

# Board of Supervisors



City Hall  
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Tel. No. 554-5184  
TDD No. 554-5227

## Legislation Introduced at Roll Call

Tuesday, September 2, 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

**140381 [Administrative, Planning Codes - Amending Regulation of Short-Term Residential Rentals and Establishing Fee]**

**Sponsor:** Chiu

Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; and making environmental findings and 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 Economic Development Committee.

**140806 [Health, Building Codes - Ventilation Requirement for Urban Infill Development and Establishing Fees]**

**Sponsor:** Cohen

Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; and making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage. SUBSTITUTED AND ASSIGNED 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; authorize the City to bring a civil action against a housing provider that violates restrictions on criminal history inquiries; and provide that the criminal history inquiry restrictions in these Codes prevail over any existing conflicting City law. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.
- 140917 [Remarketing of Finance Corporation Lease Revenue Bonds Series 2008-1 and 2008-2 (Moscone Center Expansion Project)]**  
**Sponsor:** Mayor  
Ordinance approving the remarketing of the City and County of San Francisco Finance Corporation Lease Revenue Refunding Bonds, Series 2008-1 (Moscone Center Expansion Project) and City and County of San Francisco Finance Corporation Lease Revenue Refunding Bonds, Series 2008-2 (Moscone Center Expansion Project); approving the form of a reimbursement agreement among the City and County of San Francisco, the City and County of San Francisco Finance Corporation and State Street Bank and Trust Company; approving the form of an amended and restated reimbursement agreement; approving the form of a fee agreement; approving the form of an amended and restated fee agreement; approving the form of a remarketing supplement; approving the form of custodian agreement; approving the form of amended and restated custodian agreement; granting general authority to City officials to take necessary actions in connection with the remarketing of the Bonds; approving modifications to documents; approving the execution and delivery of certain documents described herein and ratifying previous actions taken in connection therewith. ASSIGNED to Budget and Finance Committee.
- 140918 [Appropriation - Legal Services for Unaccompanied Children and Families - Mayor's Office of Housing - \$2,400,000 - FYs 2014-2015 and 2015-2016]**  
**Sponsors:** Campos; Avalos  
Ordinance appropriating \$2,400,000 from the General Fund Reserve to the Mayor's Office of Housing, \$1,200,000 in FY2014-2015 and \$1,200,000 in FY2015-2016, for legal services for unaccompanied children and families on the San Francisco Immigration Court's expedited removal docket. ASSIGNED to Budget and Finance Committee.
- 140919 [Health Code - Gas Station Bathrooms]**  
**Sponsor:** Farrell  
Ordinance amending the Health Code to eliminate the requirement that gasoline stations provide separate toilet facilities for men and women. ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee.

## **Resolutions**

**140920 [Lease Disposition and Development Agreement and Lease and Access License - Geneva Office Building and Powerhouse Rehabilitation - Cameron Beach Rail Yard]**

**Sponsor:** Avalos

Resolution approving and authorizing a Lease Disposition and Development Agreement and 55-year Lease and Access License to the Friends of the Geneva Office Building and Powerhouse for the rehabilitation and use of the Geneva Office Building and Powerhouse for Cameron Beach Rail Yard; affirming a community plan exemption determination by the Planning Department and adopting findings pursuant to the California Environmental Quality Act; authorizing the San Francisco Municipal Transportation Agency Director of Transportation, or designee, to execute and make certain modifications to the Access License; and authorizing the General Manager of the Recreation and Park Department, or designee, to execute certain documents, make certain modifications, and take certain actions in furtherance of this Resolution. ASSIGNED to Budget and Finance Committee.

