

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, December 9, 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

- 141215 [Administrative Code - Establishing the Children, Youth and Their Families Oversight and Advisory Committee and a Service Provider Working Group]**
Sponsor: Avalos
Ordinance amending the Administrative Code to establish a Children, Youth and Their Families Oversight and Advisory Committee, and a Service Provider Working Group, as provided in Charter, Section 16.108-1. SUBSTITUTED AND ASSIGNED to Rules Committee.
- 141265 [Police Code - Property Services Contractors at Formula Retail Establishments]**
Sponsor: Breed
Ordinance amending the Police Code to require Formula Retail Establishments that have entered into contracts with Property Services Contractors that are in effect between April 1, 2015, and July 3, 2015, to provide such contractors with copies of Police Code, Articles 33F, and 33G, which establish certain rights of employees of such contractors. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 141266 [Planning Code - Off-Street Parking Exceptions]**
Sponsor: Breed
Ordinance amending the Planning Code to permit certain exceptions from off-street parking and loading requirements for lots that front on curbside transit lanes or bicycle paths, for lots in Residential Mixed districts, and in order to bring buildings into greater conformity with yard, setback, and other building requirements; to include parking in excess of what is principally permitted and located above ground in the floor area ratio calculation; modifying other floor area ratio provisions; and 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.

- 141267 [Accept and Expend Grant - Bureau of Justice Assistance, Smart Prosecution Initiative: Predictive Analytics for Strategic Prosecution - Amendment to the Annual Salary Ordinance - \$435,253]**
Sponsor: Wiener
Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$435,253 from the U.S. Department of Justice, Bureau of Justice Assistance for the Smart Prosecution Initiative, in support of Predictive Analytics for Strategic Prosecution, to enhance data driven prosecution and strategies that effectively address and prevent crime and victimization in San Francisco, and amending Ordinance No. 147-14 (Annual Salary Ordinance, FYs 2014-2015 and 2015-2016) to reflect the addition of one grant-funded Class 1822 Administrative Analyst position (0.5 FTE) for the period of October 1, 2014, through September 30, 2016. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

Resolutions

- 141192 [Interim Zoning Controls Six-Month Extension - Upper Market Street Neighborhood Commercial Transit District]**
Sponsor: Wiener
Resolution extending for an additional six-month period interim zoning controls that require Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Upper Market Neighborhood Commercial Transit District; and affirming the Planning Department's California Environmental Quality Act determination. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.
- 141268 [Five-Year Financial Plan - FYs 2015-2016 through 2019-2020]**
Sponsor: Mayor
Resolution adopting the City's Five-Year Financial Plan for FYs 2015-2016 through 2019-2020 pursuant to Charter, Section 9.119. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 141269 [Real Property Acquisition - 1995 Evans Street - Claire A. Spencer, Trustee of the William D. Spencer and Claire A. Spencer 1995 Living Trust - \$15,475,000]**
Sponsor: Mayor
Resolution authorizing the acquisition of real property at 1995 Evans Street (Assessor's Block No. 5231, Lot Nos. 004, 005, and 006) from Claire A. Spencer, Surviving Trustee of the William D. Spencer and Claire A. Spencer 1995 Living Trust, dated February 9, 1995 (Spencer Trust) for the purchase price of \$15,475,000; 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. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 141270 [Accept and Expend Grant - 900 Innes Park Planning Grant - \$500,000]**
Sponsor: Cohen
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of \$500,000 from the California Coastal Conservancy Priority Conservation Area Grant Fund to support the 900 Innes Park Planning Project for the period of October 1, 2014, through August 1, 2016. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 141271 [Real Property Acquisition - 66 Raymond Avenue - Bridgeway Vista II, LP - \$1]**
Sponsor: Cohen
 Resolution authorizing the acquisition of real property at 66 Raymond Avenue (Assessor's Block No. 6237, Lot Nos. 014, 015, 016, and 017) from Bridgeway Vista II, LP, for the nominal cost of \$1. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 141273 [Street Encroachment - Market Street from Van Ness Avenue to The Embarcadero - Illuminate The Arts]**
Sponsor: Wiener
 Resolution granting revocable permission to Illuminate The Arts to occupy a portion of the public right-of-way to install and maintain a public art project comprised of a subway-responsive light sculpture (LightRail) along Market Street between Van Ness Avenue and The Embarcadero, and making findings of consistency with the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 141274 [Establishing the Calendar Date of December 10th as Human Rights Day]**
Sponsors: Campos; Avalos and Mar
 Resolution establishing the calendar date of December 10th to be forever known as Human Rights Day in the City and County of San Francisco to celebrate the important passage of the Universal Declaration of Human Rights. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 141275 [Expressing Support for President Obama's Guidelines on Racial Profiling]**
Sponsor: Cohen
 Resolution expressing support for President Obama's new guidelines, released on December 8, 2014, limiting racial profiling by federal law enforcement officers. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 141276 [Urging the California Judicial Council to Reevaluate the Fines and Related Fees of the California Vehicle Code]**
Sponsors: Tang; Kim
 Resolution urging the California Judicial Council to reevaluate the fines and related fees for violating the California Vehicle Code, Sections 22450(a), 21950(a), 21801(a), 23123, and 21756. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 141283 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance (File No. 141036) Amending Regulation of Short-Term Residential Rentals and Establishing an Application Fee]**
Sponsor: Kim
 Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 141036) 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; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

