

# Board of Supervisors



City Hall  
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TDD No. 554-5227

## Legislation Introduced at Roll Call

Tuesday, October 22, 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

- 130860 [Appropriation - Parking Garage Revenue and Expenditure - \$13,786,681 - FY2013-2014]**  
**Sponsor:** Mayor  
Ordinance appropriating \$13,786,681 of parking garage revenue and expenditures to the Municipal Transportation Agency consisting of \$8,513,825 for the 5th and Mission Parking Garage and \$5,272,856 for the Ellis-O'Farrell Parking Garage in order to support the Department's projected revenue and expenditure increases. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.
- 130864 [Planning Code - Transfer of Child Care Facility Oversight to Office of Early Care and Education]**  
**Sponsor:** Yee  
Ordinance amending the Planning Code to transfer proposed child care facility oversight from the Department of Children, Youth and Their Families to the Office of Early Care and Education; and making environmental findings. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.
- 131031 [Business and Tax Regulations Code - Business Tax Installment Payments; Combined Reporting; Special Assessments]**  
**Sponsor:** Chiu  
Ordinance amending the Business and Tax Regulations Code to provide additional penalty relief for payroll expense tax and gross receipts tax payments; to require combined reporting of the payroll expense tax by related taxpayers; and to clarify that fees and special assessments are administered according to the common administrative provisions applicable to other business taxes. ASSIGNED to Budget and Finance Committee.
- 131032 [Police Code - Litter Enforcement]**  
**Sponsor:** Cohen  
Ordinance amending the Police Code to update the list of City job classifications responsible for enforcement of litter laws and having the power to issue citations for that purpose. ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee.

**131033 [California Code of Civil Procedure, Section 998 - Offer to Compromise to Defendants - Anshen and Allen, Architects Inc.]**

**Sponsor:** Yee

Ordinance authorizing the City Attorney to make a California Code of Civil Procedure, Section 998, Offer to Compromise to Defendants to the City in the lawsuit entitled City and County of San Francisco v. Anshen and Allen, Architects, Inc., et al., Alameda County Superior Court Case No. RG13679711. RECEIVED AND ASSIGNED to Rules Committee.

**Resolutions**

**131034 [Forgivable Loan Agreement - California Department of Housing and Community Development - 2115 Jennings Street - \$978,000]**

**Sponsor:** Mayor

Resolution authorizing the Human Services Agency to enter into a \$978,000 forgivable loan agreement from the California Department of Housing and Community Development to renovate the leased premises at 2115 Jennings Street for use as a 100 bed homeless shelter. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**131035 [Real Property Purchase and Sale Agreement - 201-229 Eddy Street - \$4,200,000]**

**Sponsor:** Avalos

Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate between the City and County of San Francisco and Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation, for the purchase of real property located at 201-229 Eddy Street, San Francisco, in the amount of \$4,200,000 for the rehabilitation of 105 units of affordable housing for low and very low income persons; authorizing the execution and performance of a Ground Lease between the City and County of San Francisco and Franciscan Towers Associates, L.P., a California limited partnership; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan, and eight priority policies of City Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**131036 [Real Property Lease Renewal - 755 and 759 South Van Ness Avenue - Not to Exceed \$2,326,842]**

**Sponsor:** Campos

Resolution authorizing the renewal lease of approximately 13,545 square feet of space at 755 and 759 South Van Ness Avenue, with AIM TWO, as Landlord, for use by the Department of Public Health at the monthly cost of \$38,738.70 for a five year term, to commence following Board approval, not to exceed \$2,326,842 total, including an additional 3,675 square feet parking area at no further cost. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 131037 [Multifamily Housing Revenue Note - Tenderloin Family Housing - 201 Turk Street - Not to Exceed \$22,000,000]**  
**Sponsors:** Chiu; Kim  
Resolution authorizing the execution, sale, and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$22,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 175-unit affordable multifamily residential rental housing project known as Tenderloin Family Housing; 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.
- 131038 [Lease - 1995 Evans Street - Not to Exceed \$2,520,000]**  
**Sponsor:** Cohen  
Resolution retroactively authorizing the lease of 1995 Evans Street from Claire A. Spencer, surviving trustee of Spencer Living Trust, for various Departments to use as a storage for the period of August 1, 2013, through December 31, 2014, with one two year option to extend the lease and option to purchase the property, for the initial rental rate of \$70,000 a month, not to exceed \$2,520,000 total. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131039 [Filipino American History Month - October 2013]**  
**Sponsor:** Chiu  
Resolution proclaiming October 2013 as Filipino American History Month in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 131040 [Lou Marcelli Day - October 27, 2013]**  
**Sponsor:** Chiu  
Resolution declaring October 27, 2013, as Lou Marcelli Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 131041 [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.
- 131042 [Park, Recreation, and Open Space Advisory Committee - Membership List]**  
**Sponsor:** Yee  
Resolution ratifying the list of recommended organizations for membership in the Park, Recreation, and Open Space Advisory Committee, as required by Proposition C, and approved by the Recreation and Park Commission. RECEIVED AND ASSIGNED to Rules Committee.

