



**Legislation Introduced at Roll Call**

**Tuesday, July 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.*

**Ordinances**

**160788 [Zoning - Extension of Interim Prohibition on Commercial Mergers in the Proposed Calle 24 Special Use District]**

**Sponsors:** Mayor; Campos

Urgency Ordinance approving an extension of the interim prohibition on commercial storefront mergers of greater than 799 gross square feet in the proposed Calle 24 Special Use District, which generally includes all lots bounded by 22nd Street, Potrero Avenue, Cesar Chavez Street, Capp Street, and both sides of 24th Street from Capp Street to Bartlett Street, as well as certain additional adjacent lots, for an additional 12 months in accordance with California Government Code, Sections 65858 et seq.; 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 to Land Use and Transportation Committee.

**160789 [Administrative Code - Updating Job Classifications and Bargaining Units]**

**Sponsor:** Mayor

Ordinance amending the Administrative Code to reflect changes in job classifications in bargaining units. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

**160790 [Administrative Code - Short-Term Residential Rentals]**

**Sponsors:** Campos; Peskin, Avalos and Mar

Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to require Hosting Platforms to verify that a Residential Unit is on the City Registry prior to accepting a fee for booking a short-term rental transaction, and to provide an affidavit of compliance to the City and retain certain records; authorize the Office of Short Term Rentals to issue an administrative subpoena to obtain records; provide for civil, administrative, and criminal penalties against Hosting Platforms for violations of their obligations under the Residential Unit Conversion Ordinance; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED to Land Use and Transportation Committee.

**160791 [Police Code - Process for Removal of Encampments and Transition to Housing]**

**Sponsor:** Kim

Ordinance amending the Police Code to provide a process for the removal of encampments when housing or shelter is available for encampment residents, and authorizing the Department of Homelessness and Supportive Housing to develop protocols governing the removal and storage of personal property when removing an encampment. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.

**160792 [Administrative Code - Citywide Affordable Housing Fund and Mayor's Housing Programs Fees Fund]**

**Sponsor:** Peskin

Ordinance amending the Administrative Code to change the Citywide Affordable Housing Fund and Mayor's Housing Programs Fees Fund from Category Eight funds, under which the Director of the Mayor's Office of Housing and Community Development may approve expenditures without Board of Supervisors approval, to Category Four funds, under which the Director may expend funds only if the Board of Supervisors approves the expenditures by appropriation ordinance. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

**Resolutions**

**160793 [Resolution of Intention - Central Market Community Benefit District - Modify the Management Plan and Engineer's Report]**

**Sponsor:** Mayor

Resolution declaring the intention of the Board of Supervisors to modify the management district plan and engineer's report for the property-based business improvement district (community benefit district) known as the "Central Market Community Benefit District" to remove the district-wide cap on annual assessment revenues; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding and Assessment Ballot; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**160794 [Multifamily Housing Revenue Bonds - 1036 Mission Street - Not to Exceed \$32,100,000]**

