

Board of Supervisors



City Hall
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San Francisco, CA 94102-4689
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Legislation Introduced at Roll Call

Tuesday, April 2, 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

190355 [Planning Code - Authorizing Interim Activities at Development Sites]

Sponsors: Mayor; Haney

Ordinance amending the Planning Code to enable the use of development project sites during the project approval and entitlement process by authorizing the Planning Department to authorize certain interim activities at development project sites as Temporary Uses for up to 36 months, subject to extension at the discretion of the Planning Director in increments for up to a maximum possible total of 36 additional months; adopting 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 making findings of public convenience, necessity, and welfare under Planning Code, Section 302. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

190309 [Appropriating \$398,561 in Fire Service Fees - De-Appropriation and Re-Appropriation - Expenditures of \$5,750,492 - Supporting Increased Overtime and Professional Services Expenditures - FY2018-2019]

Sponsor: Mayor

Ordinance appropriating \$398,561 to overtime in the Fire Department, de-appropriating \$5,750,492 from permanent salaries, mandatory fringe benefits, and capital projects, and appropriating \$5,750,492 to overtime and professional services in the Sheriff's Department, and to overtime in the San Francisco Public Utilities Commission, in order to support the Departments' projected increases in overtime as required per Administrative Code, Section 3.17; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for the Sheriff's Department appropriations approval, pursuant to Charter, Section 9.113(c). SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

190356 [Appropriation - General Obligation Bond Proceeds - San Francisco Seawall Earthquake Safety and Disaster Prevention Program - FY2018-2019 - \$50,000,000]
Sponsors: Mayor; Peskin
Ordinance appropriating \$50,000,000 of the Series 2019B Embarcadero Seawall Earthquake Safety General Obligation Bond Proceeds to the Port of San Francisco in FY2018-2019 for planning, site and geotechnical investigations, risk assessment, alternatives analysis, program development, identification of potential pilot projects, and the San Francisco Waterfront Storm Risk Management Study General Investigation with the United States Army Corps of Engineers; and placing these funds on Controller's Reserve pending sale of the bonds. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

RESOLUTIONS

190357 [Issuance of General Obligation Bonds (Embarcadero Seawall Earthquake Safety, 2018) - Not to Exceed \$425,000,000]
Sponsors: Mayor; Peskin
Resolution providing for the issuance of not to exceed \$425,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Embarcadero Seawall Earthquake Safety, 2018); authorizing the issuance and sale of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31; finding that the proposed project is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and with the General Plan consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; ratifying certain actions previously taken, as defined herein; and granting general authority to city officials to take necessary actions in connection with the issuance and sale of said bonds, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

