

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, April 14, 2015

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

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) not become a public or private nuisance on the basis of noise for nearby residents of residential structures constructed or converted on or after January 1, 2005; 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 POEs; to require that such disclosure requirements be recorded against all newly approved residential projects 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; 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 the State Building Standards Commission upon final passage. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

- 150295 [Administrative Code - Short-Term Residential Rentals]**
Sponsors: Campos; Mar and Avalos
Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to: limit short-term rental of a Residential Unit to no more than 60 days per calendar year; require Hosting Platforms to verify that a Residential Unit is on the City Registry prior to listing, remove a listing once a Residential Unit has been rented for Tourist or Transient Use for more than 60 days in a calendar year, and provide certain useage data to the Planning Department; prohibit short-term rental of certain "in-law" units; revise the definition of Interested Parties who may enforce the provision of Chapter 41A through a private right of action to include Permanent Residents residing within 100 feet; amend the private right of action provisions to allow for a private right of action against Hosting Platforms and create an additional private right of action against Owners, Business Entities, and Hosting Platforms under certain circumstances; provide for criminal penalties against Hosting Platforms in violation of this Chapter 41A; and affirming the Planning Department's determination under the California Environmental Quality Act. SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 150362 [Amending Ordinance No. 107-14 - Wastewater Revenue Bond Issuance and Sale - Public Utilities Commission - Not to Exceed \$819,035,941]**
Sponsors: Mayor, Tang and Farrell
Ordinance amending Ordinance No. 107-14, to include, in addition to revenue bonds, the execution and delivery of State of California State Water Resources Control Board Installment Sales Agreements for State Revolving Loans by the San Francisco Public Utilities Commission in an aggregate principal amount not to exceed an amount previously authorized of \$819,035,941 to finance the costs of various projects benefitting the Wastewater Enterprise pursuant to the Charter, including Proposition E, an amendment to the Charter enacted by the voters on November 5, 2002; and ratifying previous actions taken in connection therewith. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.
- 150363 [Administrative Code - Short-Term Residential Rentals]**
Sponsors: Mayor; Farrell
Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to: limit short-term rental of a Residential Unit to no more than 120 days per calendar year; revise the definition of Interested Parties who may enforce the provisions of Chapter 41A, through a private right of action to include Permanent Residents residing within 100 feet of the Residential Unit; create an additional private right of action under certain circumstances; create an Office of Short-Term Residential Rental Administration and Enforcement staffed by the Planning Department, Department of Building Inspection, and Tax Collector's Office; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 150365 [Planning, Administrative Codes - Construction of Accessory Dwelling Units]**
Sponsor: Wiener
Ordinance amending the Planning Code to allow construction of Accessory Dwelling Units (also known as Secondary or In-Law Units) in the 24th Street - Noe Valley Neighborhood Commercial District or within 1,750 feet of its boundaries, and on lots in the Glen Park Neighborhood Commercial Transit District and lots zoned NC-S within Board of Supervisors District 8; amending the Administrative Code to provide that an Accessory Dwelling Unit constructed with a waiver of Code requirements is subject to the San Francisco Rent Ordinance if the existing building or any existing dwelling unit is already subject to the Rent Ordinance; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