**140921 [Revolving Fund Agreement - California Victim Compensation and Government Claims Board - Burial or Emergency Relocation of Homicide Victims - \$75,000]**

**Sponsor:** Breed

Resolution retroactively authorizing the Office of the District Attorney to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving fund in the amount of \$75,000 to be used to pay for verified funeral/burial, relocation, crime scene clean-up, and other emergency loss expenses for eligible homicide victims for the period of July 1, 2014, through June 30, 2017. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140922 [Accept In-Kind Gift - Vera Institute of Justice - Prosecution and Racial Justice Program Technical Assistance - \$408,654]**

**Sponsor:** Breed

Resolution retroactively authorizing the Office of the District Attorney to accept an in-kind gift of Prosecution and Racial Justice Program technical assistance valued at \$408,654 from the Vera Institute of Justice for the grant period of January 1, 2014, through June 30, 2015. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140923 [Intention to Develop Competitive Grant Program to Fund Community Recidivism and Crime Reduction Services]**

**Sponsors:** Cohen; Chiu

Resolution affirming the Board of Supervisors' intention to develop, in collaboration with the Community Corrections Partnership, a competitive grant program to fund community recidivism and crime reduction services with funds awarded to the City and County of San Francisco by the California Board of State and Community Corrections. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 140924 [Multifamily Housing Revenue Note (Bill Sorro Community) - Not to Exceed \$25,000,000]**  
**Sponsor:** Kim  
Resolution authorizing the execution, sale, and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$25,000,000 for the purpose of providing financing for the construction of a 67-unit affordable rental housing development known as Bill Sorro Community; approving the form of and authorizing the execution of a funding loan agreement and a borrower loan agreement; providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes, and additions to the documents; granting general authority to City officials to take actions necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140925 [Property Conveyance and Ground Lease - 67 Units Affordable Housing - Mercy Housing California 51 - 1009 Howard Street]**  
**Sponsor:** Kim  
Resolution approving and authorizing the conveyance of real property located at 1009 Howard Street from the Office of Community Investment and Infrastructure to the Mayor's Office of Housing and Community Development (as Successor Housing Agency to the San Francisco Redevelopment Agency); approving and authorizing the Mayor's Office of Housing and Community Development to enter into a 99 year ground lease totaling \$99 with Mercy Housing California 51, a California limited partnership, for the development and operation of 66 units of affordable housing (plus one manager's unit) on such property and making findings that the conveyance and ground lease are in conformance with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140926 [Approval of the Ryan White Act HIV/AIDS Emergency Relief Grant Program Application - \$36,118,233]**  
**Sponsor:** Wiener  
Resolution authorizing the Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program (Ryan White Programs, Part A) Grant from the Health Resources Services Administration, requesting \$36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2015, through February 28, 2016. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140927 [Apply for Grant - Comprehensive HIV Prevention Programs - CY2015 - \$8,174,213]**  
**Sponsor:** Wiener  
Resolution authorizing the Department of Public Health to submit a one-year application for calendar year 2015 to continue to receive funding for the Comprehensive HIV Prevention Programs Grant from the Centers for Disease Control and Prevention, requesting \$8,174,213 in HIV prevention funding for San Francisco from January 1, 2015, through December 31, 2015. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 140928 [Contract Amendment - AnsaldoBreda, Inc. - Light Rail Vehicle Reconditioning and Systems Rehabilitation - Not to Exceed \$104,263,354]**  
**Sponsor:** Wiener  
Resolution approving Amendment No. 2 to Contract No. APT 591.01, Light Rail Vehicle (LRV) Doors and Steps Reconditioning and Systems Rehabilitation, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency and AnsaldoBreda, Inc., to remove the doors and steps and air supply unit work from the project scope and shift the balance of the money to rehabilitate the trucks of 41 LRV's with three options to rehabilitate the trucks of 24, 24, and 23 LRV's, respectively, if funds become available, for a total contract amount not to exceed \$104,263,354 and to extend the term of the contract to no later than October 31, 2018. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140929 [Supporting Bans on Nontherapeutic Uses of Antibiotics in Livestock Production]**  
**Sponsor:** Avalos  
Resolution supporting State and national bans on nontherapeutic uses of antibiotics in livestock production. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 140930 [Urging Enactment of a Revenue-Neutral Carbon Tax]**  
**Sponsor:** Avalos  
Resolution urging the United States Congress to enact a revenue-neutral carbon tax. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 140931 [Accept and Expend Grant - Vera Institute of Justice - Preventing Crime and Victimization - \$228,283]**  
**Sponsor:** Chiu  
Resolution retroactively authorizing the Office of the District Attorney to accept and expend a technical assistance grant valued at \$228,283 from the Vera Institute of Justice, funded by the Foundation to Promote Open Society, for the grant period of June 1, 2014, through May 31, 2016, to enhance the Office's Community Safety and Performance Strategy, to prevent crime and victimization by improving operational performance through research and data-driven approaches to prosecution. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140932 [Accept and Expend Grant - California Department of Parks and Recreation's Habitat Conservation Fund - Youth Stewardship Program - \$200,000]**  
**Sponsor:** Chiu  
Resolution authorizing the Recreation and Park Department to accept and expend a grant of \$200,000 from the California Department of Parks and Recreation's Habitat Conservation Fund to support the Youth Stewardship Program. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140933 [Infant Mortality Awareness Month - September]**  
**Sponsor:** Cohen  
Resolution declaring September "Infant Mortality Awareness Month" in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140934 [Apply for Grant - State-County Assessors' Partnership Agreement Program - Not to Exceed \$530,000 Annually Plus Required Matching Funds]**  
**Sponsor:** Farrell  
Resolution authorizing the Office of the Assessor-Recorder to apply for the State-County Assessors' Partnership Agreement Program to improve the administration of the county property tax rolls and related essential duties for an amount not to exceed \$530,000 annually plus required dollar-for-dollar matching funds for FYs 2014-2015 through 2016-2017 to commence no later than September 15, 2014, if approved. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140935 [Accept and Expend Grant - University of California - Centers for Disease Control and Prevention Kenya - Monitoring and Evaluation - \$378,524]**  
**Sponsor:** Wiener  
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$378,524 from the University of California San Francisco to participate in a program entitled Centers for Disease Control and Prevention Kenya - Monitoring and Evaluation for the period of September 30, 2013, through September 29, 2014. RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **Motion**

