

# 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, September 16, 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

#### **140724 [Planning Code - Nighttime Entertainment and Uses Greater than 25,000 Square Feet in Western SoMa]**

**Sponsors:** Kim; Campos and Wiener

Ordinance amending the Planning Code to authorize Elementary and Secondary Schools and Child Care uses to exceed 25,000 square feet in the Regional Commercial District, authorize a Nighttime Entertainment use in the Western SoMa Mixed Use-Office Zoning District within 200 feet of any property within a Residential Enclave or Residential Enclave-Mixed District where a Nighttime Entertainment use legally operated within five years prior to an application to re-establish the use, allow Nighttime Entertainment as a permitted use within the Western SoMa Mixed Use-Office Zoning District; 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. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

#### **140874 [Administrative, Subdivision Codes - Tenant Buyout Agreements]**

**Sponsors:** Campos; Avalos, Kim and Mar

Ordinance amending the Administrative Code to require landlords to provide tenants with a disclosure of the tenants' rights before the landlord commences buyout negotiations; to require landlords to file a form with the Rent Board indicating the address of the unit that may become the subject of buyout negotiations; to require all buyout agreements to be in writing and to include certain statements about the tenant's rights; to allow tenants to rescind buyout agreements for up to 45 days after the agreements are fully executed; to require landlords to file a copy of buyout agreements with the Rent Board and to pay a fee to the Rent Board; to require the Rent Board to create a publicly available, searchable database of buyout agreements; to require the Rent Board to provide an annual report to the Board of Supervisors regarding tenant buyouts; to authorize tenants to bring civil actions for actual damages and civil penalties against landlords who fail to provide the required disclosures about the tenants' rights; and to authorize certain non-profits to bring civil actions for a landlord's failure to file a buyout agreement with the Rent Board; and amending the Subdivision Code to prohibit buildings from entering the condominium conversion lottery if the owners of the building have entered certain tenant buyout agreements. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

- 140979 [Park Code - Authorizing Flexible Rates at McLaren Park Gleneagles Golf Course]**  
**Sponsor:** Cohen  
Ordinance amending the Park Code to authorize Flexible Pricing at the McLaren Park Gleneagles Golf Course; and making environmental findings. ASSIGNED to Budget and Finance Committee.
- 140980 [Summary Street Vacation - Portion of Raccoon Drive]**  
**Sponsor:** Wiener  
Ordinance ordering the summary street vacation of a portion of Raccoon Drive, between Twin Peaks Boulevard and Saint Germain Avenue; approving a quitclaim of the City's interest in the vacation area; approving a public access easement over a portion of the vacation area; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 140981 [Administrative Code - Street Light Policy]**  
**Sponsors:** Wiener; Cohen and Breed  
Ordinance amending the Administrative Code to provide a Street Light Policy; and to make relevant findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 140982 [Planning Code - Arcades in the Upper Market Street Neighborhood Commercial Transit District]**  
**Sponsor:** Wiener  
Ordinance amending the Planning Code to permit arcades in the Upper Market Street Neighborhood Commercial Transit District; 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. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

## **Resolutions**

- 140942 [Board Response - Civil Grand Jury - Inquiry into the Operation and Programs of the San Francisco Jails]**  
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "Inquiry into the Operation and Programs of the San Francisco Jails;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 140943 [Board Response - Civil Grand Jury - The Mayor's Office of Housing, Under Pressure and Challenged to Preserve Diversity]**  
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "The Mayor's Office of Housing, Under Pressure and Challenged to Preserve Diversity;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 140983 [Master Lease - 250 Kearny Street, LLC - 136 Residential Units - \$161,840 Monthly Initial Rent]**  
**Sponsors:** Mayor; Chiu and Farrell  
 Resolution authorizing the execution and acceptance of a Residential Master Lease by and between the City and County of San Francisco and 250 Kearny Street, LLC, a California Limited Liability Company, for the real property located at 250 Kearny Street, providing 136 units of affordable housing primarily for chronically homeless veterans, with a monthly initial rent amount of \$161,840 for a ten-year term to commence October 1, 2014, with one five-year option to extend. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140984 [Agreement Amendment - Armed and Unarmed Security Services - Cypress Security, LLC - Not to Exceed \$35,900,000]**  
**Sponsor:** Avalos  
 Resolution approving the Seventh Amendment to the Armed and Unarmed Security Services Agreement between the City, through the Municipal Transportation Agency, and Cypress Security, LLC, to increase the amount of the contract by \$3,000,000 for a total contract amount not to exceed \$35,900,000 and extending the term for six months until March 31, 2015. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 140985 [Urging Support of the Expanded Use of Pre-Exposure Prophylaxis]**  
**Sponsors:** Campos; Wiener and Mar  
 Resolution urging support of the expanded use of Pre-Exposure Prophylaxis as a tool to end the HIV/AIDS epidemic. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing**