Resolutions

- 150366 [Apply for, Accept, and Expend Grant - Community Development Block Grant Program - \$19,605,891 - FY2015-2016]**
Sponsor: Mayor
Resolution approving the FY2015-2016 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2015-2016 CDBG Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$16,489,944 and to expend program income and reprogrammed funds in the amount of \$3,115,947 for a combined total amount of \$19,605,891 over the period beginning July 1, 2015, through the date when all funds are expended. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150367 [Apply for, Accept, and Expend Grant - Housing Opportunities for Persons with AIDS Program - \$7,562,162 - FY2015-2016]**
Sponsor: Mayor
Resolution approving the FY2015-2016 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2015-2016 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$7,461,390 and to expend program income and reprogrammed funds in the amount of \$100,772 for a combined total of \$7,562,162 for the period of July 1, 2015, through June 30, 2020. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150368 [Apply for, Accept, and Expend Grant - HOME Program - \$5,806,358 - FY2015-2016]**
Sponsor: Mayor
Resolution approving the FY2015-2016 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2015-2016 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$3,931,015 and to expend program income in the amount of \$1,875,343 for a combined total of \$5,806,358 for the term of July 1, 2015, through June 30, 2020. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150369 [Apply for, Accept, and Expend Grant - Emergency Solutions Grants Program - \$1,482,125 - FY2015-2016]**
Sponsor: Mayor
Resolution approving the FY2015-2016 Emergency Solutions Grants (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2015-2016 ESG Program entitlement from the U.S. Department of Housing and Urban Development, in the amount of \$1,482,125 for an unspecified period starting July 1, 2015. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150370 [Accept and Expend Grant - Local Housing Trust Fund Program - \$2,000,000]**
Sponsor: Breed
Resolution authorizing the Mayor's Office of Housing and Community Development to accept and expend a grant in the amount of \$2,000,000 from the California Department of Housing and Community Development Local Housing Trust Fund Program. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 150371 [California Enterprise Development Authority Revenue Obligations Issuance - The Urban School of San Francisco - Not to Exceed \$25,000,000]**
Sponsor: Breed
 Resolution approving, for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$25,000,000 to finance or refinance the acquisition, construction, installation, rehabilitation, equipping, and/or furnishing of K-12 educational facilities to be owned and operated by, or leased and operated by, The Urban School of San Francisco, a California non-profit public benefit corporation. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150372 [Accept and Expend Gift - Friends of the San Francisco Public Library - The Mix at SFPL - Up to \$480,000]**
Sponsor: Christensen
 Resolution authorizing the Public Library to accept and expend a gift in the amount of up to \$480,000 of in-kind gifts and cash monies from the Friends of the San Francisco Public Library for direct support for The Mix at SFPL, the new Teen Digital Media Center. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150373 [Lease Agreement - Glenridge Nursery School - Silver Tree Building - Initial Annual Base Rent of \$32,652 and Rent Credits of Up to \$25,000]**
Sponsor: Wiener
 Resolution authorizing the General Manager of the Recreation and Park Department to execute a fifteen year lease with Glenridge Nursery School for the Silver Tree Building in Glen Canyon Park for an initial annual base rent of \$32,652 and rent credits of up to \$25,000 following completion of roof replacement for the term of June 6, 2015, through June 5, 2030. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150374 [Margie Stokes Day - May 2, 2015]**
Sponsor: Avalos
 Resolution commending Margie Stokes on the occasion of her 81st birthday for her leadership, commitment, and uncompromising dedication to San Francisco's children, families, and child care providers; and declaring May 2, 2015, Margie Stokes Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 150375 [Opposing Fast Tracking of the Trans-Pacific Partnership (TPP), Expressing Concerns about Elements of the TPP, and Supporting Fair Trade Practices that Protect Jobs, Workers, the Environment, and the Free and Open Internet]**
Sponsor: Avalos
 Resolution urging San Francisco's representatives in Congress to oppose Trade Promotion Authority ("Fast Track Authority") for the proposed Trans-Pacific Partnership Agreement (TPP); expressing concerns about draft elements of the TPP; and supporting fair trade practices and agreements that protect jobs, workers, the environment, and the free and open Internet to improve the quality of life in all signatory countries, maintain the integrity and sovereignty of our judicial system, promote free speech, privacy rights, and protection of whistleblowers, and to prevent multinational corporations from being granted excessive power to undermine national and local governmental authority to create reasonable rules and regulations. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 150376 [The Junior League of San Francisco, Inc., Women at the Center Honors Day - May 4, 2015]**
Sponsor: Farrell
 Resolution declaring May 4, 2015, as The Junior League of San Francisco, Inc., Women at the Center Honors Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 150377 [Supporting Assembly Bills 404 (Chiu), 1385, and 1397 (Ting) - Community Colleges and Accreditation]**
Sponsors: Mar; Yee
 Resolution supporting Assembly Bill 404, authored by Assembly Member David Chiu, and Assembly Bills 1385 and 1397, authored by Assembly Member Phil Ting, to reform rules and procedures in California's community college accreditation process. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 150378 [Supporting Senate Bill 716 (Lara) - Prohibiting Abusive Behavior Towards the Elephant]**
Sponsors: Tang; Wiener
 Resolution supporting California Senate Bill 716, authored by State Senator Lara, which prohibits the discipline, management, or training of the elephant by specific methods, including the use of a bullhook, ankus, guide, or pitchfork in California. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 150379 [Approving the Nomination of the California Coastal Trail as a Priority Conservation Area]**
Sponsor: Tang
 Resolution authorizing the nomination of the California Coastal Trail as a Priority Conservation Area by the Association of Bay Area Governments. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 150380 [Armenian Genocide Commemoration Day - April 24, 2015]**
Sponsors: Wiener; Yee
 Resolution declaring April 24, 2015, as Armenian Genocide Centennial Commemoration Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 150381 [Hearing - Staffing Levels at San Francisco General Hospital and the Community Clinic System]**
Sponsor: Avalos
 Hearing to assess staffing levels and systems at San Francisco General Hospital and the community clinics in relationship to the Affordable Care Act and the opening of San Francisco General; and requesting the Department of Public Health and San Francisco General Hospital to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 150382 [Hearing - Youth Commission's Budget Priorities - FYs 2015-2016 and 2016-2017]**
Sponsor: Farrell
 Hearing on the Youth Commission's budget priorities for FYs 2015-2016 and 2016-2017; and requesting the Youth Commission to report. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 150383 [Hearing - Jail Rebuild]**
Sponsors: Kim; Breed
Hearing on the jail rebuild as part of the City and County of San Francisco's ten year capital plan; and requesting the Sheriff's Department, Adult Probation, Capital Planning, and the Controller to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 150384 [Hearing - Resources for Homeless Families Within the San Francisco Unified School District]**
Sponsor: Kim
Hearing to receive an update on community-based partnerships with the San Francisco Unified School District (SFUSD), financial support, rapid re-housing, and eviction prevention strategies for homeless families; and requesting the SFUSD, the Mayor's Office of Housing and Community Development, and the Human Services Agency to report. RECEIVED AND ASSIGNED to City and School District Select Committee.
- 150385 [Hearing - Climate Change and Green Infrastructure Program]**
Sponsor: Wiener
Hearing on the City's response to climate change through its green infrastructure stormwater program, including status of identified capital projects, funding, and expected time table for delivery; and requesting the San Francisco Public Utilities Commission to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 150387 [Hearing - San Francisco Unified School District's Student Crossing Guard Program]**
Sponsor: Yee
Hearing on the current status and future plans for the San Francisco Unified School District's (SFUSD) Student Crossing Guard Program; and requesting the SFUSD to report. RECEIVED AND ASSIGNED to City and School District Select 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

