

# 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, March 22, 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.*

### Ordinances

- 140886 [Commemorative Street Plaques - Childhood Homes of Jerry Garcia in the Excelsior District]**  
**Sponsor:** Avalos  
Ordinance commemorating the Mission Street sidewalk in two locations near Harrington Street and near Amazon Street under Public Works Code, Sections 789 et seq., the Commemorative Street Plaque Ordinance, in honor of the childhood homes of Jerry Garcia, waiving permit and inspection fees for plaque installation, and directing official acts in furtherance of this Ordinance. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.
- 151080 [Administrative Code - Establishing Mayor's Nuisance Abatement Revolving Loan Fund]**  
**Sponsor:** Wiener  
Ordinance amending the Administrative Code to establish the Mayor's Nuisance Abatement Revolving Loan Fund to help building owners finance repairs and improvements needed to abate violations of Building Inspection Commission Codes. SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.
- 151085 [Various Codes - Code Enforcement Procedures]**  
**Sponsor:** Wiener  
Ordinance 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 model forms for code enforcement proceedings; setting an operative date of June 1, 2016; and 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.

- 160022 [Administrative Code - Due Process for All and Sanctuary]**  
**Sponsors:** Avalos; Campos, Kim, Mar and Peskin  
Ordinance amending the Administrative Code to prohibit the use of City funds or resources to assist in the enforcement of Federal immigration law, except for individuals who have been convicted of a violent felony and held to answer for a violent felony. SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.
- 160255 [Planning, Administrative Codes - Inclusionary Affordable Housing Fee and Requirements; Preparation of Economic Feasibility Report; Establishing Inclusionary Housing Technical Advisory Committee]**  
**Sponsors:** Kim; Peskin and Yee  
Ordinance amending the Planning and Administrative Codes to increase the Inclusionary Affordable Housing fee and other requirements; require the Controller to prepare an economic feasibility report regarding the City's inclusionary housing requirements and make recommendations by July 31, 2016, and every three years thereafter; and establish the Inclusionary Housing Technical Advisory Committee to provide advice about the economic feasibility of proposals to set maximum economically viable inclusionary housing requirements, and set forth the membership and duties of the Advisory Committee; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public convenience, necessity, and welfare under Planning Code, Section 302; 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.
- 160278 [Administrative Code - City Navigation Centers for the Homeless]**  
**Sponsors:** Campos; Avalos and Mar  
Ordinance amending the Administrative Code to require the City to open and operate no fewer than six Navigation Centers within twelve months of the effective date of the ordinance, offering comprehensive health, mental health, and other services to homeless people, and moving homeless people off the streets and into permanent housing or transitional or stable supportive housing that eventually leads to permanent housing through case management, social service programs, and the integration of other relevant city services; specifying programmatic requirements for Navigation Centers; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 160280 [Public Works Code - Water Service Submetering For Multifamily Residential Buildings]**  
**Sponsor:** Wiener  
Ordinance amending the Public Works Code to require owners of multifamily residential buildings to provide submeters to measure water service provided to tenants; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 160281 [Planning Code - Dwelling Unit Mix Requirements]**  
**Sponsor:** Yee  
Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 50% of the proposed units having more than one bedroom; 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, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

## **Resolutions**

**160282 [Agreement Amendment - Leaders in Community Alternative, Inc. - Operation of the Community Assessment and Services Center - Reentry Service - Not to Exceed \$11,490,153]**

**Sponsor:** Kim

Resolution approving the fifth amendment to an agreement between the Adult Probation Department and Leaders in Community Alternatives, Inc., for reentry services and operations of the Community Assessment and Services Center, to increase the contract amount to \$11,490,153 over the agreement term of June 1, 2012, through June 30, 2017. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**160283 [Office Space Lease - PBV II, LLC - 564-6 Street - \$848,190 in Initial Year]**

**Sponsor:** Kim

Resolution authorizing a Lease between the City and County of San Francisco, as Tenant, and PBV II, LLC, as Landlord, of office space located at 564-6 Street, consisting of approximately 17,500 square feet from July 1, 2016, through June 30, 2026, for use by the Adult Probation Department at \$70,682.50 monthly; for \$848,190.00 rent in the initial year with annual 3% increases and four five-year options to extend. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**160284 [Bi-Annual Housing Balance Report - March 2016]**

**Sponsor:** Kim

Resolution receiving and approving the bi-annual Housing Balance Report dated March 31, 2016, submitted as required by Planning Code, Section 103. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**160285 [Ground Lease - Mercy Housing California 64, LP - 255 Fremont Street / 222 Beale Street - Transbay Block 7 Housing - \$15,000 per Year]**

