

# Board of Supervisors



City Hall  
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San Francisco, CA 94102-4689  
Tel. No. 554-5184  
TDD No. 554-5227

## Legislation Introduced at Roll Call

Tuesday, May 5, 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

- 150456 [Planning Code - Measurement of Rooftop Appurtenances and Infill Spaces for Noncomplying Structures in C-3 Zoning Districts]**  
**Sponsor:** Mayor  
Ordinance amending the Planning Code, by adding a new Subsection 188(g), to modify the measurement methodology for rooftop appurtenances and create a process to authorize certain types of infill floor area in existing structures, located in a C-3 (Downtown Commercial) Zoning District, which exceed the current height limit; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 150457 [Appropriation and De-Appropriation - Development Impact Fee Revenue and Expenditures - Municipal Transportation Agency - \$16,719,000 and \$800,000 Respectively - FY2015-2016]**  
**Sponsor:** Mayor  
Ordinance appropriating \$16,719,000 and de-appropriating \$800,000 of Development Impact Fee revenue and expenditures to the Municipal Transportation Agency, amending estimated receipts and estimated expenditures in FY2015-2016. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.
- 150458 [Appropriation - Municipal Transportation Agency - \$32,220,000 - FY2015-2016]**  
**Sponsor:** Mayor  
Ordinance appropriating \$32,220,000 to the Municipal Transportation Agency, amending estimated receipts and estimated expenditures in FY2015-2016. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

**150459 [Appropriation - General Obligation Bond Proceeds for Transportation and Road Improvement Projects - \$67,540,000 - FY2014-2015]**

**Sponsors:** Mayor; Tang and Wiener

Ordinance appropriating \$67,540,000 of the 2015B Series Transportation and Road Improvement General Obligation Bond proceeds in FY2014-2015, including \$8,698,132 to the Department of Public Works for Better Market Street Projects and \$58,841,868 to the Municipal Transportation Agency for Muni Forward Rapid Network Improvement Projects, Pedestrian Safety Improvement Projects, and the Caltrain Communications Based Overlay Signal System Positive Train Control System; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31; and placing these funds on Controller's Reserve pending the sale of the bonds. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

**150460 [Sale of City Property - 35 and 45 Onondaga Avenue - No Less Than \$640,000]**

**Sponsor:** Avalos

Ordinance authorizing the sale, by public competitive bid, of City-owned property located at 35 and 45 Onondaga Avenue for no less than \$640,000; adopting findings that the sale is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing other actions in furtherance of this Ordinance. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

**150461 [Zoning - Interim Moratorium on New Residential Uses and Elimination of Production, Distribution, and Repair Uses in a Portion of the Mission Area Plan of the General Plan]**

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

Urgency Ordinance approving an interim zoning moratorium on the issuance of any permits to demolish, merge, convert, or construct housing projects, as defined, on the issuance of any permits to demolish, convert, or eliminate Production, Distribution, and Repair (PDR), and to create an exception from the interim zoning moratorium for the issuance of permits for 100% affordable housing projects, as defined, and to allow the elimination of PDR uses where necessary to permit 100% affordable housing projects, in a portion of the Mission Area Plan of the General Plan (comprising the area bounded by the north side of Cesar Chavez, from the east side of Valencia to the west side of Potrero; the west side of Potrero, from the north side of Cesar Chavez to the south side of 20th Street; the south side of 20th Street, from the west side of Potrero to the west side of Bryant; the west side of Bryant, from the south side of 20th Street to the south side of Division; the south side of Division, from the west side of Bryant to the east side of Valencia; the east side of Valencia, from the south side of Division to the north side of Cesar Chavez); affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the eight priority policies of Planning Code, Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