**Sponsors:** Mayor; Kim

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$32,100,000 for the purpose of providing financing for the acquisition and construction of an 83-unit multifamily residential rental housing project located at 1036 Mission Street within the City; approving the form of and authorizing the execution of a trust indenture providing terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 160795 [Agreements - Purchase and Sale for Real Estate and Ground Lease - 1036 Mission Associates, L.P - 1036 Mission Street - \$5,476,250 and \$15,000 Respectively]**  
**Sponsors:** Mayor; Kim  
Resolution approving and authorizing the execution and performance of an Agreement of Purchase and Sale of Real Estate in connection with the acquisition of the parcel located at 1036 Mission Street (Assessor's Parcel Block No. 3703, Lot No. 162) ("the Property"), for \$5,476,250 and a long term, 85-year Ground Lease of the property with a 14-year extension option, for \$15,000 annual base rent, with 1036 Mission Associates, L.P., to construct a 100% affordable, 83-unit multifamily rental housing development for low-income households and formally homeless families and a commercial shell for a 1,061 square foot commercial space; adopting findings that the conveyance and lease are consistent with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing and directing the Director of Property and Director of MOHCD to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 160796 [Seven-Party Supplement to the 2012 Memorandum of Understanding - Peninsula Corridor Electrification Project]**  
**Sponsor:** Cohen  
Resolution approving the Seven-Party Supplement to 2012 Memorandum of Understanding, regarding Financial Commitments to Address the Funding Gap for the Peninsula Corridor Electrification Project. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 160797 [Apply for, Accept, and Expend Grant - California Affordable Housing and Sustainable Communities Program - \$12,055,858]**  
**Sponsor:** Kim  
Resolution authorizing the Treasure Island Director to submit a grant application and, if successful, accept and expend grant funds in the amount of \$12,055,858 under the State of California's Affordable Housing and Sustainable Communities Program, as a joint applicant with Treasure Island Community Development, LLC. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 160798 [Real Property Lease - 750 Brannan Street Props, LLC - 750 Brannan St. - \$942,747 Rent in Initial Year]**  
**Sponsor:** Kim  
Resolution authorizing a Lease between the City and County of San Francisco, as Tenant, and 750 Brannan Street Props, LLC, a California limited liability company as Landlord, to be used as retail, production, warehouse, and related office space located at 750 Brannan Street, consisting of approximately 24,173 square feet of building and approximately 6,430 square feet of yard, for a ten year term expected to commence on or about January 1, 2017, and terminate on December 31, 2026, for use by the San Francisco Public Library, at \$78,562.25 monthly; for \$942,747 rent in the initial year with annual 3% percent increases and three five-year options to extend; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing a Sublease of a portion of that space consisting of approximately 2,833 square feet with the Friends & Foundation of the San Francisco Public Library, a 501(c)3 non profit agency, at the prorata City cost. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 160799 [Planning Code - Interim Zoning Controls for a Pharmacy Use in the Castro Street Neighborhood Commercial District]**  
**Sponsor:** Wiener  
 Resolution imposing interim zoning controls for an 18-month period in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization by the Planning Commission under Planning Code, Section 303, for a proposed pharmacy use; and making environmental findings 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.
- 160800 [Accept and Expend in-Kind Grant - Federal Highway Administration, Central Federal Lands Highway Division - South Ocean Beach Trail Project - Valued Up to \$1,690,579]**  
**Sponsor:** Tang  
 Resolution authorizing the Recreation and Park Department to accept from the Federal Highway Administration, Central Federal Lands Highway Division, an in-kind grant of design and development services valued up to \$1,690,579 for the creation of the South Ocean Beach Trail. (Recreation and Park Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 160614 [Board Response - Civil Grand Jury - Maintenance Budgeting and Accounting Challenges for General Fund Departments: Maintenance Economics Versus Maintenance Politics: Pay Now or Pay More Later]**  
 Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2015-2016 Civil Grand Jury Report, entitled "Maintenance Budgeting and Accounting Challenges for General Fund Departments: Maintenance Economics Versus Maintenance Politics: Pay Now or Pay More Later;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Motions**

- 160801 [Zoning - Report on Interim Prohibition on Commercial Mergers in the Proposed Calle 24 Special Use District]**  
**Sponsors:** Mayor; Campos  
 Motion adopting the Planning Department's report on the interim zoning prohibition on commercial storefront mergers of greater than 799 gross square feet in the proposed Calle 24 Special Use District, which generally includes all lots bounded by 22nd Street, Potrero Avenue, Cesar Chavez Street, Capp Street, and both sides of 24th Street from Capp Street to Bartlett Street, as well as certain additional adjacent lots. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE BOARD MEETING OF JULY 19, 2016.

