

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, February 28, 2017

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

- 170200 [Appropriation - Capital Improvement Projects - \$4,832,455,418 - FY2016-2017]**
Sponsor: Mayor
Ordinance appropriating \$4,832,455,418 of proceeds from the sale of revenue bonds or commercial paper for capital improvement projects to the Airport Commission for FY2016-2017, and placing the total appropriation of \$4,832,455,418 on Controller's Reserve pending receipt of proceeds of indebtedness. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.
- 170201 [Appropriation - Sales Proceeds of City Property for \$122,000,000 and Proceeds from Certificates of Participation for \$321,765,000 to the General Service Agency - FY2016-2017]**
Sponsor: Mayor
Ordinance appropriating \$122,000,000 sales proceeds of City property and \$321,765,000 of proceeds from Certificates of Participation to fund the retirement and defeasance of Series 2001A & 2007A Certificates of Participation, and to fund the development costs of the potential office building development and related FF&E (furniture, fixture, or other equipment), technology, and moving costs in FY2016-2017, and placing a total \$443,765,000 of proceeds on Controller's Reserve pending sales of the buildings and sales of the Certificates of Participation. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.
- 170202 [Green Building Code - Requirements for Installation of Electric Vehicle Chargers]**
Sponsors: Mayor; Tang
Ordinance amending the Green Building Code to establish requirements for installation of electric vehicle charger infrastructure in new buildings or buildings undergoing major alterations; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

- 170203 [Planning Code - Article 7 Reorganization; Technical and Other Amendments]**
Sponsor: Mayor
Ordinance amending the Planning Code to reorganize Article 7 and to update, correct, clarify, and simplify Code language in other Planning Code Sections; requiring Conditional Use authorization for Bars, and Liquor Stores on the first floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts (“NCDs”); enacting permanent controls requiring Conditional Use authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah NCDs; require Conditional Use authorization for Personal Services on the second floor in the Noriega, Irving, Taraval, and Judah NCDs; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or merge of units on the second story and above in the North Beach NCD; preserve the small storefronts, street frontage and prohibit vehicular access on certain streets within the North Beach NCD and “SUD”); create the definition of Special Food Manufacturing and amending the Eating and Drinking Controls for the North Beach SUD; 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 adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 170204 [Planning Code - Deletion of Duplicate Definitions and Outdated Article 7 Zoning Control Tables]**
Sponsor: Mayor
Ordinance amending Planning Code, Article 7, to delete Zoning Control Tables that are superseded by new Zoning Control Tables in a companion ordinance and to delete duplicate definitions previously relocated to Article 2 and related outdated text; 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.
- 170205 [Administrative Code - Citywide Project Labor Agreement for Public Work or Improvement Projects]**
Sponsors: Farrell; Safai, Sheehy, Yee, Cohen, Ronen and Breed
Ordinance amending the Administrative Code to require a citywide project labor agreement applicable to certain public work or improvement projects with projected costs over \$1,000,000 or where delay in completing the project may interrupt or delay services or use of facilities that are important to the City’s essential operations or infrastructure. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 170206 [Planning Code - Off-Street Parking and Loading Requirements]**
Sponsor: Farrell
Ordinance amending the Planning Code to clarify and consolidate language, delete redundancies and outdated provisions, correct typographical errors and erroneous cross-references, and make minor substantive changes to update provisions in various sections that deal with parking and loading 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. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