**Sponsor:** Kim

Resolution approving and authorizing the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to execute a ground lease at 255 Fremont Street / 222 Beale Street, with Mercy Housing California 64, LP, a California limited partnership, for \$15,000 per year for a term of 75 years for the purpose of developing housing for very low and low-income households at Transbay Block 7. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**160286 [Air Rights Lease - T8 Housing Partners, L.P. - 250 Fremont Street - Transbay Block 8 Affordable Housing - \$15,000 per Year]**

**Sponsor:** Kim

Resolution approving and authorizing the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to execute a lease of an air rights parcel at 250 Fremont Street, with T8 Housing Partners, L.P., a California limited partnership, for \$15,000 per year for a term of 75 years for the purpose of developing housing for very low-income households at Transbay Block 8. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 160287 [Ocean Avenue Community Benefit District - Annual Report to the City - FY2014-2015]**  
**Sponsor:** Yee  
 Resolution receiving and approving an annual report for the Ocean Avenue Community Benefit District for FY2014-2015, 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.
- 160288 [Supporting the California Faculty Association]**  
**Sponsors:** Mar; Avalos, Kim, Campos, Peskin and Yee  
 Resolution supporting the California Faculty Association and urging the California State University (CSU) administration give the CSU faculty the respect they deserve and agree to the reasonable salary increases they demand. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 160289 [Urging the San Francisco Municipal Transportation Agency to Enforce Labor Harmony Provisions with Respect to Bauer's Intelligent Transportation, Inc., and its Labor Harmony Violations]**  
**Sponsors:** Peskin; Kim, Avalos, Breed, Campos, Cohen, Mar, Wiener, Tang and Yee  
 Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) Board and SFMTA Director to deny the Commuter Shuttle Program permit application submitted by Bauer's Intelligent Transportation, Inc., until such time as Bauer's demonstrates full compliance with Labor Harmony, under the provisions of Board of Supervisors Resolution No. 96-15 and Transportation Code, Section 914. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 160290 [Supporting California State Assembly Bill 1887 (Low) - Banning State-Supported Travel to States that Discriminate]**  
**Sponsors:** Wiener; Campos  
 Resolution supporting California State Assembly Bill 1887, authored by Assembly Member Evan Low, which prohibits a state agency from requiring its employees, officers, or members from traveling to states that sanction or require discrimination on the basis of sexual orientation, gender identity, or gender expression and prohibits state-funded or state sponsored travel to those same states. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing**

- 160291 [Hearing - City and County of San Francisco Contracting with Taylor Farms and its Subsidiaries]**  
**Sponsor:** Campos  
 Hearing to determine whether the City and County of San Francisco sources any products from Taylor Farms or its subsidiaries; and requesting the Office of Contracts Administration to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 160292 [Hearing - Bi-Annual Housing Balance Report - March 2016]**  
**Sponsor:** Kim  
 Hearing on the findings from the bi-annual Housing Balance Report dated March 31, 2016; and requesting the Planning Department to report. RECEIVED AND ASSIGNED to Land Use and Transportation 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**

- 160241 [Settlement of Lawsuit - Kuiana Taylor - \$49,999]**  
Ordinance authorizing settlement of the lawsuit filed by Kuiana Taylor against the City and County of San Francisco for \$49,999; the lawsuit was filed on August 6, 2014, in United States District Court for the Northern District of California, Case No. 14-cv-03555 CRB; entitled Kuiana Taylor v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160242 [Settlement of Lawsuit - Lisa Owen - \$2,250,000]**  
Ordinance authorizing settlement of the lawsuit filed by Lisa Owen against the City and County of San Francisco for \$2,250,000; the lawsuit was filed on July 8, 2014, in San Francisco Superior Court, Case No. CGC-14-540434; entitled Lisa Owen v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing personal injury. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160243 [Settlement of Lawsuit - Ying Zhang and Chen Li - \$175,000]**  
Ordinance authorizing settlement of the lawsuit filed by Ying Zhang and Chen Li against the City and County of San Francisco for \$175,000; the lawsuit was filed on January 21, 2014, in San Francisco Superior Court, Case No. CGC-14-536903 (consolidated with CGC-13-536533); entitled Ying Zhang, et al. v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing personal injury; other materials terms of said settlement are that the Municipal Transportation Agency is to also pay \$175,000, subject to approval by the Municipal Transportation Agency Board. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160244 [Settlement of Lawsuit - Kai Yuan and Jian Ping Yuan - \$175,000]**  
Ordinance authorizing settlement of the lawsuit filed by Kai Yuan and Jian Ping Yuan against the City and County of San Francisco for \$175,000; the lawsuit was filed on December 31, 2013, in San Francisco Superior Court, Case No. CGC-13-536533 (consolidated with CGC-14-536903); entitled Kai Yuan, et al. v. City and County of San Francisco, et al.; the lawsuit involves an alleged dangerous condition of public property causing death; other material terms of said settlement are that the Municipal Transportation Agency is to also pay \$175,000, subject to approval by the Municipal Transportation Agency Board, and co-defendant Gina Eunice to pay \$50,000 (insurance coverage limits). (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **PROPOSED RESOLUTIONS**