190358 [Sale of General Obligation Bonds - (Embarcadero Seawall Earthquake Safety, 2018), Series 2019B - Not to Exceed \$50,000,000]
Sponsors: Mayor; Peskin
Resolution authorizing the issuance and sale of not to exceed \$50,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Embarcadero Seawall Earthquake Safety, 2018) Series 2019B; prescribing the form and terms of such bonds; providing for the appointment of depositories and other agents for such bonds; providing for the establishment of accounts and/or subaccounts related to such bonds; authorizing the sale of such bonds by competitive or negotiated sale; approving the forms of the Official Notice of Sale and Notice of Intention to Sell Bonds and directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Purchase Contract; approving the form of the Preliminary Official Statement and the execution of the Official Statement relating to the sale of such bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to such documents; ratifying certain actions previously taken, as defined herein; and granting general authority to City Officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of such bonds, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 190359 [Approve Project List - California State Senate Bill 1 Local Streets and Road Program - Road Maintenance and Rehabilitation Account Funds]**
Sponsor: Mayor
 Resolution approving the list of projects to be funded by FY2019-2020 Road Maintenance and Rehabilitation Account funds as established by California State Senate Bill 1, the Road Repair and Accountability Act of 2017. (Public Works). RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 190360 [Accept and Expend Gift - Richard and Bonnie Green Bequest - Laguna Honda Gift Fund - \$200,000]**
Sponsors: Mayor; Yee
 Resolution authorizing the Department of Public Health to accept and expend a monetary gift in the amount of \$200,000 from the Richard and Bonnie Green Survivor's Trust to the Laguna Honda Gift Fund, to support resident care programs, for the period of July 1, 2019, through June 30, 2029. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190361 [Petitions for City Parcels - Renew and Expand the Proposed Civic Center Community Benefit District]**
Sponsors: Mayor; Haney and Brown
 Resolution authorizing the Mayor to sign petitions in the affirmative for the proposed renewal and expansion of a property and business improvement district to be named the Civic Center Community Benefit District, with respect to certain parcels of real property owned by the City that would be subject to assessment in said district. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 190362 [Supporting California State Assembly Bill No. 539 (Limón) - Fair Access to Credit Act]**
Sponsor: Brown
 Resolution supporting California State Assembly Bill No. 539, authored by Assembly Member Monique Limón and coauthored by Assembly Members Timothy Grayson, Cecelia Aguiar-Curry, Ash Kalra, James Ramos, Eloise Gómez Reyes, Mark Stone, and State Senators Maria Elena Durazo, Holly Mitchell, and Bob Wieckowski, to cap interest rates on consumer loans at 36% per annum plus the Federal Funds Rate for loans with a principal amount greater than \$2,500 and lesser than \$10,000. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190363 [Resolution of Intention - Renewal and Expansion - North of Market/Tenderloin Community Benefit District]**
Sponsor: Haney
 Resolution declaring the intention of the Board of Supervisors to renew and expand a property-based business improvement district known as the "North of Market/Tenderloin Community Benefit District" and levy a multi-year assessment on all parcels in the district; approving the management district plan and engineer's report and proposed boundaries map for the district; ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole, on June 18, 2019, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; 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.

- 190364 [Bi-Annual Housing Balance Report No. 8]**
Sponsor: Mar
 Resolution receiving and approving the bi-annual Housing Balance Report No. 8, dated April 1, 2019, submitted as required by Planning Code, Section 103. (Planning Department). RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 190365 [Greater Union Square Business Improvement District - Annual Report for FY2017-2018]**
Sponsor: Peskin
 Resolution receiving and approving an annual report for the Greater Union Square Business Improvement District for FY2017-2018, 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.
- 190366 [Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District - Annual Report for FY2017-2018]**
Sponsor: Peskin
 Resolution receiving and approving an annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FY2017-2018, 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 Districts' management agreements with the City, Section 3.4. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 190367 [Requesting the San Francisco Public Utilities Commission to Report on Options for Improving Electric Service through Acquisition, Construction or Completion of Public Utility]**
Sponsors: Ronen; Peskin and Fewer
 Resolution determining that the public interest and necessity require changing the electric service provided in San Francisco; and requesting a report from the San Francisco Public Utilities Commission, under Charter, Section 16.101, on options for improving electric service in San Francisco through acquisition, construction or completion of public utility or utilities. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190380 [Urging a Full Pardon of Kang Hen and to Vacate His Plea to Remain in the United States]**
Sponsors: Walton; Peskin, Mandelman, Mar, Haney, Fewer, Brown, Ronen and Yee
 Resolution urging the Honorable Gavin Newsom, Governor of California, to grant Kang Hen a full pardon, and the Santa Clara District Attorney's Office to vacate his plea to allow him to remain in the United States with his family. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS

- 190328 [Mayoral Appointment, Treasure Island Development Authority Board of Directors - Ike Kwon]**
 Motion approving/rejecting the mayoral appointment of Ike Kwon to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending April 28, 2022. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

190340 [Mayoral Appointment, Planning Commission - Frank Fung]
Motion approving/rejecting the Mayoral nomination for the appointment of Frank Fung to the Planning Commission, term ending June 30, 2022. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

190354 [Mayoral Appointment, Residential Rent Stabilization and Arbitration Board - Reese Isbell]
Motion approving/rejecting the Mayor's appointment of Reese Isbell to the Residential Rent Stabilization and Arbitration Board, for a term ending September 1, 2022. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

190368 [Hearing - Budget Priority - Affordable Housing and Homelessness]
Sponsor: Fewer
Hearing on key affordable housing and homelessness strategies and programs in the City budget, identifying funding levels, gaps, and opportunities for future spending; and requesting the Budget and Legislative Analyst, Mayor's Office of Housing and Community Development, and the Department of Homelessness and Supportive Housing to report. RECEIVED AND ASSIGNED to Budget and Finance Committee.

