

Board of Supervisors



City Hall
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San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced at Roll Call

Tuesday, December 10, 2013

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

131190 [General Obligation Bond Election - Earthquake Safety and Emergency Response]

Sponsors: Mayor; Chiu

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 3, 2014, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$400,000,000 to finance the construction, acquisition, improvement, and seismic retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; and incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34. ASSIGNED to Budget and Finance Committee.

- 131191 [Administrative Code - Clarifying Employer Definition for Family Friendly Workplace]**
Sponsor: Chiu
 Ordinance amending the Administrative Code to clarify the group of employers required to comply with the Family Friendly Workplace Ordinance. ASSIGNED to Land Use and Economic Development Committee.
- 131192 [Police, Administrative Codes - Considering Criminal History in Employment and Housing Decisions]**
Sponsors: Kim; Cohen, Avalos, Campos, Chiu and Mar
 Ordinance amending the Police Code to require employers and housing providers to limit the use of criminal history information, and follow certain procedures and restrictions when inquiring about and using conviction history information to make decisions about employment and tenancy in San Francisco; and amending the Administrative Code to require City contractors and subcontractors to adhere to the same limits, procedures, and restrictions when making decisions regarding employment of persons for work on City contracts and subcontracts. ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee.
- 131194 [Planning Code, Zoning Map - Mother Brown's Memorial Emergency Shelter Special Use District]**
Sponsor: Mayor
 Ordinance amending the Planning Code to create the Mother Brown's Memorial Emergency Shelter Special Use District for the property located at Assessor's Block No. 4828, Lot No. 021, known as 2111-2115 Jennings Street, to allow for an emergency shelter; amending the Zoning Map, Section Map, to add the Special Use District; and adopting findings, including environmental 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 Economic Development Committee.

Resolutions

- 130463 [Mills Act Historical Property Contract - 1772 Vallejo Street (Burr Mansion)]**
Sponsor: Farrell
 Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between John Moran the owner of 1772 Vallejo Street (Burr Mansion), and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. (Planning Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130479 [Mills Act Historical Property Contract - 2550 Webster Street]**
Sponsor: Farrell
 Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Pacific Heights, LLC, the owners of 2550 Webster Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 130506 [Mills Act Historical Property Contract - 1019 Market Street]**
Sponsor: Kim
 Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between 1019 Market St. Properties, LLC, the owners of 1019 Market Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130521 [Mills Act Historical Property Contract - 3769 20th Street]**
Sponsor: Wiener
 Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Brian Jackson and Thomas Ranese, the owners of 3769 20th Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130522 [Mills Act Historical Property Contract - 50 Carmelita Street]**
Sponsor: Wiener
 Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Adam Spiegel and Guillemette Broulliat-Spiegel, the owners of 50 Carmelita Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130577 [Mills Act Historical Property Contract - 66 Carmelita Street]**
Sponsor: Wiener
 Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Amy Hockman and Brian Bone, the owners of 66 Carmelita Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130640 [Mills Act Historical Property Contract - 70 Carmelita Street]**
Sponsor: Wiener
 Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Elise Sommerville, the owner of 70 Carmelita Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131157 [Mills Act Historical Property Contract - 56 Pierce Street]**
Sponsor: Wiener
 Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Adam Wilson and Quyen Nguyen, the owners of 56 Pierce Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131158 [Mills Act Historical Property Contract - 64 Pierce Street]**
Sponsor: Wiener
 Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Jean Paul and Ann Balajadia, the owners of 64 Pierce Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 131159 [Mills Act Historical Property Contract - 56 Potomac Street]**
Sponsor: Wiener
Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Karli Sager and Jason Monberg, the owners of 56 Potomac Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131160 [Mills Act Historical Property Contract - 66 Potomac Street]**
Sponsor: Wiener
Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Adam Wilson and Quyen Nguyen, the owners of 66 Potomac Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131189 [General Obligation Bonds - Earthquake Safety and Emergency Response]**
Sponsors: Mayor; Chiu
Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131193 [Sale of Transferable Development Rights - War Memorial Complex - 301 and 401 Van Ness Avenue]**
Sponsors: Mayor; Chiu and Wiener
Resolution authorizing the Director of Property to sell up to 1,100,000 gross square feet of transferable development rights (TDR) from the War Memorial Complex, 301 and 401 Van Ness Avenue, at fair market value; and to execute and record Certificates of Transfer and to take such additional actions as may be necessary to effectuate one or more TDR transfers in accordance with Planning Code, Section 128. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 131195 [Real Property Lease - Human Services Agency - 2111-2115 Jennings Street]**
Sponsor: Mayor
 Resolution authorizing the lease of the entire property at 2111-2115 Jennings Street with Ronald Pankowski, an individual, for premises consisting of approximately 11,000 square feet, for a 15-year term, plus two five-year extension options, at an initial monthly base rent of \$12,980 with annual increases, for use by the Human Services Agency for an existing homeless resource center and a planned 100-bed emergency shelter in the Bayview District; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131196 [Apply for Grants - Board of State and Community Corrections - Anti Drug Abuse Program]**
Sponsor: Mayor
 Resolution authorizing the Department of Children Youth and Their Families to apply for grants from the Board of State and Community Corrections for the Anti Drug Abuse Program. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 131197 [Moratorium on Hydraulic Fracturing]**
Sponsor: Chiu
 Resolution supporting a moratorium on hydraulic fracturing in the State of California. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 131198 [Approval of a 90 Day Extension for Planning Commission Review of Zoning Map - 904-22nd Street (File No.130969)]**
Sponsor: Cohen
 Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130969) amending the Planning Code, Zoning Map, to re-zone the property located at 904-22nd Street (Assessor's Block No. 4106, Lot No. 015) from RH-3 (Residential, Housing, Three Family) to UMU (Urban Mixed Use); and making environmental findings, and 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.
- 131199 [Approval of a 60 Day Extension for Planning Commission Review of Planning Code - Expanding Formula Retail Controls (File No. 130788)]**
Sponsor: Mar
 Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130788) amending the Planning Code to expand the definition of formula retail to include businesses that have eleven or more outlets worldwide, and to include businesses 50% or more owned by formula retail businesses; to expand the applicability of formula retail controls to other types of retail uses; to expand the notification procedures for formula retail applications; to require an economic impact report as part of the formula retail conditional use application; and making environmental findings, and 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.

