

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, February 12, 2019

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

- 190045 [Building, Business and Tax Regulations Codes - Temporary Homeless Shelter Provisions During Shelter Crisis]**
Sponsors: Mayor; Brown, Walton, Haney, Mandelman and Stefani
Ordinance amending the Building Code to adopt standards for constructing homeless shelters, and to create an alternative approval procedure for homeless shelters, during a shelter crisis, pursuant to California Government Code, Section 8698.4; amending the Business and Tax Regulations Code to provide for an expedited permit appeals process for homeless shelters during a shelter crisis; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission and the California Department of Housing and Community Development upon final passage. SUBSTITUTED AND ASSIGNED to Rules Committee.
- 190047 [Administrative, Planning Codes - Streamlined Contracting for Homeless Services and Siting for Homeless Shelters]**
Sponsors: Mayor; Brown, Walton, Haney, Mandelman and Stefani
Ordinance amending the Administrative Code and Planning Code to authorize the Departments of Homelessness and Supportive Housing (HSH) and Public Works to enter into and amend contracts without requiring competitive bidding for construction work and professional and other services relating to sites and programs for people experiencing homelessness; permitting Homeless Shelters in PDR (Production Distribution Repair) and SALI (Service/Arts/Light Industrial) districts; authorizing HSH to operate Navigation Centers for more than two years; 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 Rules Committee.

190163 [Settlement of Lawsuit - 1049 Market Street, LLC - \$2,400,000 Loan - Tenderloin Housing Clinic]

Sponsors: Mayor; Haney

Ordinance authorizing settlement of multiple lawsuits filed by 1049 Market Street, LLC, against the City and County of San Francisco, including 1049 Market Street, LLC v. City and County of San Francisco, et al. (U.S. District Court, Northern District of California, Case No. 4:15-cv-02075 filed on May 8, 2015), 1049 Market Street, LLC v. Miller, et al. (San Francisco Superior Court, Case No. CGC-15-545950 filed on May 21, 2015; 1st Circuit Court of Appeal No. A148716), 1049 Market Street, LLC v. City and County of San Francisco (San Francisco Superior Court, Case No. CPF-16-515046 filed on May 23, 2016), 1049 Market Street, LLC v. City and County of San Francisco (San Francisco Superior Court, Case No. CGC-15-547161 filed on August 3, 2015), 1049 Market Street, LLC v. City and County of San Francisco (San Francisco Superior Court, Case No. CPF-17-515754 filed on June 30, 2017), and 1049 Market Street, LLC v. City and County of San Francisco (San Francisco Superior Court, Case No. CGC-17-559890 filed on June 30, 2017); the lawsuits challenge the City's enforcement of the Planning Code's requirements for a Conditional Use Authorization for elimination of residential uses and the City's enforcement of Planning and Building Code violations against the property owners of 1049 Market Street; upon the grant of additional discretionary City approvals, the settlement would legalize commercial use of portions of the building and provide fifteen units of affordable housing, with priority for artists, at 1049 Market Street through the purchase and retrofit of the second floor of the building by Tenderloin Housing Clinic ("THC"); the settlement would provide for a loan in the amount of \$2,400,000 by the City to THC to permanently finance THC's purchase of an interest in the building for the purpose of affordable housing and additional funds to retrofit residential units. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

190164 [Police Code - Acceptance of Cash by Brick-and-Mortar Businesses]

Sponsors: Brown; Safai

Ordinance amending the Police Code to require, in general, that brick-and-mortar businesses accept payment in cash. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.

190165 [Planning Code - Legitimization Program for Non-Residential Uses at 3150-18th Street]

Sponsors: Ronen; Brown

Ordinance amending the Planning Code to establish a legitimization program for certain Non-Residential Uses at 3150-18th Street (Assessor's Parcel Block No. 3573, Lot No. 106); 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 to Land Use and Transportation Committee.

RESOLUTIONS

190166 [Lease of City Property - La Cocina, Inc. - 101 Hyde Street - Annual Base Rent \$12,000]

Sponsors: Mayor; Haney

Resolution authorizing the Director of Property to execute a commercial lease between the City and County of San Francisco and La Cocina, Inc., for the lease of City-owned property located at 101 Hyde Street for a term to commence upon full execution of the lease through December 31, 2025, for an annual base rent of \$12,000 plus percentage rent of net income and a \$1,465,000 allowance for tenant improvements; adopting California Environmental Quality Act findings; and making findings that the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Committee.

190167 [Accept and Expend Gift - San Francisco Foundation - 101 Hyde Street - \$1,000,000]

Sponsors: Mayor; Haney

Resolution authorizing the Mayor's Office of Housing and Community Development to accept and expend a gift of \$1,000,000 from the San Francisco Foundation to the Neighborhood Development Special Revenue Fund; and approving the City's use of those funds for the interim activation of City property located at 101 Hyde Street. RECEIVED AND ASSIGNED to Budget and Finance Committee.

