

# Board of Supervisors



City Hall  
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## Legislation Introduced at Roll Call

**Tuesday, December 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

**141296 [Appropriation - Water Enterprise Fund Balance for the Cleanup of Contaminated Soil at Lake Merced - \$9,500,000 - FY2014-2015]**

**Sponsor:** Mayor

Ordinance appropriating \$9,500,000 from Water Enterprise fund balance in the Public Utilities Commission Water Enterprise Department budget to support the cleanup of contaminated soil at Lake Merced in FY2014-2015. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

**141297 [Public Works Code - Personal Wireless Service Facility Site Permits, and Amending Fees]**

**Sponsor:** Avalos

Ordinance amending the Public Works Code to modify certain requirements for Personal Wireless Service Facility Site Permits, amending the fees for obtaining such permits; and making environmental findings. ASSIGNED to Budget and Finance Committee.

**141298 [Various Codes - Noise Regulations Relating to Residential Uses Near Places of Entertainment]**

**Sponsors:** Breed; Wiener

Ordinance amending the Building, Administrative, Planning, and Police Codes to require attenuation of exterior noise for new residential structures and acoustical analysis and field testing in some circumstances; to provide that a Place of Entertainment (POE) permitted for 12 months not become a public or private nuisance on the basis of noise for nearby residents of newly constructed or converted residential structures; to authorize the Entertainment Commission to hold a hearing on a proposed residential use near a POE, and require the project sponsor's participation in the hearing; to authorize the Entertainment Commission to measure noise conditions at such project sites and provide comments and recommendations regarding noise to the Planning Department and Department of Building Inspection; to require lessors and sellers of residential property to disclose to lessees and purchasers potential noise and other inconveniences associated with nearby POE's and authorize civil penalties for not providing disclosure; to require that such disclosure requirements be recorded against a residential property in a Notice of Special Restrictions; to require the Planning Department and Commission to consider noise issues when reviewing proposed residential projects; and to specify factors concerning noise for the Entertainment Commission to review when considering granting a POE permit; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of local conditions under California Health and Safety Code, Section 17958.7; and directing the Clerk of the Board of Supervisors to forward the Ordinance to specified state agencies upon final passage. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

**141299 [Appropriation - Revenue and Expenditure Supporting Portable Restroom Facilities - \$203,200 - FY2014-2015]**

**Sponsor:** Kim

Ordinance appropriating \$203,200 to the Public Works Operating Budget in order to support and maintain portable restroom facilities and waste stations in FY2014-2015. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

**141300 [Police Code - Rights of Formula Retail Employees in Hotels]**

**Sponsor:** Mar

Ordinance amending the Police Code to allow collective bargaining agreements covering employees of Formula Retail Establishments in hotels to waive the protections of Articles 33F and 33G, which, among other things, require employers to offer additional hours of work, when available, to current part-time employees; require successor employers to retain employees for 90 days upon a change in control of the business; provide employees with certain rights regarding notice of and changes to their work schedules; and provide part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

**141301 [Appropriation - Cost of Doing Business for Non-Profit Agencies - General City Responsibility - \$3,400,000 - FY2014-2015]**

**Sponsors:** Mar; Campos

Ordinance appropriating \$3,400,000 from the General Fund Reserve to General City Responsibility to fund a cost of business allocation for non-profit agencies that contract with the City and County of San Francisco. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

**141302 [Health Code - Massage Practitioners, Establishments, and Associated Fees]**

**Sponsor:** Tang

Ordinance amending the Health Code to comprehensively revise regulation of massage practitioners and establishments by, among other things; 1) eliminating the exemption of massage establishments employing only State-certified massage practitioners from the permitting and regulatory authority of the Department of Public Health; 2) increasing the number of instructional hours required for general and advanced massage practitioner permits; 3) denying massage establishment permits to applicants who have been convicted of or are currently charged with criminal acts related to human trafficking; 4) aligning massage practitioner attire requirements with State law; 5) incorporating State human trafficking information posting requirements into local law for enforcement purposes; 6) revising the timing and criteria for granting, denying, suspending, and revoking general and advanced massage practitioner permits, massage establishment permits, outcall massage service permits, and sole practitioner massage establishment permits; 7) specifying massage practitioner permit application and annual license fees; 8) updating the application and annual license fee amounts for massage establishments, outcall massage services, and sole practitioner massage establishments to reflect the currently authorized amounts; and 9) grouping related requirements and making other changes to enhance clarity and promote compliance. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

**141303 [Planning Code - Massage Establishments]**

**Sponsor:** Tang

Ordinance amending the Planning Code to require that massage establishments, as defined, obtain a Conditional Use permit; listing exceptions to that requirement; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302, 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.

**Resolutions**

**141304 [Supporting the San Francisco 2024 Olympic Bid]**

**Sponsors:** Mayor; Farrell, Breed, Kim, Tang and Wiener

Resolution supporting the efforts of San Francisco 2024 (SF2024) to bring the 2024 Olympic and Paralympic Games to the San Francisco Bay Area and encouraging the United States Olympic Committee to select San Francisco as the official U.S. Candidate City for the 2024 Olympic and Paralympic Games; authorizing the Mayor to execute an Agreement with SF2024; authorizing the Mayor to execute the Joinder Agreement with the United States Olympic Committee; and authorizing the Mayor to execute the Host City Contract. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