**160802 [Calling from Committee - Calling Special Meetings - July 19, 2016 and July 29, 2016 - Committee of the Whole - Modifying Time for Submission of Charter Amendment under Rule 2.22.7]**

**Sponsor:** Avalos

Motion calling from the Rules Committee the proposed Charter Amendment (File No. 160583) creating the office of Public Advocate and the proposed Charter Amendment (File No. 160588) creating the Housing and Community Development Commission; calling from the Public Safety and Neighborhood Services Committee the proposed Resolution (File No. 160758) affirming support for the Department of Homelessness and Supportive Housing; calling special meetings of the Board of Supervisors on July 19, 2016, at 3:00 p.m. and on July 29, 2016, at 10:00 a.m.; scheduling the Board of Supervisors to sit as a Committee of the Whole at the special meeting on July 19, 2016, at 3:00 p.m., to hold public hearings to consider the two proposed Charter Amendments and the proposed Resolution; and modifying the amount of time required under Rule 2.22.7 between the first appearance of the proposed Charter Amendments on the Board's agenda and the Board's order submitting them to the electorate for the November 8, 2016, election. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE BOARD MEETING OF JULY 15, 2016.

**160804 [Closed Session - Existing Litigation - David Zeller]**

Motion that the Board of Supervisors convene in closed session on July 19, 2016, for the purpose of conferring with, or receiving advice from the City Attorney regarding existing litigation relating to the lawsuit filed on March 14, 2013, in San Francisco Superior Court, Case No. CGC-13-529554; entitled David Zeller v. City of San Francisco, et al.; in which the City is a defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), which permits this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the existing litigation. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE BOARD MEETING OF JULY 19, 2016.

**Requests for Hearing**

**160805 [Hearing - Police and Fire Department Investigations and Oversight to Address On-Duty Drinking]**

**Sponsor:** Avalos

Hearing to consider the Police (SFPD) and Fire Departments' (SFFD) investigations and oversight systems to address on-duty drinking, protocols in joint SFPD/SFFD investigations to ensure accountability and to prevent mishandling of cases, and the prevention of mishandling of joint investigations of firefighter misconduct; and requesting the SFPD and SFFD to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**160806 [Hearing - Blue Ribbon Panel on Transparency, Accountability, and Fairness in Law Enforcement - Final Report]**

**Sponsor:** Cohen

Hearing on the final report, findings, and recommendations of the Blue Ribbon Panel on Transparency, Accountability, and Fairness in Law Enforcement; and requesting the Police Department and Police Commission to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

**160807 [Hearing - Transit Center District Plan Area - Interim Sign Controls - Six Month Report]**

**Sponsor:** Kim

Hearing on the Planning Department's six month report for the Interim Sign Controls in the Transit Center District Pan Area between Folsom, Harrison, Essex, and 2nd Streets. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

**160808 [Hearing - Preservation of LGBT Nightlife Spaces and Status of LGBT Cultural District]**

**Sponsor:** Wiener

Hearing on how best to protect and preserve LGBT nightlife spaces, and on the status of the creation of the LGBT Cultural District; and requesting the Entertainment Commission, the Planning Department, and the Office of Economic and Workforce Development 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**

**160738 [Settlement of Lawsuit - Gary Frank and Debbie Frank - \$245,000]**

Ordinance authorizing settlement of the lawsuit filed by Gary Frank and Debbie Frank against the City and County of San Francisco for \$245,000; the lawsuit was filed on September 16, 2014, in San Francisco Superior Court, Case No. CGC-14-541671; entitled Gary Frank and Debbie Frank v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage arising from flooding. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**160739 [Settlement of Lawsuit - Jack K. Frazier - \$4,990,000]**

Ordinance authorizing settlement of the lawsuit filed by Jack K. Frazier against the City and County of San Francisco for \$4,990,000; the lawsuit was filed on October 28, 2013, in San Francisco Superior Court, Case No. CGC-13-535089; entitled Jack K. Frazier v. City and County of San Francisco, et al.; the lawsuit involves personal injury due to collision with fire truck; other material terms of the settlement are that defendant Michael Quinn pay plaintiff \$10,000. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**160769 [Waiving Competitive Process Requirement - Lease Agreement - Amoura International, Inc. - Interim Employee Café]**

Ordinance waiving the competitive process requirement of Administrative Code, Section 2A.173, for a lease agreement between Amoura International, Inc., and the City and County of San Francisco, by and through its Airport Commission, for an interim employee café at Airport Terminal 1. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 160770 [Settlement of Lawsuit - Sadeq Naji - \$30,000]**  
Ordinance authorizing settlement of the lawsuit filed by Sadeq Naji against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 3, 2015, in San Francisco Superior Court, Case No. CGC 15-543936; entitled Sadeq Naji v. City and County of San Francisco; San Francisco Public Library; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **PROPOSED RESOLUTIONS**