**150462 [Public Works Code - Waiver of Street Space Fee for Small Business Week Sidewalk Sales]**

**Sponsor:** Farrell

Ordinance waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy permit on certain designated City streets on Saturday, May 16, 2015, and Saturday, May 23, 2015, as part of Small Business Week Sidewalk Sales. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 150463 [Administrative Code - Film Rebate Program Amendments - \$4,000,000 Funding Cap]**  
**Sponsor:** Farrell  
Ordinance amending the Administrative Code to extend the Film Rebate Program expiration date from June 30, 2015, to June 30, 2019, to correspondingly increase the authorized funding cap for the Film Rebate Project Account from \$3,000,000 to 4,000,000 subject to annual appropriation and to make certain technical corrections. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.
- 150464 [Health Code - Enforcement of Service Station Bathroom Requirements and Fines]**  
**Sponsor:** Kim  
Ordinance amending the Health Code to permit the imposition of administrative fines for violations of the duty to provide clean and sanitary washrooms for the use of gasoline station patrons. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.
- 150465 [Planning Code - Accessory Use Entertainment in Specified Western South of Market Districts]**  
**Sponsor:** Kim  
Ordinance amending the Planning Code to allow accessory use entertainment (with limited live performance permits) in the Western South of Market Mixed Use General and Regional Commercial Districts; 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 Transportation Committee.

## **Resolutions**

- 150466 [Sale of General Obligation Bonds - Transportation and Road Improvement Bonds - Not to Exceed \$67,540,000]**  
**Sponsors:** Mayor; Tang and Wiener  
Resolution authorizing and directing the sale of not to exceed \$67,540,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Transportation and Road Improvement Bonds, 2014), Series 2015B; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents, as defined herein; waiving the deadline for submission of Bond Accountability Reports; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and Chapter 31 of the Administrative Code; ratifying certain actions previously taken as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 150467 [Issuance of General Obligation Bonds - Transportation and Road Improvement Bonds - Not to Exceed \$500,000,000]**  
**Sponsors:** Mayor; Tang and Wiener  
Resolution providing for the issuance of not to exceed \$500,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Transportation and Road Improvement Bonds, 2014); authorizing the execution, authentication, and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150468 [Refunding Certificates of Participation, Series 2015-R1 - City Office Buildings - Multiple Properties Project - Not to Exceed \$188,700,000]**  
**Sponsor:** Mayor  
Resolution approving the form of an Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; authorizing City officials to take necessary actions in connection with the authorization, sale execution, and delivery of the Refunding Certificates of Participation Series 2015-R1 (City Office Buildings - Multiple Properties Project), in an amount not to exceed \$188,700,000, as defined herein; and ratifying previous actions taken in connection therewith, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150469 [Certificates of Participation - War Memorial Veterans Building Seismic Upgrade and Improvements - Official Statement]**  
**Sponsor:** Mayor  
Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the execution and delivery of City and County of San Francisco Certificates of Participation for the War Memorial Veterans Building Seismic Upgrade and Improvements and authorizing the preparation, execution, and delivery of a final official statement; ratifying the approvals and terms and conditions of a previous Ordinance, as defined herein; and related matters. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150470 [General Obligation Bonds - Amending Resolution No. 284-14 - Seismic Safety Loan Program - Not to Exceed \$24,000,000]**  
**Sponsors:** Mayor; Cohen  
Resolution amending and supplementing Resolution No. 284-14 to authorize the sale of not to exceed \$24,000,000 aggregate principal amount of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2014C, by private placement to the financial institution identified herein, to authorize the execution of a Declaration of Trust and a Continuing Covenant Agreement in connection therewith and authorizing and approving modifications to said documents, as defined herein; ratifying certain actions previously taken, as defined herein; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 150471 [Urging the Mayor to Form an Interagency Working Group to Create an Eviction Early Warning System]**  
**Sponsor:** Christensen  
 Resolution urging Mayor Lee to form an interagency working group with participation from the Mayor's Office of Housing and Community Development, the Rent Board, and in coordination with the Board of Supervisors, to create an Eviction Early Warning System. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150472 [Contract Amendment - New Flyer of America, Inc. - Purchase of Low Floor Diesel Hybrid Buses - Not to Exceed \$167,639,669]**  
**Sponsor:** Tang  
 Resolution approving Amendment No. 1 to Contract No. CPT 713 (Procurement of 40-Foot and 60-Foot Low Floor Diesel Hybrid Buses) with New Flyer of America, Inc., to change the propulsion system in six of the previously ordered 61 buses from parallel propulsion to series propulsion; and to exercise Option No. 1 of the contract to purchase an additional 48 standard and 50 articulated low floor diesel hybrid buses, for an additional amount of \$99,382,133, and a total contract amount not to exceed \$167,639,669 to commence following Board approval. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150473 [Supporting California State Senate Bill 32 (Pavley) - Climate Pollution Reduction Beyond 2020]**  
**Sponsor:** Wiener  
 Resolution supporting California Senate Bill 32, authored by Senator Fran Pavley, which sets an enforceable greenhouse gas reduction target of 80% below 1990 levels in California by 2050. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing**