Motions

- 131164 [Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**
Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

- 131200 [Hearing - Backlog of Pending Death Certificates - Medical Examiner's Office]**
Sponsor: Avalos
Hearing to review the backlog of pending death certificates at the Medical Examiner's Office, their staffing levels, and what steps can be taken to expedite the resolution of these pending cases. RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.
- 131201 [Hearing - Wage Theft Task Force Final Report]**
Sponsors: Campos; Mar
Hearing on the Wage Theft Task Force Final Report in order to discuss the Task Force recommendations, as well as whether various City Departments mentioned in the report plan to implement those recommendations. RECEIVED AND ASSIGNED to Rules Committee.
- 131202 [Hearing - AT&T Sidewalk Utility Boxes]**
Sponsors: Wiener; Kim, Farrell and Avalos
Hearing, directed to AT&T, the Department of Public Works, and the Planning Department to discuss the roll-out of the AT&T U-verse telecommunications upgrade, focusing on the permitting and site installation of the sidewalk cabinets, and to discuss the current community outreach and permitting process and suggest improvements. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 131203 [Hearing - Long-Term Care Integration Strategic Plan]**
Sponsor: Yee
Hearing requesting presentations from members of the Long-Term Care Integration Design Group and the Department of Aging and Adult Services on the Long-Term Care Integration Strategic Plan; and to report on the process of developing the Plan and the challenges, objectives, and recommendations. RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.
- 131204 [Hearing and Approval - Annual Budget Guidelines for the Board of Supervisors]**
Hearing to consider the annual review and approval of the Board of Supervisors Annual Budget Guidelines for the department's budget for FYs 2014-2015 and 2015-2016. (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 ORDINANCES

131161 [Planning Code, Zoning Map - Adjacent Parcels and Western South of Market Cleanup]

Ordinance amending Zoning Map, Sheets ZN01, ZN07, ZN08, HT07, HT08, and SU07, to revise use districts and height and bulk districts for parcels adjacent to and within the Western South of Market Plan Area; to extend the Van Ness and Market Downtown Residential Special Use District; and making environmental findings, Planning Code, Section 302, 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 Economic Development Committee.