- 160740 [Settlement of Unlitigated Claims - Jacobs Engineering Group, Inc. - \$168,556]**  
Resolution approving the settlement of the unlitigated claims between Jacobs Engineering Group, Inc. ("Jacobs") and the City and County of San Francisco for \$168,556; no formal claim has been filed; the potential claim involves Jacobs' demand for payment of the entire withheld contract balance of \$337,111 under its Construction Management Services Agreement with the City, Contract No. CS-914 (the "CM Contract") related to water pipeline installation contract as part of the City's Water System Improvement Program; additional material terms of the settlement are the parties' mutual release of claims. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 160741 [Contract Agreement - FSP PPM Management, LLC - Curbside Management Program - Not to Exceed \$19,522,294]**  
Resolution approving the award of Professional Services Agreement, Airport Contract No. 50085, to FSP PPM Management, LLC, to manage and staff the Curbside Management Program in an amount not-to-exceed \$19,522,294 for a period of four years effective July 1, 2016, ending June 30, 2020, with one one-year renewal option, pursuant to Charter, Section 9.118(b). (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 160742 [Airport Professional Services Agreement Modification - Polaris Research and Development, Inc. - Information Booth Program - \$10,795,274]**  
Resolution approving Modification No. 6 to Professional Services Agreement, Airport Contract No. 9075 to operate the Airport's Information Booth Program between Polaris Research and Development, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$10,795,274 for the term of June 30, 2011, through December 31, 2016, pursuant to Charter, Section 9.118(b). (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 160743 [Real Property Lease Amendment - Mission Valley Rock, Co. - Sunol, California - \$29,700]**  
Resolution authorizing the amendment of Mission Valley Rock, Co.'s lease of property from the City and County of San Francisco, to reduce the size of the leased premises to accommodate the San Francisco Public Utilities Commission (SFPUC) Sunol Long Term Improvements Project, Project No. CUW27701, in consideration of City's payment of \$29,700 and reimbursement of certain expenses; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31; and authorizing the Director of Property and/or the SFPUC General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**160771 [Settlement of Unlitigated Claim - United States Environmental Protection Agency - Yosemite Slough Sediment Site]**

Resolution approving settlement of United States Environmental Protection Agency's ("EPA") unlitigated claim against the City and County of San Francisco; no formal claim has been filed; the settlement resolves EPA's claims against the City to perform pre-design technical studies in support of cleanup of the Yosemite Slough Sediment Site; the settlement requires the City and three other government entities to perform four technical studies at an estimated cost of \$225,000 to be divided equally between four parties; additional material terms of the settlement are that the City will contract with a third party environmental consultant for performance of the studies, the City will assume responsibility for completion of the work pursuant to the settlement agreement, the City will assume responsibility and indemnify EPA for any stipulated penalties or claims arising in connection with performance of the work under the agreement, and the City will reimburse EPA for 25% of future response costs. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**160772 [Settlement of Unlitigated Claim - Landmark American Insurance Company and RSUI Indemnity Company - City to Receive \$700,000]**

Resolution approving settlement of the unlitigated claim of the City and County of San Francisco against Landmark American Insurance Company and RSUI Indemnity Company for \$700,000; the claim involves attorney's fees and costs incurred by the City defending claims and actions related to the water main break in the area of the 2600 and 2700 blocks of 15th Avenue and the 300 and 400 blocks of Wawona Street on February 27, 2013. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.



**Clerk to Act - July 12, 2016**

**Board Meeting Minutes for June 7, 2016 and the June 8, 2016, Special Budget and Finance Committee Meeting Minutes approved.**

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

**In Memoriam**

Craig M. Cook - President Breed

Dorothy "Teri" Whitfield - President Breed

Violet Feldman - President Breed

Clifton P. Wong - Supervisor Peskin