

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, July 29, 2014

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

140873 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2014-2015]

Sponsor: Mayor

Ordinance levying property taxes at a combined rate of \$1.1773 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District and establishing a pass-through rate of \$0.0950 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2015. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

140874 [Administrative, Subdivision Codes - Tenant Buy-Out Agreements]

Sponsors: Campos; Avalos

Ordinance amending the Administrative Code to require landlords to provide tenants with a disclosure of the tenant's rights at least 45 days before the landlord commences buy-out negotiations; to require landlords to file a summary of the disclosure, as well as buy-out agreements, with the Rent Board; to require the Rent Board to post the summary disclosures and the buy-out agreements on its website; to authorize administrative enforcement proceedings, resulting in a fine for violations; to authorize tenants to bring civil actions for actual damages and a fine against landlords who fail to provide the required disclosure of tenants' rights; to require the Rent Board to provide an annual report to the Board of Supervisors regarding tenant buy-outs; and amending the Subdivision Code to prohibit buildings from entering the condominium conversion lottery if the owners of the building have entered certain tenant buy-out agreements. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

140875 [Planning Code - Amending the Third Street Alcohol Restricted Use District]

Sponsor: Cohen

Ordinance amending the Planning Code to amend the Third Street Alcohol Restricted Use District to allow Alcoholic Beverage Control Type 23, "Small Beer Manufacturer" Licenses; and making 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.

- 140876 [Planning Code - Office Conversion Controls In Landmark Buildings]**
Sponsor: Cohen
Ordinance amending the Planning Code to place vertical controls on the conversion of designated landmark buildings to office use in PDR-1-D and PDR-1-G Districts; and making 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.
- 140877 [Planning Code - Amending the Downtown Support Special Use District; Fees in Lieu of On-Site Open Space]**
Sponsor: Kim
Ordinance amending the Downtown Support Special Use District to allow the Planning Commission to authorize a monetary contribution to satisfy on-site open space requirements, exclude certain features from floor area ratio and gross floor area calculations, establish a fund to accept the monetary contributions and provide that the monies deposited shall be used for recreation and open space in the South of Market (SOMA) area, provide that the SOMA Community Stabilization Fund Community Advisory Committee shall advise on the administration of the fund, affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 140878 [Administrative, Police Codes - Criminal History Inquiries for Employment and Housing]**
Sponsors: Kim; Cohen
Ordinance amending the Administrative and Police Codes to narrow the definition of Property Contracts that are subject to limitations on criminal history inquiries; allow employers and City contractors to inquire about and consider infractions on driving records for positions involving driving; allow employers and City contractors to inquire about and consider a conviction that is more than seven years old for positions involving the supervision or care of minors, dependent adults, or seniors; and provide that the criminal history inquiry restrictions in these Codes prevail over any existing conflicting City law. ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee.
- 140879 [Administrative Code - Registration of Defaulted or Foreclosed Residential Properties]**
Sponsors: Mar; Avalos
Ordinance amending the Administrative Code to require the registration of defaulted or foreclosed residential properties and payment of a registration fee, and authorizing administrative fines for violation of the registration requirement. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 140880 [Police Code - Formula Retail Employer Requirements]**
Sponsors: Mar; Chiu, Campos and Avalos
Ordinance amending the Police Code to regulate the operation of formula retail establishments, including requiring employers to offer additional hours of work, when available, to current part-time employees, and requiring successor employers to retain employees for 90 days upon a change in control of the business. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions

- 140709 [Joint Powers Agreement - Establishing a Homeownership Stabilization Authority]**
Sponsors: Avalos; Campos, Mar and Kim
Resolution authorizing negotiation of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.
- 140881 [2014 Hazard Mitigation Plan]**
Sponsor: Mayor
Resolution adopting the 2014 City and County of San Francisco Hazard Mitigation Plan. RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.
- 140882 [Contract - Siemens Industry, Inc. - Procurement of New Light Rail Vehicles - Not to Exceed \$1,192,651,577]**
Sponsors: Breed; Wiener, Chiu, Mar, Tang and Cohen
Resolution approving a contract with Siemens Industry, Inc., to procure up to 260 light rail vehicles, associated services, spare parts, special tools, training, and documentation in an amount not to exceed \$1,192,651,577 for a term not to exceed 15 years, to commence following Board approval; and making environmental findings. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140883 [Commitment to Investing in the Safety of Children in Parks and Open Space]**
Sponsors: Cohen; Breed, Avalos, Kim and Chiu
Resolution reaffirming the commitment of the City and County of San Francisco to invest in the safety of its children in our parks and open space. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 140884 [Establishing a Citywide Gun Violence Prevention Task Force]**
Sponsors: Cohen; Avalos and Chiu
Resolution establishing the Gun Violence Prevention Task Force to actively work to reduce gun violence in the City and County of San Francisco; and setting forth the membership and duties of the Task Force. RECEIVED AND ASSIGNED to Rules Committee.
- 140885 [Accept and Expend Grant - Castro/Upper Market Community Benefit District - Castro Streetscape Improvement Project - \$121,860]**
Sponsor: Wiener
Resolution retroactively authorizing the Department of Public Works to accept and expend a grant of up to \$121,860 from the Castro/Upper Market Community Benefit District for the Castro Streetscape Improvement Project for the period of March 10, 2014, through November 10, 2014. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140886 [Commemorative Street Plaques - Childhood Homes of Jerry Garcia in the Excelsior District]**
Sponsor: Avalos
Resolution authorizing the placement of sidewalk plaques in front of the two childhood homes of Jerry Garcia located in the Excelsior District in accordance with Public Works Code, Sections 789 et seq., the Commemorative Street Plaque Ordinance. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140887 [Supporting California Assembly Bill 935 (Frazier) - California Veterans Driver's License]

