

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, February 26, 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

190214 [Building Code - Fee Waiver for 100% Affordable Housing and Accessory Dwelling Units]

Sponsors: Mayor; Brown and Mar

Ordinance amending the Building Code to waive specified fees for 100% affordable housing projects, as defined herein, and accessory dwelling unit projects for an approximately one-year pilot program; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

190215 [Mission Bay South - Mission Bay Park P5 Acceptance and Naming Mission Bay Dog Park]

Sponsor: Haney

Ordinance dedicating property under City jurisdiction and located on a portion of State Trust Parcel 2, commonly known as Mission Bay Park P5, adjacent to El Dorado Street North and El Dorado Street South between Channel Street and Long Bridge Street, as open public right-of-way in Mission Bay South; naming the new park "Mission Bay Dog Park;" accepting an irrevocable offer for the acquisition facilities that comprise the park improvements; designating said facilities for public open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations, as defined herein; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; approving a Public Works Order; and authorizing official acts in connection with this Ordinance, as defined herein. ASSIGNED to Land Use and Transportation Committee.

190216 [Administrative Code - Mayoral Question-and-Answer Session at the Board of Supervisors]

Sponsor: Mar

Ordinance amending the Administrative Code to authorize the Clerk of the Board of Supervisors to modify deadlines for submission of question topics by Supervisors in advance of the Mayor's appearance at the Board of Supervisors for a question-and-answer session. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

RESOLUTIONS

- 190217 [Accept and Expend Grant - Retroactive - Association of Bay Area Governments - Bay Area Regional Network - Energy Efficiency Program Implementation - \$2,948,331]**
Sponsors: Mayor; Brown
Resolution retroactively authorizing the Department of the Environment to accept and expend grant funds from the Association of Bay Area Governments in the amount of \$2,948,331 to perform energy efficiency program implementation, as part of the Bay Area Regional Energy Network Program, an energy efficiency program, for the term of January 1, 2019, to December 31, 2019. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190218 [Accept and Expend In-Kind Grant - Retroactive - Trust for Public Land - Gene Friend Recreation Center Feasibility Study and Concept Design - \$520,500]**
Sponsors: Mayor; Haney
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant from the Trust for Public Land in the amount of up to \$520,500 for a feasibility study and concept design for improvements to the Eugene L. Friend Recreation Center ("Gene Friend Recreation Center") for the project term of October 2, 2018, through March 31, 2019. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190219 [Accept and Expend Grant - Bay-Peninsula Regional Planning Unit - North Valley Consortium Workforce Development Board - Tech Sector Apprenticeship System Design - \$176,532]**
Sponsors: Mayor; Walton
Resolution authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of \$176,532 from the Bay-Peninsula Regional Planning Unit's fiscal agent, the North Valley Consortium (NOVA) Workforce Board, to develop a regional tech sector apprenticeship network and a strategy for a Bay Area apprenticeship model within one or more occupations within the tech sector, for the period of April 1, 2019, through September 30, 2020. (Department of Economic and Workforce Development). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190220 [Accept and Expend Grant - California State Senate Bill 1 Local Partnership Program - Alemany Boulevard Pavement Renovation - \$1,750,000]**
Sponsors: Mayor; Safai
Resolution authorizing the acceptance and expenditure of California State Senate Bill 1 Local Partnership Program formulaic funding in the amount of \$1,750,000 for San Francisco Public Works' Alemany Boulevard Pavement Renovation project. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190221 [Supporting California State Assembly Bill No. 362 (Eggman, Wiener, Friedman) - Three-Year Pilot Program for Supervised Drug Consumption]**
Sponsors: Haney; Walton, Ronen and Brown
Resolution supporting California State Assembly Bill No. 362, introduced by Assembly Member Susan Eggman, authored by Senator Scott Wiener and co-authored by Assembly Member Laura Friedman, creating a three-year pilot program allowing San Francisco to implement an overdose prevention program through the operation of safe injection sites. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