**140938 [Closed Session - Anticipated Litigation - Establishing Community Facilities District 2014-1 (Transbay Transit Center)]**  
**Sponsor:** Chiu  
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 relating to the potential formation of Special Tax District 2014-1, also known as the Transbay Transit Community Facilities District; in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permits this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation. RECEIVED AND ASSIGNED to Board of Supervisors.

### **Request for Hearing**

**140936 [Hearing - Auto Towing Policies and Fees for Stolen Vehicles]**  
**Sponsor:** Wiener  
Hearing directed to the Municipal Transportation Agency, the Police Department, and AutoReturn to discuss how the City and AutoReturn treat recovered stolen vehicles, including towing policies, how tow fees and penalties are structured, how stolen cars recovered on the street are processed, and how any new contract can be modified to treat the owners of stolen towed vehicles more fairly. 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 and introduced by the President.*

### **PROPOSED ORDINANCES**

- 140892 [Settlement of Lawsuit - Margarita Herrera - \$475,000]**  
Ordinance authorizing settlement of the lawsuit filed by Margarita Herrera against the City and County of San Francisco for \$475,000; the lawsuit was filed on June 5, 2013, in San Francisco Superior Court, Case No. CGC 13-531901; entitled Herrera v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 140904 [Settlement of Lawsuit - Justin Neisuler - \$63,000]**  
Ordinance authorizing settlement of the lawsuit filed by Justin Neisuler against the City and County of San Francisco for \$63,000; the lawsuit was filed on December 4, 2012, in San Francisco Superior Court, Case No. CGC-12-526598; entitled Justin Neisuler v. City and County of San Francisco. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 140905 [Settlement of Lawsuit - Sean Alexander Hold - \$210,000]**  
Ordinance authorizing settlement of the lawsuit filed by Sean Alexander Hold against the City and County of San Francisco for \$210,000; the lawsuit was filed on December 16, 2013, in the United States District Court for the Northern District of California, Case No. C13-5814 CW; entitled Sean Alexander Hold v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 140906 [Settlement of Lawsuit - Eduardo Alegrett - \$285,000]**  
Ordinance authorizing settlement of the lawsuit filed by Eduardo Alegrett against the City and County of San Francisco for \$285,000; the lawsuit was filed on October 29, 2012, in the United States District Court for the Northern District of California, Case No. C-12-5538-MEJ; entitled Eduardo Alegrett v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