- 140986 [Hearing - Don't Block the Box Traffic Congestion Program]**  
**Sponsors:** Kim; Yee, Avalos and Mar  
 Hearing requesting presentations from the Municipal Transportation Agency, the Department of Parking and Traffic, the Police Department, and the Transportation Authority on data gathered and outcomes of the July-September "Don't Block the Box" pilot and next steps for long-term implementation and enforcement of this traffic congestion program. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 140987 [Hearing - Educational and Support Services for Unaccompanied Immigrant Children]**  
**Sponsors:** Kim; Campos, Yee and Avalos  
 Hearing requesting presentations from the San Francisco Unified School District, the Department of Public Health, and the Human Services Agency, Family and Children Services Division, regarding educational services and other support services being provided to increased numbers of unaccompanied immigrant children arriving in San Francisco. RECEIVED AND ASSIGNED to City and School District Select Committee.
- 140988 [Hearing - Bicycle Access on Muni]**  
**Sponsors:** Mar; Avalos  
 Hearing on bicycle access on Muni busses and Light Rail Vehicles. 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 and introduced by the President.*

### **PROPOSED ORDINANCES**

**140798 [Business and Tax Regulations Code - Amendments to Common Administrative Provisions, Business Registration, Payroll Expense Tax, and Gross Receipts Tax]**

Ordinance amending the Business and Tax Regulations Code by: 1) revising the minimum filing amounts for the payroll expense tax and gross receipts tax and making the amounts consistent with administrative requirements for the small business exemptions; 2) clarifying penalty and interest provisions; 3) clarifying that each member of a combined group engaged in business in San Francisco must register with the Tax Collector; 4) clarifying when annual adjustments must be made to the business registration fee; 5) clarifying the basis of the business registration fee; and 6) deleting obsolete registration provisions. (Treasurer-Tax Collector). SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

**140947 [Settlement of Lawsuit - Carpenter's Union Local 22 - \$60,000]**

Ordinance authorizing settlement of the lawsuit filed by Carpenter's Local 22 against the City and County of San Francisco for \$60,000; the lawsuit was filed on April 8, 2014, in United States District Court, Northern District of California, Case No. CV-14-01615 RS; entitled Carpenters Union, Local 22, v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

### **PROPOSED RESOLUTIONS**

**140945 [California Environmental Quality Act Findings and Mitigation Agreements - Various Cemeteries and the California Golf Club - Regional Groundwater Storage and Recovery Project]**

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to funding for the Regional Groundwater Storage and Recovery Project; and authorizing the General Manager of the Public Utilities Commission to enter into mitigation agreements with Cypress Lawn Memorial Park Cemetery, Eternal Home Cemetery, Hills of Eternity/Home of Peace/Salem Cemeteries, Holy Cross Catholic Cemetery, Italian Cemetery, Olivet Cemetery, Woodlawn Cemetery, and the California Golf Club for an indefinite term beginning upon execution of the agreements. (Public Utilities Commission). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140946 [Lease Amendments - Bay Area Restaurant Group, JV - Bayport Concessions, LLC - SSP America, Inc. - Gotham Enterprises, LLC - Sankaku, Inc. - Airport Concessions]**

Resolution approving Amendment No. 1 to Domestic Terminal Food and Beverage Lease No. 03-0184 with Bay Area Restaurant Group, JV (“Max’s Eat’z” and “Max’s the Greek”) for a Term of ten (10) years, plus one (1) two-year option and a Minimum Annual Guarantee of \$36,103.00; No. 03-0183 with Bayport Concessions, LLC (“Willow Creek Grill”) for a Term of ten (10) years, plus one (1) two-year option and a Minimum Annual Guarantee of \$34,237.00; No. 03-0200 with SSP America, Inc. (“Anchor Steam”) for a Term of ten (10) years, plus one (1) two-year option and a Minimum Annual Guarantee of \$150,329.00; and Amendment No. 2 to No. 03-0193 with Gotham Enterprises, LLC (“Peet’s Coffee & Tea”) for a Term of ten (10) years, plus one (1) two-year option and a Minimum Annual Guarantee of \$36,487.00; and No. 03-0180 with Sankaku, Inc. (“Sankaku”) for a Term of ten (10) years, plus one (1) two-year option and a Minimum Annual Guarantee of \$37,125.00; and the City and County of San Francisco, acting by and through its Airport Commission, to commence following Board approval. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Clerk to Act - September 16, 2014**

**There were no Board Meeting Minutes for approval.**

**Requests Granted**

From: Supervisor Breed

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to begin drafting a Charter amendment for the November 2015 ballot that will require the City and the Fire Department to always meet a minimum level of Emergency Medical Services for the people of San Francisco, in similar manner to the minimum fire suppression resources required under the 2005 voter-approved Proposition F.

**In Memoriams**

Alden Gilchrist - Board President Chiu

Lawrence Shelton, Sr. - Supervisor Breed