- 141277 [Committee of the Whole - Reappointment, Retirement Board - Wendy Paskin-Jordan - December 16, 2014]**
Sponsor: Avalos
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 16, 2014, at 3:00 p.m., to hold a public hearing to approve or reject the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 141279 [Reappointment, Retirement Board - Wendy Paskin-Jordan]**
Motion approving/rejecting the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019. (Clerk of the Board). RECEIVED AND ASSIGNED to Board of Supervisors on 12/16/14.
- 141280 [Committee of the Whole - Status of the Labor Dispute at San Francisco International Airport Restaurants]**
Sponsors: Mar; Campos
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 16, 2014, at 3:00 p.m., to hold a public hearing to consider and discuss the issues arising from the labor dispute at the San Francisco International Airport restaurants. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 141288 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**
Sponsor: Mayor
Motion concurring in the "Rim Fire" Second 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.

Requests for Hearing

- 141278 [Hearing - Reappointment, Retirement Board - Wendy Paskin-Jordan]**
Hearing to consider the Motion (File No. 141279) approving or rejecting the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019. (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors on 12/16/14.
- 141281 [Hearing - Status of the Labor Dispute at San Francisco International Airport Restaurants]**
Hearing to consider and discuss the issues arising from the labor dispute at the San Francisco International Airport restaurants. (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors on 12/16/14.

- 141284 [Hearing - Funding Options for Affordable Housing]**
Sponsors: Avalos; Campos
Hearing to explore various funding options for affordable housing, including general obligation bonds, infrastructure financing districts, use of City budget reserves, and other options to meet San Francisco's housing crisis. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 141285 [Hearing - Controller's Citywide Performance Measurement Annual Report]**
Sponsor: Breed
Hearing regarding the Controller's exhaustive review of City government performance in the recently-released "Citywide Performance Measurement Annual Report", particularly regarding any relationship between changes in departmental staff and budgets and changes in departmental performance, and requesting the Controller's Office to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 141286 [Hearing - Makers and Movers Economic Cluster Strategy for Food and Beverage Manufacturers and Distributors]**
Sponsor: Cohen
Hearing to discuss the recommendations of the Makers and Movers Economic Cluster Strategy for San Francisco's food and beverage manufacturers and distributors. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 141287 [Hearing - Proposition B Transportation Expenditures]**
Sponsor: Wiener
Hearing on the actual and planned expenditures of voter-approved Proposition B funds, and requesting the Municipal Transportation Agency and Public Works to report. RECEIVED AND ASSIGNED to Land Use 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

