clerk to Act requests submitted at the April 12, 2016 Board Meeting.

In Memoriams

John Stone - Supervisor Kim Michael Nicholas Vriheas - Supervisor Tang Joan Breed Pierson - Board President Breed Sherry Cochran - Supervisor Campos