- 150434 [Hearing - Redevelopment Plan Amendment - Transbay Redevelopment Project Area]**  
 Hearing to consider the proposed Ordinance approving a minor amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area to provide bulk limits for general office buildings in Zone One; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Board of Supervisors June 9, 2015.
- 150359 [Hearing - Report of Assessment Costs for Blighted Properties]**  
 Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or abatement of blighted conditions ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board). RECEIVED AND ASSIGNED to Board of Supervisors May 12, 2015.

## **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 RESOLUTIONS**

- 150423 [Settlement of Unlitigated Claim - Association of Bay Area Governments and ABAG Financing Authority for Nonprofit Corporations - City to Receive \$1,296,340.66 Plus Interest and Other Costs]**  
Resolution approving the settlement of the unlitigated claim in favor of the City against the Association of Bay Area Governments (ABAG) and the ABAG Financing Authority for Nonprofit Corporations for \$1,296,340.66 plus interest and other costs; the City's claim sought recovery following the embezzlement of certain Rincon Hill Community Facilities District bond funds under the jurisdiction of the Mayor's Office of Housing and Community Development. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 150424 [Settlement of Unlitigated Claim - The Trustees of the University of Pennsylvania - \$68,563.99]**  
Resolution approving the settlement of the unlitigated claim filed by The Trustees of the University of Pennsylvania, on behalf of The Wharton School of the University of Pennsylvania, against the City and County of San Francisco for \$68,563.99; claim was filed on February 17, 2015. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 150425 [Settlement of Unlitigated Claim - Paul Jan Lee - \$32,500]**  
Resolution approving the settlement of the unlitigated claim filed by Paul Jan Lee against the City and County of San Francisco for \$32,500; claim was filed on February 17, 2015. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 150426 [Real Property Lease - K.L.W. Investments, LLC - 3119 Mission Street - \$473,884 Base Rent in Initial Year]**  
Resolution authorizing the lease with K.L.W. Investments, LLC, as Landlord, for the entire property, commonly known as 3119 Mission Street, consisting of approximately 11,085 square feet at \$39,490.31 monthly for \$473,884 base rent in the initial year for use by the Human Service Agency for a five-year term from July 1, 2015, through June 30, 2020. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 150427 [Real Property Lease - K.L.W. Investments, LLC - 3120 Mission Street- \$1,677,980 Base Rent in Initial Year]**  
Resolution authorizing the lease with K.L.W. Investments, LLC, as Landlord, for the entire property, commonly known as 3120 Mission Street, consisting of approximately 39,251 square feet at \$139,831.66 monthly for \$1,677,980 of base rent in the initial year for use by the Human Service Agency for a five-year term from July 1, 2015, through June 30, 2020. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**150428 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]**

Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvements; workers performing work under City contracts for janitorial services; workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; workers engaged in theatrical or technical services for shows on property owned by the City; workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; workers performing moving services under City contracts at facilities owned or leased by the City; and workers engaged in exhibit, display, or trade show work at a special event on property owned by the City. (Civil Service Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**Clerk to Act – May 5, 2015**

**Board Meeting Minutes for March 31, 2015 approved.**

*There were no Clerk to Act requests submitted at the May 5, 2015 Board Meeting.*

**In Memoriam**

Sandra Rosenfield - Supervisor Tang