

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, January 12, 2016

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.

Charter Amendment

151274 [Charter Amendment - Authorizing Board of Supervisors to Update Inclusionary or Affordable Housing Requirements and Providing Increased Interim Requirements]

Sponsors: Kim; Peskin, Mar, Avalos and Campos

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize the Board of Supervisors to update the inclusionary or affordable housing obligations for housing development projects, and setting forth increased interim requirements; and affirming the Planning Department's determination under the California Environmental Quality Act, at an election to be held on June 7, 2016. SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Rules Committee.

Ordinances

150811 [Planning, Administrative Codes - Construction of Accessory Dwelling Units - District 3]

Sponsor: Peskin

Ordinance amending the Planning Code to allow the construction of Accessory Dwelling Units (ADUs, also known as Secondary or In-Law Units) within the boundaries of Board of Supervisors District 3, prohibit approval of an application for construction of an ADU in any building where a tenant has been evicted under the Ellis Act within ten years prior to filing the application, and prohibit an ADU from being used for short-term rental; amending the Administrative Code to correct section references; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing the Clerk of the Board of Supervisors to send a copy of this Ordinance to the California Department of Housing and Community Development after adoption. REACTIVATED PURSUANT TO RULE 3.42 to Land Use and Transportation Committee.

- 150969 [Planning Code - Affordable Housing Bonus Programs]**
Sponsors: Mayor; Tang
Ordinance amending the Planning Code to create the Affordable Housing Bonus Programs, consisting of the Local Affordable Housing Bonus Program, the 100 Percent Affordable Housing Bonus Program, the Analyzed State Density Bonus Program, and the Individually Requested State Density Bonus Program, to provide for development bonuses and zoning modifications for affordable housing, in compliance with, and above those required by the State Density Bonus Law, Government Code, Section 65915, et seq.; to establish the procedures in which the Local Affordable Housing Bonus Program and the 100 Percent Affordable Housing Bonus Program shall be reviewed and approved; adding a fee for applications under the Program; amending the Planning Code to exempt projects from the height limits specified in the Planning Code and the Zoning Maps; 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. **SUBSTITUTED AND ASSIGNED** to Land Use and Transportation Committee.
- 151083 [Planning Code - Affordable Housing Review Process]**
Sponsor: Wiener
Ordinance amending the Planning Code to permit affordable housing as a principal use in the Public zoning district; affirming the Planning Department's determination under the California Environmental Quality Act; making Planning Code, Section 302, findings; 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 Transportation Committee.
- 160021 [Appropriation - Transfer from Wastewater Enterprise Funds to City Administrator to Implement the Central Shops Relocation Project - \$62,200,000 - FY2015-2016]**
Sponsor: Mayor
Ordinance appropriating a \$62,200,000 transfer from Wastewater Enterprise Funds to the City Administrator for pre-development costs of the Central Shops Relocation Project in FY2015-2016. **ASSIGNED** to Budget and Finance Committee.
- 160022 [Administrative Code - Due Process for All Notification]**
Sponsors: Avalos; Campos, Kim, Mar and Peskin
Ordinance amending Administrative Code, Chapter 12I, to prohibit law enforcement officials from responding to a federal immigration officer's request for voluntary notification that a person will be released from local custody, except for adults who have been convicted of a violent felony and held to answer for a violent felony. **ASSIGNED UNDER 30 DAY RULE** to Public Safety and Neighborhood Services Committee.
- 160023 [Administrative Code - San Francisco Homicide Reward Fund]**
Sponsors: Breed; Cohen
Ordinance amending the Administrative Code to establish the San Francisco Homicide Reward Fund. **ASSIGNED UNDER 30 DAY RULE** to Government Audit and Oversight Committee.
- 160024 [Police, Administrative Codes - All-Gender Toilet Facilities]**
Sponsors: Campos; Farrell, Kim, Avalos, Mar and Yee
Ordinance amending the Police Code to mandate that businesses and places of public accommodation designate single-user toilet facilities that are available to the public or employees as all-gender and accessible to persons of any gender identity, and require enforcement of the signage requirements by the Department of Building Inspection; amending the Administrative Code to require buildings on land that the City owns or leases to provide all-gender toilet facilities; and affirming the Planning Department's determination under the California Environmental Quality Act. **ASSIGNED UNDER 30 DAY RULE** to Public Safety and Neighborhood Services Committee.