190168 [Accept and Expend Grant - San Francisco Bay Area Rapid Transit District - Pit Stop Public Toilet Program - \$225,000]

Sponsor: Mayor

Resolution retroactively authorizing Public Works to accept and expend a grant in an amount up to \$225,000 from the San Francisco Bay Area Rapid Transit District (BART) for the Pit Stop Public Toilet Program for the period of July 1, 2018, through June 30, 2019. (Public Works). RECEIVED AND ASSIGNED to Budget and Finance Committee.

190169 [Accept and Expend Grant - Federal Emergency Management Agency - Rescue Boat - \$399,562]

Sponsors: Mayor; Stefani

Resolution authorizing the Fire Department to accept and expend a grant in the amount of \$399,562 from the Federal Emergency Management Agency to purchase a rescue boat, for the period of September 1, 2018, through August 31, 2021, and waiving indirect costs. (Fire Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

190170 [Accept and Expend Grant - Federal Emergency Management Agency - Rescue Tools and Defibrillators - \$2,733,591]

Sponsor: Mayor

Resolution authorizing the Fire Department to accept and expend a grant in the amount of \$2,733,591 from the Federal Emergency Management Agency to purchase rescue tools and defibrillators, for the period of September 14, 2018, through September 13, 2019, and waiving indirect costs. (Fire Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 190171 [Accept and Expend Gift - JNJ Roof Prop - Fire Department Training Division - \$24,417]**
Sponsors: Mayor; Brown
 Resolution authorizing the Fire Department to accept and expend a donation of a roof training prop valued at \$24,417 from JNJ Roof Prop for the Fire Department's Training Division. (Fire Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 190172 [Accept and Expend Gift - Friends of Laguna Honda - Equipment Materials, Supplies and Services - \$141,000]**
Sponsor: Mayor
 Resolution retroactively authorizing the Department of Public Health to accept and expend a monetary gift in the amount of \$141,000 from the Friends of Laguna Honda to the Laguna Honda Hospital Gift Fund for the purchase of equipment materials, supplies, and services for residents at Laguna Honda who are otherwise unable to obtain them, for the period of July 1, 2018, through June 30, 2019. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 190173 [Adopting the Vision, Goals and Objectives of The Bay Area Comprehensive Economic Development Strategy - Establish a Bay Area Regional Economic Development District]**
Sponsors: Mayor; Haney
 Resolution adopting the Vision, Goals and Objectives of The Bay Area Comprehensive Economic Development Strategy to establish an eight county regional Economic Development District recognized by the United States Economic Development Administration, to improve access to economic and workforce related grants and technical assistance from federal and state agencies and private foundations to foster greater public and private collaboration in addressing economic, workforce, and equity issues that no single jurisdiction, organization, or enterprise can solve alone. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190174 [Urging San Francisco Public Utilities Commission to Report on a Plan for Building Renewable Power Facilities on City-Owned Property]**
Sponsors: Fewer; Peskin
 Resolution urging the San Francisco Public Utilities Commission to include in their preliminary report to the Mayor regarding PG&E, a plan to build out renewable power facilities on City-owned property. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190175 [Supporting California State Senate Bill No. 233 (Wiener) - Immunity From Arrest]**
Sponsors: Haney; Ronen
 Resolution supporting California State Senate Bill No. 233, authored by Senator Scott Wiener and co-authored by Assembly Members Bill Quirk and Laura Friedman, establishing protections for sex workers when reporting a crime and preventing condoms from being used as probable cause to arrest those suspected of sex work. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190176 [Urging Plan Approval - Interdepartmental Staff Committee on Traffic and Transportation - How Weird Street Faire Admission Fee]**
Sponsor: Haney
 Resolution urging the Interdepartmental Staff Committee on Traffic and Transportation to approve a proposed plan to allow the How Weird Street Faire to charge an admission fee. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

190177 [Nominating Supervisor Peskin for Re-Appointment to California Coastal Commission]
Sponsor: Stefani
Resolution nominating Supervisor Aaron Peskin for the North Coast Central seat on the California Coastal Commission. RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

190178 [Hearing - Open Air Drug Dealing - Tenderloin, Mid-Market, and South of Market]
Sponsor: Haney
Hearing on the City's response to open air drug dealing in the Tenderloin, Mid-Market, and South of Market; and requesting the Police Department, District Attorney, Public Defender, Sheriff, Adult Probation Department, Public Works, Department of Public Health, and Office of Economic and Workforce Development to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

190179 [Hearing - Sexual Orientation and Gender Identity Data]
Sponsor: Mandelman
Hearing on the City's collection and analysis of Sexual Orientation and Gender Identity (SOGI) data; and requesting the Department of Public Health, Mayor's Office of Housing and Community Development, Department of Human Services, Department of Aging and Adult Services, Department of Children, Youth and their Families, and Department of Homelessness and Supportive Housing to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

190180 [Hearing - Initiative Ordinance - Campaign and Governmental Conduct Code - Sunlight on Dark Money Initiative]
Sponsors: Mar; Ronen, Fewer, Peskin, Haney, Mandelman, Yee, Walton and Brown
Hearing to consider the proposed initiative ordinance submitted by four or more Supervisors to the voters at the November 5, 2019, Election, entitled "Sunlight on Dark Money Initiative," an Ordinance amending the Campaign and Governmental Conduct Code to expand disclosure requirements for independent expenditure committee advertisements, prohibiting campaign contributions from limited liability corporations and limited liability partnerships, and prohibiting campaign contributions to candidates for certain offices from individuals associated with land use decisions that may be decided by those offices. RECEIVED AND ASSIGNED to Rules Committee.