Sponsor: Farrell

Resolution supporting California State Assembly Bill 935, introduced by Assembly Member Frazier, which calls for the creation of clearly identifiable California state driver's licenses and identification cards for veterans. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

140888 [Closed Session - Anticipated Litigation - Buffer Zone at Reproductive Health Care Facilities]

Sponsor: Campos

Motion that the Board of Supervisors convene in closed session on September 9, 2014, for the purpose of conferring with, or receiving advice from the City Attorney regarding anticipated litigation as defendant relating to Police Code, Article 43, prohibiting entering or remaining in buffer zones at reproductive healthcare facilities, in light of McCullen v. Coakley (2014) 573 U.S. ___; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the anticipated litigation. RECEIVED AND ASSIGNED to Board of Supervisors on 9/9/14.

Request for Hearing

140889 [Hearing - Reduction of Water Usage In San Francisco]

Sponsor: Wiener

Hearing with the Public Utilities Commission, Department of Public Works, Recreation and Park Department, and the Department of the Environment to report on San Francisco's overall strategy to reduce water usage, and each department's efforts to reduce water usage, to determine whether or not to move forward with legislation 1) to require that multi-unit buildings be separately metered for water, and 2) to require increased water recycling/reuse through City recycling plants, other means of recycling and code changes to require that new construction have the capacity to have separate new and recycled water systems. RECEIVED AND ASSIGNED to Land Use and Economic Development 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 and introduced by the President.

PROPOSED ORDINANCES

- 140844 [Planning Code - Formula Retail and Large-Scale Retail Controls]**
Ordinance amending the Planning Code to amend the definition of Formula Retail to include businesses that have 19 or more outlets worldwide; expand the applicability of Formula Retail controls to other types of uses; require Conditional Use authorization for Formula Retail establishments in the C-3-G district with facades facing Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street; delete the requirement for Conditional Use authorization when a Formula Retail establishment changes operator but remains the same size and use category; define intensification and abandonment for Formula Retail uses; require Formula Retail uses to comply with performance guidelines; amend the Conditional Use criteria for Large-Scale Retail Uses except for General and Specialty Grocery stores, to require an economic impact study and establish new fees for said study; amend Neighborhood Commercial Districts that required Conditional Use for Financial and Limited Financial Services to principally permit Financial and Limited Financial Services; delete the Conditional Use requirement for Walk-Up Facilities that are not set back 3 feet; and adopting findings, including 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.
- 140845 [Settlement of Lawsuit - Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. - \$175,000]**
Ordinance authorizing settlement of the lawsuit filed by Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr., against the City and County of San Francisco for \$175,000; the lawsuit was filed on May 2, 2011, in United States District Court, Case No. C11-02162 LB; entitled Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 140846 [Contracting Process for the Police Department Traffic Company and Forensic Services Division Project]**
Ordinance modifying the requirements of Administrative Code, Section 6.68(H), to authorize the Director of Public Works to issue Requests for Proposals to pre-qualified Construction Managers/General Contractors (CM/GC) and their teams of pre-qualified core trade subcontractors to design-build the mechanical, electrical, plumbing, and exterior building envelope scopes of work for the Traffic Company and Forensic Services Division Project; use cost and non-cost criteria to evaluate the design-build proposals for the core trade work; and award a prime contract to the CM/GC based in part on an evaluation of cost and non-cost criteria for the core trade work; and making environmental findings. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 140847 [Administrative Code - Creating the Sheriff's Auxiliary Reserve Air Squadron]**
Ordinance amending the Administrative Code to create the Sheriff's Auxiliary Reserve Air Squadron to support the Sheriff by providing aerial observation of the City, including its coast, public utility transmission and distribution lines, and evacuation routes, in the event of actual or threatened emergency. (Sheriff). ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee.

PROPOSED RESOLUTIONS

- 140848 [Contract Amendment - Institute on Aging - Not to Exceed \$42,908,836]**
Resolution retroactively amending Resolution No. 457-10, approving new modified grant agreements between the City and County of San Francisco and the Institute on Aging, to add funding in the amount of \$26,763,970 to continue the provision of Community Living Fund - Case Management and Purchase of Services, Aging and Disability Resource Center, Alzheimer's Day Care Resource Center, Case Management, Elder Abuse Prevention Services, and Adult Day Health/Adult Day Care Services for the period of July 1, 2014, through June 30, 2019, in a modified grant total amount not to exceed \$42,908,836. (Human Services Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act - July 29, 2014

Board Meeting Minutes for June 24, 2014, and the Special Meeting Minutes at the Budget and Finance Committee Meetings for June 23, 2014, and June 25, 2014 approved.

Requests Granted

From: Supervisor Avalos

To: San Francisco Employees' Retirement System

Requesting/Inquiring: Requests an update on the status of moving the Retirement Board's meetings to City Hall and televising their meetings on SFGovTV.

In Memoriams

Jeanmarie Maher - Board President Chiu

Donald Robert Moelk - Board President Chiu

Marc-Anthony Salumbides - Supervisor Kim