- 160025 [Administrative Code - Nutritional Standards for Food and Beverages Sold in Vending Machines on City Property or Served at City Meetings and Events]**
Sponsor: Farrell
Ordinance amending the Administrative Code to require that prepackaged food and beverages sold in vending machines on City property meet specified nutritional standards; to require City departments to make best efforts to meet nutritional guidelines for food and beverages purchased with City funds and served at City events and meetings; and to encourage restaurants, cafeterias, and concessions located on City property to offer healthy food options. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.
- 160026 [Planning Code, Zoning Map - Rezoning Noe Valley Town Square]**
Sponsor: Wiener
Ordinance amending the Planning Code, Zoning Map, to rezone Noe Valley Town Square, 3861-24th Street, Assessor's Block No. 6509, Lot No. 040, from its current designation as 24th Street - Noe Valley Neighborhood Commercial District and 40-X to Public (P) and Open Space (OS); affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including 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 Transportation Committee.

Resolutions

- 151184 [Acquisition of Property at 814-820 Bryant Street, 444-6th Street, 450 6th-Street, and 470-6th Street - Various Owners - At Fair Market Value - Not to Exceed \$16,750,000]**
Sponsor: Mayor
Resolution authorizing the acquisition of real property at 814-820 Bryant Street, 444-6th Street, 450-6th Street, and 470-6th Street (Assessor's Block No. 3759, Lot Nos. 009, 012, 014, 043, and 045) from Lin Trust, Musso Trust, and Myung Chun, respectively; and the issuance of Commercial Paper Notes in an aggregate principal amount not to exceed \$16,750,000. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.
- 160027 [Accept and Expend Grant - State of California, Department of Parks and Recreation - Boating Safety and Enforcement Equipment - FY2015-2016 - \$77,000]**
Sponsor: Farrell
Resolution retroactively authorizing the San Francisco Police Department (SFPD) to accept and expend a grant in the amount of \$77,000 from the State of California, Department of Parks and Recreation, Division of Boating and Waterways, for the SFPD Marine Unit, for the 15-year period of October 1, 2015, through September 30, 2030. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 160028 [Urging an Independent Federal Investigation of the Shooting of Mario Woods]**
Sponsors: Breed; Cohen, Campos, Avalos and Mar
Resolution calling for an independent federal investigation of the shooting of Mario Woods by the San Francisco Police Department on December 2, 2015. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 160029 [Approval of a 30-Day Extension for Planning Commission Review of Affordable Housing in Divisadero and Fillmore Neighborhood Commercial Transit Districts (File No. 151258)]**
Sponsor: Breed
Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 151258) amending the San Francisco Planning Code to require payment of a higher affordable housing fee or provide additional affordable housing for certain sites that obtained higher residential development potential as a result of the rezoning of the Divisadero Street Neighborhood Commercial Transit District and the Fillmore 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, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 160030 [Mario Woods Remembrance Day - July 22]**
Sponsors: Campos; Avalos, Mar, Kim, Cohen and Breed
Resolution declaring July 22 as Mario Woods Remembrance Day in the City and County of San Francisco. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 160031 [Child Trauma Awareness Day - January 29, 2016]**
Sponsor: Farrell
Resolution declaring January 29, 2016, as Child Trauma Awareness Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 160032 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Permitting Affordable Housing as a Principal Use in the Public Zoning District (File No. 151083)]**
Sponsor: Wiener
Resolution retroactively extending by 90 days from the completion of environmental review the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 151083) amending the Planning Code to permit affordable housing as a principal use in the Public zoning district; affirming the Planning Department's determination under the California Environmental Quality Act; making Planning Code, Section 302, findings; and making 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.
- 160033 [Approval of a 30-Day Extension for Planning Commission Review of Code Enforcement Procedures (File No. 151085)]**
Sponsor: Wiener
Resolution retroactively extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 151085) amending the Building, Housing, Electrical, Plumbing, Fire, Health, Planning, and Administrative Codes to clarify and standardize enforcement procedures for violations of Municipal Codes relating to buildings and property, to require departments to report on code enforcement activities, and to direct the City Administrator to coordinate the preparation of standard Citywide forms for code enforcement proceedings; 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 the Planning Code, Section 101.1. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160039 [Affirming the Board of Supervisors Commitment to Police Accountability and Racial Justice in Our Police Practices]