131162 [General Plan - Adjacent Parcels to the Western South of Market, East South of Market, and Market and Octavia Area Plans]

Ordinance amending the General Plan by amending the boundaries of the East South of Market Area Plan to incorporate 40 nearby parcels on Mission Street, generally bounded by 7th Street to the east, 9th Street to the west, and Minna Street to the south; amending the Market and Octavia Planning Area to incorporate nine adjacent parcels along Mission Street and 10th Street, generally bound by Washburn Street to the east, and Minna Street to the south; amending the Western South Market Area Plan to remove one parcel on 10th Street; and making environmental 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 Economic Development Committee.

131178 [Planning Code - Article 11 Designation of 660 California Street]

Ordinance amending the Planning Code to change the designation of 660 California Street, Assessor's Block No. 0241, Lot No. 011 (a.k.a. the Old St. Mary's Rectory), from Category V (Unrated) to Category III (Contributory) under Planning Code, Article 11; and making environmental findings, 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 Economic Development Committee.

131179 [Settlement of Lawsuit - John Wettstein - \$247,500]

Ordinance authorizing settlement of the lawsuit filed by John Wettstein against the City and County of San Francisco by payment of up to \$247,500; the lawsuit was filed on October 28, 2011, in the San Francisco Superior Court and removed to U. S. District Court, Northern District of California, on November 10, 2011, Case No. C11-5484-CRB; entitled John Wettstein v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

- 131180 [Settlement of Lawsuit - Danilo Martin Molieri and Daniel Steven Molieri - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Danilo Martin Molieri and Daniel Steven Molieri against the City and County of San Francisco for \$40,000; the lawsuit was filed on December 1, 2010, in United States District Court, Case No. CV10-5430 MMC; entitled Danilo Martin Molieri, et al., v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 131181 [Settlement of Lawsuit - Ricky Rein - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Ricky Rein against the City and County of San Francisco for \$100,000; the lawsuit was filed on November 30, 2012, in San Francisco Superior Court, Case No. CGC-12-523533; entitled Ricky Rein v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 131163 [Term Sheet Endorsement - Pacific Gas and Electric Company ZA-1 Embarcadero-Potrero 230kV Transmission Project]**
Resolution endorsing the Pacific Gas and Electric Company (PG&E) ZA-1 Embarcadero-Potrero 230kV Transmission project revised term sheet among the Port Commission, Office of Economic Workforce and Development, and PG&E. (Port). ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 131172 [Interconnection Agreement - Pacific Gas and Electric Company - Solar Power Project - 201 Van Ness Avenue]**
Resolution authorizing the Public Utilities Commission's General Manager to enter into a long term interconnection agreement with Pacific Gas and Electric Company, to commence following Board approval, for a Solar Power Project at Davies Symphony Hall, 201 Van Ness Avenue, pursuant to Charter, Section 9.118(b). (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131182 [Emergency Contract - Clean Harbors Environmental Services, Inc. - Not to Exceed \$1,000,000]**
Resolution approving an emergency contract with Clean Harbors Environmental Services, Inc., for environmental clean-up of soil and water and regrading of the runway safety area after the crash landing of Asiana Airlines Flight 214, with an amount not to exceed \$1,000,000 for services already performed. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131183 [Emergency Contract - Fixed Gas Monitoring System - Southeast Water Pollution Control Plant - Not to Exceed \$225,000]**
Resolution approving an emergency procurement contract of the Public Utilities Commission under Administrative Code, Section 21.15, to obtain materials needed to repair the Fixed Gas Monitoring System at the Southeast Water Pollution Control Plant, with an amount not to exceed \$225,000. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – December 10, 2013

Board Meeting Minutes for October 29, 2013, and November 5, 2013 approved.

There were no Clerk to Act requests submitted at the December 10, 2013 Board Meeting.

In Memoriams

Rhonda Barzon - Supervisor Chiu

Sergeant Neville Gittens - Supervisor Cohen and Entire Board

Ikenna Uwakah - Supervisor Breed

Melvin Holmes - Supervisor Breed

Former South African President Nelson Mandela - Supervisor Breed and Entire Board