- 160245 [Settlement of Unlitigated Claim - Big Heart Pet Brands - \$110,682.83]**  
Resolution approving the settlement of the unlitigated claim filed by Big Heart Pet Brands against the City and County of San Francisco for \$110,682.83; claim was filed on November 19, 2015; the claim involves a payroll expense tax refund. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160246 [Settlement of Unlitigated Claim - FMC Corporation - City to Receive \$425,000]**  
Resolution approving settlement of the unlitigated claim filed by the City and County of San Francisco against FMC Corporation for \$425,000; the claim involves compensation for environmental contamination caused by FMC Corporation. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Clerk to Act - March 22, 2016**

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

**Requests Granted**

From: Supervisor Peskin

To: Department of Building Inspection, Planning Department, and Mayor's Office of Housing

Requesting/Inquiring: Supervisor Peskin requests the following:

Please provide copies of all Annual Reports (As required pursuant to Administrative Code Section 41.21 (formerly Section 41.16) - Annual Review of Residential Hotel Status) for all years since the Residential Hotel Unit Conversion and Demolition Ordinance was enacted (1981) to date.

1. Please summarize and provide all relevant information as follows:
  - A. How many SROs currently exist? *Note: there were estimated to be 26,884 in 1979 (a drop of over 6,000 units from 1975 which led to declaration of emergency in 1979).*
  - B. Please break down SRO units by non-profit and for-profit management.
  - C. How many permits to convert Residential Hotel Units have been issued since the Ordinance was enacted? What were these units converted to and for what uses?
  - D. Please provide a list of all conversions by address and Assessor's Parcel number.
  - E. Please provide copies of all permits and any conditional use authorizations associated with the conversions.
  - F. Please indicate how many illegal conversions have been identified by the City, and the status of the enforcement of such illegal conversions.
  - G. How much money has been deposited into the SF Residential Preservation Fund since inception? What precisely have these funds been used for? Please provide a detailed list and accounting, including the organizations or entities that were recipients of the funds. How many units have been built with these funds? Where exactly are these units (please provide addresses and APNs)? How much "transitional housing" as defined under Section 41.3(o) has been lost?
  - H. What is the current fair market rental of a Residential Hotel Unit today?
  - I. What does it cost a non-profit developer to build a new SRO unit today? What does it cost the City?
  
2. What is the status of the Sec. 41.21 Annual Review?

**Sec. 41.21 Annual Review of Residential Hotel Status**

*States that DBI shall prepare report shall prepare an annual report for BOS with all current data on number of SROs, number being converted, number demolished or*

*eliminated, illegally converted, enforcement summary, evaluation of temporary change of occupancy, report on expenditures from SRO Preservation fund.*

From: Supervisor Peskin

To: Office of Economic and Workforce Development

Requesting/Inquiring: Supervisor Peskin requests the following

1. Please provide a full accounting of all grant allocations in the past 2 years, both recurring annual grant awards and unofficial and one-time grant awards, including:
  - a. Names & Organizational Affiliations of All Grant Recipients
  - b. Grant Amounts
  - c. Project Descriptions
2. Please provide an overview of:
  - a. OWED Grant Application and Allocation Process
  - b. Selection Criteria and Approvals
  - c. Public Outreach Process
  - d. Evaluation & Oversight Process
3. What percentage of OWED's budget is reserved for general neighborhood beautification, public realm improvements, programming and capacity-building for community-based organizations? What are the other budget priorities within the Invest In Neighborhoods program and how are they funded?
4. How many staff does OWED currently employ within Invest In Neighborhoods?
5. By how much has OWED's budget grown over the last two years and what percentage of that growth, if any, is attributed to neighborhood grants?

Percy Pinkney - Entire Board

Commissioner H. Welton Flynn – Entire Board

Daniel Moore Flaherty, Jr. – Supervisor Tang

Claudette Brown – Board President Breed

Victims of the terrorist attack in Brussels – Entire Board