Sponsor: Avalos

Resolution affirming the San Francisco Board of Supervisors commitment to police accountability and racial justice in our policing practices; and urging the San Francisco Police Department to review use of force policies and explore other methods of de-escalation and alternatives to the use of force. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

160034 [Initiative Ordinance - Administrative Code - Paid Sick Leave Ordinance Amendments]

Sponsors: Mayor; Breed, Mar, Farrell, Peskin, Tang, Kim, Yee, Wiener, Campos, Cohen and Avalos

Motion ordering submitted to the voters an Ordinance amending the Administrative Code to revise the City's Paid Sick Leave Ordinance (PSLO) to include protections for employees under the PSLO that largely parallel recent State law enactments pertaining to paid sick leave, primarily the Healthy Workplaces, Healthy Families Act of 2014, as amended, at an election to be held on June 7, 2016. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

160035 [Initiative Ordinance - Business and Tax Regulations and Administrative Codes - Hotel Tax to Fund Housing Services for Homeless Families]

Sponsor: Kim

Motion ordering submitted to the voters an Ordinance amending the Business and Tax Regulations and Administrative Codes to impose an additional 1% tax on the transient occupancy of hotel rooms to fund housing programs and services to end family homelessness, at an election to be held on June 7, 2016. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

160036 [Committee of the Whole - Charter Amendment - Authorizing Board of Supervisors to Update Inclusionary or Affordable Housing Requirements and Providing Increased Interim Requirements - February 23, 2016]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on February 23, 2016, at 3:00 p.m., to hold a public hearing to consider a proposed Charter Amendment (File No. 151274) authorizing the Board of Supervisors to update the inclusionary or affordable housing obligations for housing development projects and setting forth increased interim requirements, to be proposed to the voters at the June 7, 2016, election. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

160037 [Suspending Board Rule 3.26.1 and Amending Board Rule 3.31 - Extending the Joint City and School District Select Committee through March 1, 2017, and Setting Monthly Meetings]

Sponsor: Kim

Motion suspending the Board of Supervisors Rules of Order 3.26.1 to consider, without reference, an amendment to Board Rule 3.31 to extend the term of the Joint City and School District Select Committee through March 1, 2017; ordering the City and School District Select Committee meetings of the Board of Supervisors be held on the fourth Thursday of each month, except June, July, August, November, and December, at 3:30 p.m. in the Board of Supervisors Chamber. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 150234 [Hearing - Report on Recent Increase in Property Crime and Car Break-Ins Citywide]**
Sponsor: Yee
Hearing on the recent increase in property crime and car break-ins citywide; and requesting the Police Department to report. REACTIVATED PURSUANT TO RULE 3.42 to Government Audit and Oversight Committee.
- 150326 [Hearing - Impacts of Construction and Streetscaping Projects to Small Businesses]**
Sponsor: Yee
Hearing on the economic impacts of small businesses during major construction and streetscaping projects; and requesting the Office of Economic and Workforce Development, the Small Business Commission, the Municipal Transportation Agency, the Public Utilities Commission, and Public Works to report. REACTIVATED PURSUANT TO RULE 3.42 to Government Audit and Oversight Committee.
- 160038 [Hearing - Fire Investigations by the Fire Department]**
Sponsor: Campos
Hearing on fire investigations by the Fire Department, specifically the current status of the over 300 backlogged investigations, and what the department is doing to address the situation; and requesting the Fire Department to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services 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