- 150340 [Settlement of Lawsuit - BRE Parc 55 Owner, LLC - \$431,000]**
Ordinance authorizing settlement of the lawsuit filed by BRE Parc 55 Owner, LLC, against the City and County of San Francisco for \$431,000; the lawsuit was filed on February 4, 2014, in San Francisco Superior Court, Case No. CGC-14-537160; entitled BRE Parc 55 Owner, LLC v. City and County of San Francisco. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

- 150341 [Street Encroachment - Newcomb Avenue Frontage of 4705-3rd Street - San Francisco Arts Commission]**
Resolution granting revocable permission to the San Francisco Arts Commission to occupy a portion of the public right-of-way to construct and maintain a new concrete entry stairway with illuminated handrails, an accessible ramp at the main point of egress and ingress and other related improvements, at the Newcomb Avenue frontage of 4705-3rd Street (Assessor's Block No. 5311, Lot No. 036); 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. (Public Works). RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 150342 [Lease of Real Property - BRCP 1390 Market, LLC - 1390 Market Street - \$479,031.70 in Initial Year]**
Resolution authorizing the exercise of a five-year option to extend the lease with BRCP 1390 Market, LLC, as Landlord, for approximately 10,846 square feet of space at 1390 Market Street at \$47,903.17 monthly in the initial year, with the base rent for the first two months abated, for a total rent of \$479,031.70 in the initial year, for use by the Department of Children, Youth, and their Families from December 1, 2015, through November 30, 2020. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150343 [Settlement of Unlitigated Claim - Pacific Gas and Electric Company - \$62,540.39]**
Resolution approving the settlement of the unlitigated claim filed by Pacific Gas and Electric Company against the City and County of San Francisco for \$62,540.39; claim was filed on October 30, 2014. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Clerk to Act - April 14, 2015

Board Meeting Minutes for March 10, 2015 approved.

Requests Granted

None

In Memoriams

Victoria "Vicky" Helene Smith - Supervisor Tang

Bridget Klecker - Supervisor Tang

Eduardo Galeano - Supervisor Mar