- 190222 [Declaring a Climate Emergency in San Francisco]**
Sponsors: Mandelman; Fewer, Peskin, Mar, Brown, Haney and Yee
 Resolution declaring a climate emergency in San Francisco; and requesting immediate and accelerated action to address the climate crisis and limit global warming to 1.5 degrees Celsius. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 190223 [Supporting an Irish Famine Memorial]**
Sponsors: Mar; Haney, Peskin, Yee and Safai
 Resolution supporting a permanent memorial in San Francisco for the victims and survivors of the Irish Famine, also known as the Great Hunger. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190224 [Supporting California State Assembly Bill No. 1611 (Chiu) - Emergency Hospital Services]**
Sponsors: Peskin; Yee, Safai, Ronen, Fewer, Stefani, Brown, Mar and Walton
 Resolution supporting California State Assembly Bill No. 1611, authored by Assembly Member David Chiu, which would extend consumer protections from the practice of “balance billing” to all privately-insured patients at San Francisco General Hospital. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190225 [Approval of a 90-Day Retroactive Extension for Planning Commission Review of Accessory Dwelling Units in New Construction (File No. 181156)]**
Sponsor: Safai
 Resolution retroactively extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 181156) amending the Planning Code and Business and Tax Regulations Code to authorize the addition of an Accessory Dwelling Unit (ADU) in the construction of a new single-family or multi-family building; clarify the ministerial approval process and create an expedited Board of Appeals process for certain ADUs in single-family homes meeting specific requirements; affirming the Planning Department’s California Environmental Quality Act determination; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190226 [Accept and Expend Grant - Retroactive - California Department of Insurance - Workers’ Compensation Insurance Fraud Program - \$801,148]**
Sponsor: Stefani
 Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$801,148 from the California Department of Insurance for the Workers’ Compensation Insurance Fraud Program for the grant period of July 1, 2018, through June 30, 2019. (District Attorney). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190227 [Accept and Expend Grant - Retroactive - California Department of Insurance - Automobile Insurance Fraud Program - \$298,336]**
Sponsor: Stefani
 Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$298,336 from the California Department of Insurance for the Automobile Insurance Fraud Program for the grant period of July 1, 2018, through June 30, 2019. (District Attorney). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 190228 [Accept and Expend Grant - Retroactive - California Governor's Office of Emergency Services - Victim Witness Assistance Program - \$1,549,288]**
Sponsor: Stefani
 Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$1,549,288 from the California Governor's Office of Emergency Services for the Victim Witness Assistance Program for the grant period of October 1, 2018, through September 30, 2019. (District Attorney). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190229 [Supporting California State Senate Bill No. 281 (Wiener) - Cow Palace Joint Powers Authority]**
Sponsors: Stefani; Brown, Walton and Mar
 Resolution supporting California State Senate Bill No. 281, authored by Senator Scott Wiener, prohibiting the sales of firearms and ammunition at the Cow Palace in Daly City and requiring the formation of the Cow Palace Joint Powers Authority to develop the property; implementation would begin January 1, 2020. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190230 [Interim Zoning Controls - Conditional Use Authorization for Conversion of Child Care Facilities to Other Uses]**
Sponsors: Yee; Mar and Fewer
 Resolution imposing interim zoning controls for 18 months to require a Conditional Use authorization and specified findings for a proposed change of use from a Child Care Facility to another use; 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.

MOTIONS

- 190209 [Mayoral Reappointment, Historic Preservation Commission - Richard Johns]**
 Motion approving/rejecting the Mayor's nomination of Richard Johns for reappointment to the Historic Preservation Commission, for a term ending December 31, 2022. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.
- 190210 [Mayoral Appointment, Historic Preservation Commission - Kate Black]**
 Motion approving/rejecting the Mayor's nomination of Kate Black for appointment to the Historic Preservation Commission, for a term ending December 31, 2022. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.
- 190211 [Mayoral Reappointment, Historic Preservation Commission - Andrew Wolfram]**
 Motion approving/rejecting the Mayor's nomination of Andrew Wolfram for reappointment to the Historic Preservation Commission, for a term ending December 31, 2022. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

190231 [Closed Session - Existing Litigation - Tax Measures Adopted by the Voters at the June 5, 2018, and November 6, 2018 Municipal Elections - March 19, 2019]
Motion that the Board of Supervisors convene in closed session on March 19, 2019, pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding existing litigation in which the City is a defendant, Howard Jarvis Taxpayers Ass'n, Building Owners and Managers Ass'n of California, California Business Properties Ass'n, and California Business Roundtable v. City and County of San Francisco and All Persons Interested in the Matter of Proposition C of the June 2018 Ballot, Case No. CGC 18-568657, filed in San Francisco Superior Court on August 3, 2018; existing litigation in which the City is a plaintiff, City and County of San Francisco v. All Persons Interested in the Matter of Proposition G on the June 5, 2018, San Francisco Ballot, Case No. CGC 18-569987, filed in San Francisco Superior Court on September 21, 2018; and existing litigation in which the City is a plaintiff, City and County of San Francisco v. All Persons Interested in the Matter of Proposition C on the November 6, 2018, San Francisco Ballot, Case No. CGC 19-573230, filed in San Francisco Superior Court on January 28, 2019. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUESTS FOR HEARING