- 160001 [Settlement of Lawsuit - David Lloyd - \$42,500]**
Ordinance authorizing settlement of the lawsuit filed by David Lloyd against the City and County of San Francisco for \$42,500; the lawsuit was filed on June 10, 2014, in San Francisco Superior Court, Case No. CGC-14-539774; entitled David Lloyd v. City and County of San Francisco, et al, removed to federal court on August 6, 2014, and re-captioned as David Lloyd v. City and County of San Francisco, et al., United States District Court, Case No. 3:14-cv-03542 JCS. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160002 [Settlement of Lawsuit - Travis Jones - \$60,000]**
Ordinance authorizing settlement of the lawsuit filed by Travis Jones against the City and County of San Francisco for \$60,000; the lawsuit was filed on February 18, 2014, in the United States District Court, Case No. CV 14-00733 NC; entitled Travis Jones v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160003 [Settlement of Lawsuit - Leonard Lee Collins, Jr. - \$75,000]
Ordinance authorizing settlement of the lawsuit filed by Leonard Lee Collins, Jr., against the City and County of San Francisco for \$75,000; the lawsuit was filed on December 18, 2012, in United States District Court for the Northern District of California, Case No. 13-3456 MEJ; entitled Leonard Lee Collins, Jr. v. City and County of San Francisco, Laguna Honda Hospital, Edward Shiels, Steven Koneffklatt, et. al. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

160004 [Settlement of Unlitigated Claim - Charles Peppers - \$110,000]
Resolution approving the settlement of the unlitigated claim filed by Charles Peppers against the City and County of San Francisco for \$110,000; claim was filed on July 17, 2013. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160005 [Settlement of Unlitigated Claim - Linda Stonestreet - \$72,394.61]
Resolution approving the settlement of the unlitigated claim filed by Linda Stonestreet against the City and County of San Francisco for \$72,394.61; claim was filed on July 17, 2013. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

160006 [Professional Services Agreement - PGH Wong Engineering, Inc. - Project Management Services - AirTrain Extension and Improvements Program - Not to Exceed \$13,132,000]
Resolution retroactively approving Professional Services Agreement Contract No. 10504.41, Project Management Services for the AirTrain Extension and Improvements Program between PGH Wong Engineering, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, pursuant to Charter, Section 9.118(b), in an amount not to exceed \$13,132,000 for 44 months of services beginning September 1, 2015; and adopting environmental findings. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

160007 [Lease Amendment - Pacific Gateway Concessions, LLC - Airport Concessions]
Resolution approving Amendment No. 5 to Boarding Areas "B" and "C" Principal Concession Retail Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, extending the lease term for two concession locations to approximately September 2019, and extending the lease term for one concession location to approximately June 2016, in order to accommodate the Terminal 1 Redevelopment Program. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

160008 [2011 Lease and Use Agreement - China Southern Airlines Company Limited - Estimated Rent of \$1,283,008.93]
Resolution approving the terms of 2011 Lease and Use Agreement No. L15-0253 between China Southern Airlines Company Limited and the City and County of San Francisco, acting by and through its Airport Commission, with an estimated rent of \$1,283,008.93 for Exclusive Use Space, for the lease term to commence following Board approval through June 30, 2021. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

160009 [Real Property Acquisition - Easements from John Daly Boulevard Associates, L.P., Monarch Ventures, L.P., and Wilbak Investments, L.P. - Regional Groundwater Storage and Recovery Project, San Mateo County - \$78,185]
Resolution approving and authorizing the acquisition of one temporary construction easement, two permanent surface access easements and one permanent subsurface easement for water utility purposes from John Daly Boulevard Associates, L.P., a California limited partnership, Monarch Ventures, L.P., a California limited partnership, and Wilbak Investments, L.P., a California limited partnership for \$78,185 to be used by the City and County of San Francisco under the Water System Improvement Program for the access, installation, modification, removal, inspection, maintenance, repair, replacement, periodic scheduled maintenance, emergency repairs, and construction of the project known as the Regional Groundwater Storage and Recovery Project, Project No. CUW30103; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and approving the Agreement and authorizing the Director of Property and/or the San Francisco Public Utilities Commission General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act - January 12, 2016

Board Meeting Minutes for November 17 and December 1, 2015 approved.

There were no Clerk to Act requests submitted at the January 12, 2016 Board Meeting.

In Memoriams

Jack Grealish - Supervisor Farrell
William "Bill" Del Monte - Supervisor Farrell
Zelda Gordon - Supervisors Peskin and Wiener
Roy Mottini - Supervisor Peskin
Stuart "Stu" Jackson - Supervisor Peskin
Reynaldo Morante - Supervisor Peskin
Denise Dorio - Supervisor Peskin
Patricia "Patty" Siegel - Supervisor Yee
Beatrice O. Jackson - President Breed
Marie McKechnie - President Breed