190369 [Hearing - Budget Priority - Mental Health and Substance Use]
Sponsor: Fewer
Hearing on key mental health and substance use strategies and programs in the City budget, identifying funding levels, gaps, and opportunities for future spending; and requesting the Budget and Legislative Analyst and the Department of Public Health to report. RECEIVED AND ASSIGNED to Budget and Finance Committee.

190370 [Hearing - Budget Priority - Public Safety Funding Strategies]
Sponsor: Fewer
Hearing on key public safety strategies and programs in the City budget, identifying funding levels, gaps, and opportunities for future spending; and requesting the Budget and Legislative Analyst, Police Department, Sheriff's Department, Office of the District Attorney, Municipal Transportation Agency, and the Office of Civic Engagement and Immigrant Affairs to report. RECEIVED AND ASSIGNED to Budget and Finance Committee.

190371 [Hearing - Budget Impact of City-Owned Vehicle Personal Assignment]
Sponsor: Fewer
Hearing on the practice of assigning City-owned vehicles to employees for personal use, and the related budget impact; and requesting the Budget and Legislative Analyst, Office of the City Administrator, Airport, Office of the City Attorney, Fire Department, Municipal Transportation Agency, Police Department, Office of the Public Defender, and the Sheriff's Department to report. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 190372 [Hearing - Services to Support Housing Conservatorship Program]**
Sponsor: Mandelman
Hearing regarding whether the City has services, including, but not limited to, supportive housing with wraparound services and adequate beds, outpatient mental health counseling, psychiatric and psychological services, and substance use disorder services, in sufficient quantity, resources, and funding levels to serve the population that will be served by the Housing Conservatorship Program proposed in the pending Ordinance in File No. 181042; and requesting the Department of Public Health, Department of Homelessness and Supportive Housing, and Office of the Public Conservator of the Department of Aging and Adult Services to report. RECEIVED AND ASSIGNED to Rules Committee.
- 190373 [Hearing - Food Insecurity Among Low-Income Pregnant Women and Families]**
Sponsor: Stefani
Hearing to examine food insecurity, particularly among low-income pregnant women and families, as nutritious food is a fundamental human right essential for all people to live healthy, successful lives, but food insecurity, limited or uncertain access to adequate food still occurs in San Francisco; and requesting the Department of Public Health to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 190374 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - April 9, 2019]**
Closed session for the Board of Supervisors to convene on April 9, 2019, at 4:00 p.m., pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public Utilities Commission Case No. I.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; and California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; scheduled pursuant to Motion No. M19-062, approved on April 2, 2019. (Clerk of the Board). RECEIVED AND ASSIGNED to Board of Supervisors.

- 190375 [Closed Session - Labor Negotiations - April 16, 2019]**
Closed Session for the Board of Supervisors to convene on April 16, 2019, at 4:00 p.m., pursuant to California Government Code, Section 54957.6, and San Francisco Administrative Code, Section 67.10(e), to confer with the Mayor's Office and the Department of Human Resources regarding negotiations with labor unions representing City employees; scheduled pursuant to Motion No. M19-061, approved on April 2, 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

- 190323 [Settlement of Lawsuit - Webcor Construction, L.P. and Keenan Hopkins Suder & Stowell Contractors, Inc. - \$9,750,000]**
Ordinance authorizing settlement of the lawsuit filed by Webcor Construction, L.P. ("Webcor") against the City and County of San Francisco for \$9,750,000; the action against the City and County of San Francisco was filed on August 15, 2017, in the Superior Court of California, County of San Francisco, Case No. CGC-16-555423, entitled Keenan Hopkins Suder & Stowell Contractors, Inc. vs. Webcor Construction LP et al.; the lawsuit involves an alleged failure to provide complete and accurate designs under the terms of a construction contract related to the San Francisco General Hospital Rebuild Program; material terms of the settlement are that the City will pay Keenan Hopkins Suder & Stowell Contractors, Inc. ("Keenan") \$9,750,000 and Webcor will pay Keenan \$5,500,000. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