- 161351 [Planning Code - Inclusionary Affordable Housing Fee and Requirements]**
Sponsors: Kim; Peskin
Ordinance amending the Planning Code to revise the amount of the Inclusionary Affordable Housing Fee and the On-Site and Off-Site Affordable Housing Alternatives and other Inclusionary Housing requirements; adding reporting requirements for density bonus projects; affirming the Planning Department's determination under the California Environmental Quality Act; making findings 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.
- 170208 [Planning Code - Inclusionary Affordable Housing Fee and Dwelling Unit Mix Requirements]**
Sponsors: Safai; Breed and Tang
Ordinance amending the Planning Code to revise the amount of the Inclusionary Affordable Housing Fee and the On-Site and Off-Site Affordable Housing Alternatives and other Inclusionary Housing requirements; to require minimum dwelling unit mix in all residential districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, 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. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 170209 [Police Code - Bicycle Chop Shops]**
Sponsor: Sheehy
Ordinance amending the Police Code to prohibit the assembly, disassembly, sale, offer of sale, distribution, or offer of distribution on public property or public rights-of-way of bicycles and bicycle parts, under certain conditions and with certain exceptions; authorize the Police Department (SFPD) to seize bicycles and bicycle parts following violations of this prohibition; and require SFPD to return seized items to their rightful owners without charging any fees, except that SFPD may charge an impound fee if the rightful owner consented to or participated in the acts that led to the seizure. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 170210 [Administrative, Environment Codes - Zero Emission Vehicle Requirements for City Fleet]**
Sponsors: Tang; Farrell
Ordinance amending the Administrative and Environment Codes to require that any new passenger vehicle procured for the City fleet be a Zero Emission Vehicle, absent a waiver, and that all passenger vehicles in the City fleet be Zero Emission Vehicles by December 31, 2020; and to encourage selection of Zero Emission Vehicles in other vehicle classes as technology improves. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

Resolutions

- 170211 [Airport Commission Capital Plan Bonds - \$4,358,694,227 - Airport Commission Commercial Paper Notes - \$100,000,000]**
Sponsor: Mayor
Resolution approving the issuance of up to an additional \$4,358,694,227 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds to finance and refinance Airport Capital Plan projects; approving the issuance and re-issuance from time to time of up to an additional \$100,000,000 aggregate principal amount of San Francisco International Airport Subordinate Commercial Paper Notes for any lawful Airport purpose; and ratifying and confirming certain Resolutions of the Board and the Airport Commission related to the foregoing. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 170212 [Ten Year Capital Expenditure Plan - FYs 2018-2027]**
Sponsors: Mayor; Breed
Resolution adopting the City's ten year capital expenditure plan for FYs 2018-2027, pursuant to Administrative Code, Section 3.20. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170213 [Purchase and Sale Agreement - SF Prosperity 2, LLC - 1660 Street and 1680 Mission Street - \$52,000,000]**
Sponsor: Mayor
Resolution approving a purchase and sale agreement by and between the City and County of San Francisco and SF Prosperity 2, LLC, for the sale of City-owned properties located at 1660 Mission Street and 1680 Mission Street for \$52,000,000; including a City lease-back at an annual rent expense of \$3,362,220 increasing by 3% per year for each year after the initial period, with rent to be set at the then fair market rental value prior to the beginning of each extension option exercised, if any, for a period of not more than three years in the initial term, with two one-year options to extend; affirming the Planning Department's determination under the California Environmental Quality Act; and adopting findings that the sale is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 170214 [Purchase and Sale Agreement - Lendlease Development, Inc. - 30 Van Ness Avenue - \$70,000,000]**
Sponsors: Mayor; Kim
Resolution approving a purchase and sale agreement by and between the City and County of San Francisco and Lendlease Development, Inc. for the sale of City-owned property located at 30 Van Ness Avenue for \$70,000,000; including a City lease-back at an annual rent expense of \$4,500,000 increasing by 3% per year after each year of the initial period and at the beginning of each extension option exercised, if any, for a period of not more than three years in the initial term, with two one-year options to extend; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the sale is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and urging the Mayor's Office of Housing and Community Development and the Planning Department to explore certain development strategies relating to affordable housing at the site in connection with any future development. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 170215 [Yerba Buena Community Benefit District - Annual Report to the City - FY2015-2016]**
Sponsor: Kim
 Resolution receiving and approving the annual report for the Yerba Buena Community Benefit District for FY2015-2016, 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.
- 170216 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Exempting Certain Historic Landmarks From November 2016 Proposition X (File No. 161014)]**
Sponsor: Kim
 Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 161014) amending the Planning Code to exempt certain historic landmarks from November 2016 Proposition X, requiring conditional use authorization to replace Production, Distribution, and Repair, Institutional Community, and Arts Activities uses, and providing replacement space for such uses; 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. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 170217 [Urging the California State Legislature to Amend the Revenue and Taxation Code to Enable California Local Jurisdictions to Levy a Personal Income Tax and a Corporate Income Tax]**
Sponsors: Peskin; Fewer, Ronen, Kim, Yee, Safai and Cohen
 Resolution urging the California state legislature to amend the Revenue and Taxation Code to enable local California jurisdictions to levy personal and corporate income taxes, which the City and County of San Francisco could utilize as a sustained source of funding for transportation and public health priorities. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 170218 [Supporting the Bay Area Rapid Transit District's Sanctuary in Transit Policy]**
Sponsor: Sheehy
 Resolution supporting the Bay Area Rapid Transit District's Sanctuary in Transit Policy. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 170219 [Recognizing Problem Gambling Awareness Month - March]**
Sponsors: Yee; Safai and Kim
 Resolution recognizing March as Problem Gambling Awareness Month in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 170220 [Ocean Avenue Community Benefit District - Annual Report to the City - FY2015-2016]**
Sponsor: Yee
 Resolution receiving and approving the annual report for the Ocean Avenue Community Benefit District for FY2015-2016, 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 the the City, Section 3.4. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Requests for Hearing