- 190232 [Hearing - Police Department General Orders - Public Release of Private Information]**
Sponsors: Fewer; Ronen, Mar, Brown, Yee, Peskin, Haney, Mandelman, Safai and Walton
Hearing on the Police Department's general orders governing the public release of private information; and requesting the Police Department and City Attorney to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 190233 [Hearing - Mayoral Appointment, Retirement Board - Scott Heldfond]**
Sponsors: Peskin; Ronen
Hearing to consider the Mayor's appointment of Scott Heldfond to the Retirement Board, for a four year term ending February 20, 2023. RECEIVED AND ASSIGNED to Rules Committee.
- 190234 [Hearing - Chariot Shutdown's Impact on Transportation]**
Sponsor: Stefani
Hearing to examine the impacts of the Chariot shutdown on transportation in San Francisco, including how Chariot riders have adapted to the loss of the service, and to explain the steps the Municipal Transportation Agency (SFMTA) is taking to provide transportation options to former riders; and requesting the SFMTA to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 190235 [Hearing - Safety Improvement Plans - Street Cleaning Truck Operations]**
Sponsors: Yee; Walton
Hearing on safety improvement plans of Public Works' street cleaning truck operations; and requesting Public Works to report. RECEIVED AND ASSIGNED to Government Audit and Oversight 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

- 190188 [Planning Code - Amending Landmark Designation - 906 Broadway (Iglesia de Nuestra Señora de Guadalupe/Our Lady of Guadalupe Church)]**
Ordinance amending the Landmark Designation for Landmark No. 204, 906 Broadway (Iglesia de Nuestra Señora de Guadalupe/Our Lady of Guadalupe Church), Assessor's Parcel Block No. 0149, Lot No. 009, under Article 10 of the Planning Code, to confirm the exterior features that should be preserved or replaced in kind, and to add interior features to the designation; 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 findings under Planning Code, Section 302. (Historic Preservation Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 190189 [Settlement of Lawsuit - Jamal Rashid Trulove - \$13,100,000]**
Ordinance authorizing settlement of the lawsuit filed by Jamal Rashid Trulove against the City and County of San Francisco for \$13,100,000; the lawsuit was filed on January 7, 2016, in United States District Court, Case No. 16-cv-00050; entitled Jamal Rashid Trulove v. Maureen D'Amico et al.; the lawsuit involves alleged unlawful prosecution and incarceration. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

- 190190 [Settlement of Unlitigated Claim - One Nob Hill Associates, LLC - \$65,250]**
Resolution approving the settlement of the unlitigated claim filed by One Nob Hill Associates, LLC against the City and County of San Francisco for \$65,250; the claim was filed on February 28, 2018; the claim involves an alleged overpayment of real property transfer tax. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 190191 [Lease Agreement - Hudson Group (HG) Retail, LLC, RDJ Enterprises, LLC, and Stewart Manhattan Investments, Inc., a JV dba HG SFO Retailers 2017 JV - Boarding Area C Retail Concession Lease No. 1 - Lease No. 18-0367 - \$1,800,000 Minimum Annual Guarantee]**
Resolution approving the Boarding Area C Retail Concession Lease No. 1 - Lease No.18-0367, between Hudson Group (HG) Retail, LLC, RDJ Enterprises, LLC, and Stewart Manhattan Investments, Inc., a Joint Venture dba HG SFO Retailers 2017 JV, as joint tenants, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years with two one-year options to extend, and a minimum annual guarantee of \$1,800,000 for the first year of the Lease, to commence upon Board approval. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 190192 [Contract Approval - Retroactive - Dominion Voting Systems, Inc. - Voting System - Not to Exceed \$12,660,000]**
Resolution retroactively approving a contract agreement between the City and County of San Francisco, by and through its Department of Elections, and Dominion Voting Systems, Inc., for the lease of a voting system, a license to use the voting system software, and related maintenance and support services, for four years for a contract term from January 1, 2019, through March 31, 2023, in an amount not to exceed \$8,460,000 and with two one-year options to extend, in a total contract amount not to exceed \$12,660,000. (Elections Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190193 [Termination of Lease - Orchard Supply Company, LLC - 900 El Camino Real, Millbrae - \$1,304,915]**
Resolution approving the terms and conditions of, and authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to execute a Termination of Lease between the City and County of San Francisco, through its Public Utilities Commission as Landlord, and Orchard Supply Company, LLC as Tenant, for a portion of SFPUC Parcel 29, representing approximately 4.438 acres of land, in Millbrae, California at a ground rental rate of approximately \$1,304,915 per year over the remaining five-year term of the Lease, with a termination date of April 30, 2019. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Clerk to Act - February 26, 2019

Board Meeting Minutes for January 15, 2019 approved.

Requests Granted

None

In Memoriam

Gwendolyn Hill - Supervisor Peskin

John Cunnie - Supervisor Stefani

Michael Palmer - Board President Yee

Jeff Adachi - Entire Board