**141305 [Accept and Expend Grant - Housing Related Parks Program - \$6,352,275]**

**Sponsor:** Mayor

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant in the amount of \$6,352,275 from the State of California Department of Housing and Community Development to fund Housing Related Parks Projects identified in Exhibit A of the Grant Standard Agreement for the period of November 17, 2014, through June 30, 2016, and delegating authority to the General Manager of the Recreation and Park Department to reallocate funds among approved projects where necessary to maximize City recovery from the Grant during the eligible expenditure period. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 141306 [Declaring Election Results - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]**  
**Sponsor:** Kim  
Resolution declaring results of Special Election and directing recording of notice of special tax lien for the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING on 1/13/15.
- 141307 [Declaring Election Results - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]**  
**Sponsor:** Kim  
Resolution declaring results of Special Election for the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING on 1/13/15.
- 141310 [Disposition and Development Agreement - Successor Agency to the San Francisco Redevelopment Agency Land - Transbay Block 9, Assessor's Parcel No. 3736-120]**  
**Sponsor:** Kim  
Resolution approving the disposition of land by the Office of Community Investment and Infrastructure as Successor Agency to the San Francisco Redevelopment Agency and making findings under the Health and Safety Code, Section 33433, as required under the Transbay Redevelopment Plan for the parcel located on Folsom Street between Essex and First Streets, Assessor's Parcel No. 3736-120, commonly known as Transbay Block 9. ASSIGNED UNDER 30 DAY RULE to Board of Supervisors on 2/3/15.
- 141311 [Real Property Lease - Third and Mission Associates, LLC - 167 Jessie Street - \$1 Per Year Base Rent]**  
**Sponsor:** Kim  
Resolution authorizing the Lease between the City and County of San Francisco, as Tenant, and Third and Mission Associates, LLC, as Landlord, of approximately 4,124 square feet in the building located at 167 Jessie Street for a term of 87 years at a base rent of \$1 per year, to commence upon approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 141312 [Yerba Buena Community Benefit District - Annual Reports to the City - FYs 2010-2014]**  
**Sponsor:** Kim  
Resolution receiving and approving annual reports for the Yerba Buena Community Benefit District for FYs 2010-2014, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 141313 [Correcting Attachment A in Resolution No. 251-14 - Recurring State Grant Funds - Department of Public Health - FY2014-2015]**  
**Sponsor:** Mayor  
Resolution correcting Attachment A of Resolution No. 251-14, a Resolution authorizing the acceptance and expenditure of recurring State grant funds by the Department of Public Health for FY2014-2015. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING on 1/13/15.

**141314 [National Slavery and Human Trafficking Awareness and Prevention - Establish the Month of January and Calendar Day of January 11]**

**Sponsors:** Tang; Farrell and Avalos

Resolution recognizing the calendar month of January as National Slavery and Human Trafficking Prevention Month, and the calendar day of January 11 as National Human Trafficking Awareness Day in the City and County of San Francisco, and supporting the campaign to bring awareness to the issue of human trafficking. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING on 1/13/15.

**Motion**

**141317 [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 January 7, 2015, at 2:00 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 on 1/7/15.

**Requests for Hearing**

**141315 [Hearing - Short and Long Term Strategies to Alleviate Flooding Along the Folsom Street Corridor in the Mission District]**

**Sponsor:** Campos

Hearing to explore the potential short and long term strategies to help alleviate the effects of flooding along Folsom street in the Mission District, one of the most impacted areas in the city with regard to flooding as a result of heavy storms, and requesting the Public Utilities Commission to report. RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**141316 [Hearing - Supportive Housing for the Homeless System Improvements]**

**Sponsor:** Farrell

Hearing on the supportive housing for the homeless system improvements and recently released supportive housing City reports. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**141318 [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 1/7/15.

## **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**

- 141253 [Planning Code - Consolidate Definitions, Reorganize Article 2, and Make Other Nonsubstantive Changes to Update, Clarify, and Simplify Code Language]**  
Ordinance amending the Planning Code to consolidate definitions into Section 102, reorganize Article 2 to create Zoning Control Tables, and make nonsubstantive changes to various sections in Articles 1, 2, 3, 4, 6, 7, and 8, in order to update, clarify, and simplify Code language; 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. (Planning Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 141264 [General Plan Amendments - Urban Forest Plan (Phase 1: Street Trees)]**  
Ordinance amending the General Plan by amending Policy 3.6 of the Recreation and Open Space Element to reflect the adoption by reference of the Urban Forest Plan (Phase 1: Street Trees); 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. (Planning Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

### **PROPOSED RESOLUTIONS**

- 141254 [Settlement of Claim - Liam Ford, Simone Ford and the Estate of Lynne Spalding Ford - \$2,941,000]**  
Resolution approving the settlement of the unlitigated claim filed by Liam Ford, Simone Ford, and the Estate of Lynne Spalding Ford against the City and County of San Francisco for \$2,941,000; claim was filed on March 4, 2014. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 141255 [Settlement of Unlitigated Claim - Pacific Gas and Electric Company - City to Receive \$759,000]**  
Resolution approving settlement of the unlitigated claim by the City and County of San Francisco against Pacific Gas and Electric Company for \$759,000. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 141256 [Customer Generation Agreement - Pacific Gas and Electric Company - Solar Power Project - Pier One]**  
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to enter into a Customer Generation Agreement with Pacific Gas and Electric Company for a Solar Power Project at Pier One, to continue indefinitely, unless terminated. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**141257**

**[California Constitution Appropriations Limit - FY2014-2015]**

Resolution establishing the appropriations limit for FY2014-2015 pursuant to California Constitution, Article XIII B. (Controller). RECEIVED AND ASSIGNED to Budget and Finance Committee.

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

**Board Meeting Minutes for November 18 and November 25, 2014 approved.**

*There were no Clerk to Act requests submitted at the December 16, 2014 Board Meeting.*

**In Memoriams**

Louis Jessie Armstrong, Sr. - Supervisor Cohen

Liana Villaseñor - Supervisor Kim

Laura Jung Lai - Supervisor Mar

Chol Soo Lee - Supervisor Mar

Tai Lam - Supervisor Mar