### **PROPOSED RESOLUTIONS**

- 140860 [Cooperative Agreement Modification - United States Navy - Treasure Island Development Authority]**  
Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification of the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement from October 1, 2014, to September 30, 2015. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140861 [Master Lease Amendment - United States Navy - Treasure Island Childcare]**  
Resolution approving Amendment No. 10 to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 140862 [Master Lease Amendment - United States Navy - Treasure Island Event Venues]**  
Resolution approving Amendment No. 26 to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140863 [Master Lease Amendment - United States Navy - Treasure Island Fire Fighting Training Center]**  
Resolution approving the Sixth Amendment to the Treasure Island Fire Fighting Training Center Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140864 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]**  
Resolution approving Amendment No. 39 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140865 [Master Lease Amendment - United States Navy - Treasure Island Marina]**  
Resolution approving Amendment No. 18 to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140866 [Master Lease Amendment - United States Navy - Treasure Island South Waterfront]**  
Resolution approving Amendment No. 30 to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140867 [Settlement of Grievance - Pamela Arons - \$130,000]**  
Resolution approving settlement of the unlitigated grievance (ERD No. 45-08-1876) of Pamela Arons against the City and County of San Francisco for \$130,000; Service Employees International Union, Local 1021 notified the City of the grievance entitled Grievance of Pamela Arons, on June 30, 2008. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 140868 [Settlement of Claim - Isa and Vegar Svanemyr - \$15,130,000]**  
Resolution approving the settlement of the unlitigated claims filed by Isa and Vegar Svanemyr against the City and County of San Francisco for \$15,130,000 to be paid in three installments; claim was filed on November 8, 2013. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 140869 [Settlement of Claim - Wendy and Johnny Tseng - \$114,074.63]**  
Resolution approving the settlement of the unlitigated claim filed by Wendy and Johnny Tseng against the City and County of San Francisco for \$114,074.63; claim was filed on January 21, 2014. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.



- 140870 [Settlement of Claim - Lisa Howe - \$35,000]**  
Resolution approving the settlement of the unlitigated claim filed by Lisa Howe against the City and County of San Francisco for \$35,000; claim was filed on October 17, 2013. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 140871 [Contract Approval - Andrews International - Armed and Unarmed Security Services - Not to Exceed \$29,226,586.68]**  
Resolution approving the contract between the San Francisco Municipal Transportation Agency (SFMTA) and Andrews International to provide armed and unarmed security services for an amount not to exceed \$29,226,586.68, and an initial three year term of September 15, 2014, through August 31, 2017, with an option to extend for up to three additional years at the SFMTA's sole discretion. (Municipal Transportation Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140893 [Settlement of Claim - Janie Vargas and Stanley E. Pond - \$55,000]**  
Resolution approving the settlement of the unlitigated claim filed by Janie Vargas and Stanley E. Pond, Esq. against the City and County of San Francisco for \$55,000; claim was filed on March 3, 2014. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 140903 [Contracts - Various Vendors - Technology Marketplace - Not to Exceed \$12,000,000 Each]**  
Resolution authorizing the Office of Contract Administration to enter into nine contracts for the Technology Marketplace (Successor to the Technology Store) purchases between the City and County and En Pointe Technologies, Inc., World Wide Technology, Inc., ComputerLand of Silicon Valley, Xtech JV, Technology Integration Group, Central Computers, Stellar Services, Robert Half Technology, and InterVision Systems Technologies, Inc., with initial not to exceed amounts of \$12,000,000 each, for the term ending September 30, 2017, to commence following Board approval, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Clerk to Act - September 2, 2014**

**Board Meeting Minutes for July 8, July 15, July 22, and July 29, 2014, Meetings approved.**

*There were no Clerk to Act requests submitted at the September 2, 2014 Board Meeting.*

**In Memoriams**

Nancy Luscia Roddick - Supervisor Wiener

Bryan 'Feather Lynn' Higgins - Supervisor Wiener

Nancy Carlin Tracey - Supervisor Yee

Mary Atchinson - Board President Chiu

Zach Watson - Board President Chiu and Supervisor Kim

Mi'yana Gregory - Supervisor Kim