190181 [Hearing - Language Access, Emergency Response Protocols, and Response Time - Police, Fire, and Emergency Management]
Sponsors: Safai; Yee and Mar
Hearing on language access, emergency response protocol, and response time when responding to emergency calls for service; namely, but not limited to, the robbery of the Good Orchard Bakery in District 11, mid-January 2019; and requesting the Department of Emergency Management, Police Department, and Fire Department to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

- 190182 [Hearing - Geary/Parker Gas Line Explosion]**
Sponsors: Stefani; Fewer
Hearing on the Geary/Parker gas line explosion on February 6, 2019, to conduct a full review of the incident including: actions and events leading up to the execution of the construction on-site, the cause of the incident, notification and coordination of response, and examination of each entity's role in the actual response to incident; and requesting Pacific Gas and Electric, Verizon, Department of Emergency Management, Fire Department, Public Utilities Commission, Department of Building Inspection, and Public Works to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 190183 [Hearing - Oversight on the Sheriff's Department]**
Sponsor: Walton
Hearing to inquire why the Sheriff's Department, as a law enforcement agency, lacks an oversight body in light of recent reports of guards mistreating inmates; and requesting the Department of Police Accountability, Sheriff, Public Defender, and District Attorney to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 190184 [Hearing - Illegal Dumping - District 10]**
Sponsor: Walton
Hearing to identify the scope of illegal dumping in District 10, current resources that Public Works has devoted to curb illegal dumping, and long term plans to reduce illegal dumping; and requesting Public Works, Director Mohammed Nuru, Recology San Francisco, and 311 to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 190185 [Closed Session - Existing Litigation - American Beverage Association, California Retailers Association, and California State Outdoor Advertising Association - February 26, 2019]**
Closed Session for the Board of Supervisors to convene on February 26, 2019, for the purpose of conferring with, or receiving advice from, the City Attorney, under California Government Code, Section 54956.9(a), and Administrative Code, Section 67.10(d)(1), regarding the following existing litigation in which the City is a defendant and appellee, American Beverage Association, California Retailers Association, and California State Outdoor Advertising Association v. City and County of San Francisco, Ninth Circuit Court of Appeals Case Nos. 16-16072 and 16-16073, filed in the United States District Court for the Northern District of California on July 24, 2015; scheduled pursuant to Motion No. M19-032, approved February 12, 2019. (Clerk of the Board). RECEIVED AND ASSIGNED to Board of Supervisors.

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

- 190136 [Various Department of Building Inspection Codes - Technical Corrections to Existing Code]**
Ordinance amending various sections of the Building, Existing Building, Plumbing, Electrical, and Housing Codes to correct or clarify existing Code language, re-enact a longstanding permit requirement for fences with the finding required by the California Health and Safety Code, and add enforcement provisions for the Building Facade Inspection and Maintenance Program; affirming the Planning Department's determination under the California Environmental Quality Act; adopting a finding under the California Health and Safety Code; and directing the Clerk to forward this Ordinance to the California Building Standards Commission upon final passage. (Building Inspection Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 190137 [Settlement of Lawsuit - Logan Rachel Ury - \$80,000]**
Ordinance authorizing settlement of the lawsuit filed by Logan Rachel Ury against the City and County of San Francisco for \$80,000; the lawsuit was filed on February 14, 2017, in San Francisco Superior Court, Case No. CGC-17-557062; entitled Logan Rachel Ury v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury in Golden Gate Park. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

- 190138 [Settlement of Unlitigated Claim - Antrea Investments & Trading LLC - \$41,163.13]**
Resolution approving the settlement of the unlitigated claim filed by Antrea Investments & Trading LLC against the City and County of San Francisco for \$41,163.13; the claim was filed on September 21, 2008; the claim involves alleged property damage arising from a six-inch water main break. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 190139 [Real Property Lease Extension - SF Industrial 1 - 1740 Cesar Chavez Street - \$419,760 Initial Annual Base Rent]**
Resolution authorizing the Director of Real Estate to exercise a Lease Extension for the real property located at 1740 Cesar Chavez Street with SF Industrial 1, as Landlord, for a five-year term to commence on April 1, 2019, through March 31, 2024, and a five-year option to extend at the monthly base rent of \$34,980 for a total initial annual base rent of \$419,760 with a 3% annual increase. (Human Resources Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act - February 12, 2019

Board Meeting Minutes for January 8, 2019 approved.

Requests Granted

None

In Memoriam

Kim Bok-Dong Halmoni - Supervisor Mar