- 190330 [Lease Agreement - Brookstone SFO T-2, LLC - Terminal 2 Specialty Retail Concession Lease No. 1 - Lease No. 18-0071 - \$325,000 Minimum Annual Guarantee]**
Resolution approving the Terminal 2 Specialty Retail Concession Lease No. 1 - Lease No. 18-0071, between Brookstone SFO T-2, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of seven years, and a minimum annual guarantee of \$325,000 for the first year of the Lease, to commence upon approval by the Board of Supervisors. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 190331 [Contract Agreement - American Water Resources - Residential Water Service and Sewer Later Service Line Protection Program - Anticipated Revenue of \$1,000,000]**
 Resolution authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to execute Agreement No. PRO.0086, Residential Water Service and Sewer Lateral Service Line Protection Program with American Water Resources (AWR); authorizing AWR to market a voluntary water service and sewer lateral insurance program to SFPUC residential customers in San Francisco in exchange for payment of \$3.61 per month to SFPUC for each enrolled customer, for a term of four years to commence upon Board approval and anticipated revenue of \$1,000,000 or more to SFPUC, subject to approval by the Board of Supervisors under Charter Section 9.118(a). (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190332 [Emergency Declaration - Repair Transmission Line - Big Creek Shaft Road - Groveland, California - Total Estimated Cost Not to Exceed \$400,000]**
 Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, to repair Hetch Hetchy Water and Power's 230kV transmission line near Big Creek Shaft Road near Groveland, California, for a total estimated cost not to exceed \$400,000. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190333 [Real Property Lease Extension Option - Choo Laguna, LLC - 258-A Laguna Honda Boulevard - \$51,192 Annual Base Rent]**
 Resolution authorizing the Director of Real Estate to exercise a Lease Extension Option for the real property located at, 258-A Laguna Honda Boulevard with Choo Laguna, LLC as Landlord, for a five-year term to commence on July 1, 2019, through June 30, 2024, at the monthly base rent of \$4,266 for a total annual base rent of \$51,192. (Public Defender). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190334 [Contract - Golden Gate Petroleum - Citywide Renewable Diesel - Not to Exceed \$75,000,000]**
 Resolution authorizing the Office of Contract Administration to enter into a multi-year contract, pursuant to Charter, Section 9.118(b), with Golden Gate Petroleum, to supply the City Departments with Renewable Diesel for a three-year term of April 1, 2019, through March 31, 2022, with two one-year options to extend, in an amount not to exceed \$75,000,000. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190335 [Contract Amendment - Ferrara Fire Apparatus, Inc. - Equipment Purchase - Not to Exceed \$15,000,000]**
 Resolution approving Modification No. 2 to the contract between the Office of Contract Administration and Ferrara Fire Apparatus, Inc. to purchase equipment for the Fire Department; to increase the amount by \$5,500,000 for a total not to exceed amount of \$15,000,000; and to extend the term by two years to commence August 26, 2019, for a total contract term of August 26, 2016, through August 25, 2021. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Clerk to Act - April 2, 2019

Board Meeting Minutes for February 26, 2019 approved.

Requests Granted

From: Supervisor Fewer

To: City Attorney

Requesting/Inquiring: Requesting that the City Attorney work with my office to draft legislation creating an "Affordable Housing Production and Preservation Fund" that shall capture 50% of all future excess Education Revenue Augmentation Fund money received. Any deposit into the Fund should be split evenly into two funding categories: 1) land acquisition and production of 100% affordable housing; and 2) small site acquisition and preservation of affordable housing.

From: Supervisor Walton

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney for legislation on illegal dumping to: 1) Increase fines for illegal dumping; 2) Remove business licenses and vehicles from contractors who illegally dump on City streets; 3) Provide overnight clean-up service and installation of surveillance cameras for enforcement in hot spot areas.

In Memoriams

Calvert Jang - President Yee and Supervisor Peskin

Madlen Koteva - President Yee and Entire Board

Francisco Han Ping Hsieh - President Yee and Entire Board

Ray J. Antonio - Supervisor Peskin