## **Requests for Hearing**

- 131043 [Hearing - Implementation of Audit Recommendations Status]**  
**Sponsor:** Cohen  
Hearing on the update by the City Services Auditor on the status of implementation of audit recommendations. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 131044 [Hearing - Access to Afterschool Programs for All Students in the San Francisco Unified School District]**  
**Sponsor:** Farrell  
Hearing to evaluate the status of San Francisco's Afterschool for All Initiative and to examine access to afterschool programs for all students in the San Francisco Unified School District. RECEIVED AND ASSIGNED to City and School District Select Committee.
- 131045 [Hearing - Implementation of Civil Service Rule 115 - Employment of Disabled Individuals]**  
**Sponsor:** Mar  
Hearing on the implementation of Civil Service Rule 115 for the employment of disabled individuals for the City and County of San Francisco. RECEIVED AND ASSIGNED to Neighborhood Services and Safety 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**

- 130797 [Contract Amendment - Dominion Voting Systems, Inc. - Not to Exceed \$19,690,933.25]**  
Ordinance authorizing the Department of Elections to enter into the third amendment of an agreement with Dominion Voting Systems, Inc., to commence following Board approval, to extend the term of the agreement through December 10, 2016, increasing the total not-to-exceed amount of the Agreement by \$3,645,900 from \$16,045,033.25 to \$19,690,933.25. (Elections Department). ASSIGNED to Budget and Finance Committee.
- 131013 [Settlement of Lawsuits - Zeno Zimmerman - \$145,000]**  
Ordinance authorizing settlement of the lawsuits filed by Zeno Zimmerman against the City and County of San Francisco for \$145,000; the lawsuits were filed on December 6, 2011, in San Francisco Superior Court, Case Nos. CGC-11-516360 and CGC-11-516361 (consolidated); entitled Zeno Zimmerman v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

**131014**

**[Settlement of Lawsuit - Calkin, et al. - \$862,500]**

Ordinance authorizing partial settlement of the lawsuit filed by Donald Calkin, Gordon Clark, Silvia David, Sally Foster, John Higgins, Janet Lacampagne, Kenneth Sanchez, Colleen Sullivan, and Lee Sullivan against the City and County of San Francisco for \$862,500; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. C12-02584 JCS; entitled Donald Calkin, Gordon Clark, Silvia David, Sally Foster, John Higgins, Janet Lacampagne, Kenneth Sanchez, Colleen Sullivan, and Lee Sullivan v. City and County of San Francisco. RECEIVED AND ASSIGNED to Rules Committee.

**PROPOSED RESOLUTION**

**130974**

**[Lease Amendment - Golden Gate Yacht Club - Marina Yacht Harbor - \$85,000 Annual Base Rent]**

Resolution authorizing the General Manager of the Recreation and Park Department to execute a second lease amendment, to commence following Board approval, with the Golden Gate Yacht Club to reflect new slip configuration for the Marina Yacht Harbor, and execute a 24-year lease extension with annual base rent of \$85,000. (Recreation and Park Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Clerk to Act – October 22, 2013**

**Board Meeting Minutes for September 10, 2013 approved.**

**Board Meeting Minutes for September 17, 2013 approved.**

*There were no Clerk to Act requests submitted at the October 22, 2013 Board Meeting.*

**In Memoriams**

Eric Mabry Jr. - Supervisor Avalos

Connor Allbee - Supervisor Campos

Chris Sheppard - Supervisor Campos and Entire Board

Laurence Daniels - Supervisor Campos and Entire Board

Ofa ki Langiola Taumoepeau Tonga - Supervisor Chiu

Lou Marcelli - Supervisor Chiu

Tom Galante - Supervisor Cohen