- 170221 [Hearing - Budget Overview, Projections, and Instructions]**
Sponsor: Cohen
Hearing on the overview of the Budget, Projections, and Instructions; and requesting the Controller's Office and Mayor's Budget Office to report. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170222 [Hearing - Federal Budget Update]**
Sponsor: Cohen
Hearing to receive an update on the federal budget and any related impacts to the City; and requesting the Controller's Office and Mayor's Budget Office to report. RECEIVED AND ASSIGNED to Budget and Finance Federal Select Committee.
- 170223 [Hearing - Status on Planning Enforcement and Compliance Procedures]**
Sponsor: Kim
Hearing to review planning enforcement and code compliance procedures under the Planning Department and the Office of Short Term Rental Administration and Enforcement for the last ten years; and requesting the Planning Department and City Administrator 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 RESOLUTIONS

- 170192 [California Constitution Appropriations Limit - FY2016-2017 - \$3,185,468,215]**
Resolution establishing the appropriations limit of \$3,185,468,215 for FY2016-2017, pursuant to California Constitution, Article XIII B. (Controller). RECEIVED AND ASSIGNED to Budget and Finance Committee.

170193 [Interdepartmental Property Transfer MOU Amendment No. 1 - Central Fleet Maintenance Shop Relocation - Increasing Transfer Price by \$8,578,429 to an Amount Not to Exceed \$82,278,429; Authorizing Construction Phase - Oryx Development I, LLC]

Resolution approving supplemental authorizations for the jurisdictional transfer of 1800 Jerrold Street (portions of Assessor's Parcel Block Nos. 5262 and 5270) from the General Services Agency's Office of Contract Administration ("OCA") to the San Francisco Public Utilities Commission ("SFPUC") Wastewater Enterprise; and the jurisdictional transfer of 555 Selby Street and 1975 Galvez Avenue (Assessor's Parcel Block No. 5250, Lot Nos. 15 and 16), and the leasehold of 450 Toland Street (Assessor's Parcel Block No. 5230, Lot No. 18), from SFPUC to OCA (collectively "Project Site"), subject to Amendment No. 1 to the Memorandum of Understanding previously entered into between the Real Estate Division, OCA, and SFPUC to create the functionally-equivalent facilities for the relocation of the City's Central Fleet Maintenance Shop ("Central Shops") from 1800 Jerrold Street; increasing the total transfer price by \$8,578,429 to an amount not to exceed \$82,278,429 from SFPUC Wastewater Enterprise funds; authorizing the issuance of a Notice to Proceed for the next construction phase under a Board-authorized design-build Project Delivery Agreement with Oryx Development I, LLC, for the construction of facilities to relocate Central Shops to the Project Site; and finding the proposed transactions are in conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Utilities Commission).
RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act - February 28, 2017

Board Inaugural Meeting Minutes for January 9, 2017 and Regular Board Meeting Minutes for January 10, 2017 approved

There were no Clerk to Act requests submitted at the February 28, 2017 Board Meeting.

In Memoriams

Shirley Joe Kelly - Entire Board

Aileen Clarke Hernandez - Entire Board

Christian Antonio Ewing - Entire Board