- 141208 [Agreement Amendment - AT&T - Telecommunications Services - Not to Exceed \$101,433,700]**
Ordinance retroactively authorizing the Department of Technology and the Department of Contract Administration to enter into the Second Amendment of an Agreement between the City and AT&T for the City's telecommunications services by extending the term of the agreement through March 1, 2016, and increasing the total not-to-exceed amount of the agreement to \$101,433,700. (Department of Technology). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 141235 [Business and Tax Regulations Code - Repealing Article 3 Regarding Transient Merchants]**
Ordinance amending the Business and Tax Regulations Code to repeal Article 3, which contains a license requirement and tax on transient merchants, both of which have been suspended. (Treasurer-Tax Collector). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 141236 [Settlement of Lawsuit - Colleen Sullivan, Silvia David, and Gordon Clark - \$360,753.71]**
Ordinance authorizing partial settlement of the lawsuit filed against the City and County of San Francisco for \$360,753.71; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. 12-02584 JCS; currently entitled Colleen Sullivan, Silvia David, and Gordon Clark v. City and County of San Francisco. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 141237 [Planning Code - Procedure for Requesting Modification of Code Requirements or Planning Department Practices and Procedures to Accommodate a Disability]**
Ordinance amending the Planning Code to establish a process for making and acting upon requests for reasonable modification of a Planning Code requirement or a Department policy, practice, or procedure to accommodate a disability pursuant to federal and state fair housing laws; and affirming the Planning Department's California Environmental Quality Act determination and making findings of consistency with the City's 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.

PROPOSED RESOLUTIONS

- 141238 [Lease Agreement - Menzies Aviation (USA), Inc. - West Field Cargo Building 632 and Related Areas on Plot 9 - Minimum Rent of \$5,356,944]**
Resolution approving Lease Agreement No. 14-0207 between Menzies Aviation (USA), Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for approximately 36,012 square feet of exclusive use space in West Field Cargo Building 632 and related areas on Plot 9, with an estimated minimum rent of \$5,356,944, a three-year initial term and three one-year options to extend to commence following Board approval. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 141239 [Lease of Real Property - C and E Haas Development Company, LLC - 1 Bayview Park Road - Initial Annual Lease Rate of \$78,000]**
Resolution approving a lease between C and E Haas Development Company, LLC, as landlord, and the City and County of San Francisco, acting by and through the Municipal Transportation Agency (MTA), as tenant, for certain premises at 1 Bayview Park Road (Assessor Block No. 4991, Lot No. 1C), for an approximate ten-year term to commence upon lease execution (expected to be about January 1, 2015) through December 31, 2024, with three five-year options at an initial annual lease rate of \$78,000 with annual increases, for use as an MTA radio transmission site; adopting environmental findings; and authorizing other actions in furtherance of this Resolution as defined. (Municipal Transportation Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 141240 [Edgewood Center for Children and Families Psychiatric Facility and Designation Agreement]**
Resolution designating Edgewood Center for Children and Families as an Evaluation and Treatment Facility, pursuant to California Welfare and Institutions Code, Section 5151, for youth ages 5 to 17; and authorizing the Director for Behavioral Health Services to enter into a Designation Agreement with said facility. (Public Health Department). RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

Clerk to Act - December 9, 2014

Board Meeting Minutes for October 28 and November 4, 2014 approved.

Requests Granted

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation prohibiting tour vehicle drivers from driving and providing a tour at the same time.

From: Supervisor Avalos

To: Director, Planning Department

Requesting/Inquiring: Requesting the Planning Department to provide any information on 990 Union Street, if it was previously or is currently designated as a below-market rate unit, and if there are any restrictions on its use or sale.

From: Supervisor Avalos

To: Director, Mayor's Office of Housing and Community Development

Requesting/Inquiring: Requesting the Mayor's Office of Housing and Community Development to provide information on 990 Union Street, if it was previously or is currently designated as a below-market rate unit, and if there are any restrictions on its use or sale.

From: Supervisor Avalos

To: Director, San Francisco Employees' Retirement System

Requesting/Inquiring: Requesting the San Francisco Employees' Retirement System to inform their review of the re-appointment of Wendy Paskin-Jordan, including the following:

- A history of the Retirement System's business with Grantham Mayo van Otterloo (GMO) since Paskin-Jordan was appointed to the Retirement Board.
- A review to determine if the Retirement System does or has done business with any of the individuals or entities that Wendy Paskin-Jordan invests in or has received gifts from, as listed on her Form 700 Statements of Economic Interests.
- Paskin-Jordan's attendance record at Retirement Board meetings.
- A list of votes that Paskin-Jordan was recused from.

From: Supervisor Avalos

To: Court Executive Officer, Superior Court

Requesting/Inquiring: Requesting the Superior Court a copy of documents associated with Case No. CGC 90 922134, Paskin vs. Requerin.

In Memoriams

Jennifer Entine Matz - Full Board

Rosa Mena - Supervisor Campos

Valiant Chow - Supervisor Mar