

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, April 10, 2018

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

180184 [Administrative, Planning Codes - Central South of Market Area Plan]

Sponsors: Mayor; Kim

Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; 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. SUBSTITUTED AND ASSIGNED to Rules Committee.

180185 [Planning Code, Zoning Map - Central South of Market Special Use District]

Sponsors: Mayor; Kim

Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; 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 Land Use and Transportation Committee.

180362 [San Francisco Finance Corporation - Refunding Lease Revenue Bonds - Open Space Fund]

Sponsor: Mayor

Ordinance approving the issuance and sale of refunding lease revenue bonds by the City and County of San Francisco Finance Corporation (the "Corporation") payable from the Park, Recreation and Open Space Fund to refinance lease revenue bonds previously issued to finance various park projects, as defined herein; approving the form of a Second Amendment to Site Lease by and between the Corporation and the City and County of San Francisco (the "City") relating to certain real property described herein; approving the form of a Second Amendment to Master Lease by and between the Corporation and the City; approving the form of a Second Supplemental Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); approving the form of an Assignment Agreement by and between the Corporation and a trustee; authorizing the sale of the refunding lease revenue bonds by competitive or negotiated sale; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the refunding lease revenue bonds; directing the publication of the Notice of Intention to Sell the refunding lease revenue bonds; approving the form of a Purchase Contract and authorizing the appointment of one or more underwriters for the refunding lease revenue bonds; approving the form of an Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; authorizing the payment of costs of issuance; granting general authority to City officials to take certain actions in connection with the refunding lease revenue bonds, as defined herein; approving modifications to documents; and ratifying previous actions taken in connection therewith, as defined herein. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

180363 [San Francisco Finance Corporation Refunding Lease Revenue Bonds (Library Projects)]

Sponsor: Mayor

Ordinance approving the issuance and sale of refunding lease revenue bonds by the City and County of San Francisco Finance Corporation (the "Corporation") to refinance lease revenue bonds previously issued to finance various projects under the Branch Library Improvement Program, as further described herein; approving the form of a First Amendment to Facilities Lease by and between the Corporation and the City and County of San Francisco (the "City") relating to certain real property described herein; approving the form of a First Amendment to Master Lease by and between the Corporation and the City; approving the form of a First Supplemental Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); approving the form of an Assignment Agreement by and between the Corporation and a trustee; authorizing the sale of the refunding lease revenue bonds by competitive or negotiated sale; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the refunding lease revenue bonds; directing the publication of the Notice of Intention to Sell the refunding lease revenue bonds; approving the form of a Purchase Contract and authorizing the appointment of one or more underwriters for the refunding lease revenue bonds; approving the form of an Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; authorizing the payment of costs of issuance; granting general authority to City officials to take certain actions in connection with the refunding lease revenue bonds, as defined herein; approving modifications to documents; and ratifying previous actions taken in connection therewith, as defined herein. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

- 180086 [Planning Code - Legitimization and Reestablishment of Certain Self-Storage Uses]**
Sponsor: Kim
 Ordinance amending the Planning Code to allow the owner of premises leased to the City and County of San Francisco for a public safety-related use to resume a pre-existing Self-Storage use after the City vacates the property without regard to whether that Self-Storage use was established with benefit of permit; 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 necessity, convenience, and general welfare under Planning Code, Section 302. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.
- 180364 [Planning Code - Affordable Housing Projects on Undeveloped Lots in Service/Arts/Light Industrial Districts]**
Sponsor: Kim
 Ordinance amending the Planning Code to permit Affordable Housing on undeveloped lots in Service/Arts/Light Industrial (SALI) Zoning Districts; 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 UNDER 30 DAY RULE to Land Use and Transportation Committee.

RESOLUTIONS

- 180365 [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 with FY2018-2019 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.
- 180366 [Accept and Expend Grant - California Natural Resources Agency Grant - \$3,000,000]**
Sponsors: Mayor; Fewer and Yee
 Resolution retroactively authorizing the Recreation and Park Department to accept and expend a General Fund Grant from the California Natural Resources Agency in the amount of \$2,000,000 from November 1, 2017, through August 31, 2020, for the Golden Gate Park Dog Training Area and \$1,000,000 from December 1, 2017, through April 30, 2021, for Lake Merced Trail Improvements, for a total amount of \$3,000,000. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 180367 [Supporting California State Senate Bill 1045 (Wiener, Stern) - Conservatorship: Chronic Homelessness and Substance Abuse Disorders]**
Sponsor: Breed
 Resolution supporting California State Senate Bill 1045, authored by Senators Scott Wiener and Henry Stern, expanding California's mental health conservatorship law to include individuals suffering from chronic homelessness when accompanied by debilitating mental illness, severe drug addiction, repeated psychiatric commitments, or excessively frequent use of emergency medical services. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 180368 [Supporting the California Schools and Local Communities Funding Act - Reaffirming Support for a Split-Roll Reform of Proposition 13]**
Sponsors: Fewer; Peskin, Sheehy, Yee and Ronen
 Resolution supporting the California Schools and Local Communities Funding Act and reaffirming the Board of Supervisors support for a split-roll reform of Proposition 13 in order to close the commercial property tax loophole and restore billions in revenue. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 180369 [Armenian Genocide Commemoration Day - April 24, 2018]**
Sponsor: Peskin
 Resolution declaring April 24, 2018, as Armenian Genocide Commemoration Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 180370 [Urging a Property Exchange - Tishman Speyer Worldwide - 639 Bryant Street and 2000 Marin Street]**
Sponsors: Peskin; Kim, Safai and Cohen
 Resolution urging the San Francisco Public Utilities Commission to negotiate and execute a property exchange of 639 Bryant Street for 2000 Marin Street with Tishman Speyer Worldwide. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 180371 [Resolution of Intention - Street Name Change - Phelan Avenue - "Frida Kahlo Way"]**
Sponsor: Yee
 Resolution declaring the intention of the Board of Supervisors to rename Phelan Avenue, between Flood Avenue and Ocean Avenue, to "Frida Kahlo Way." RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

MOTIONS

- 180372 [Setting the Budget and Legislative Analyst Services Audit Plan - San Francisco Municipal Transportation Agency, Effectiveness of Workforce Development Programs, Office of Economic and Workforce Development - FY2018-2019]**
Sponsor: Kim
 Motion directing the Budget and Legislative Analyst to conduct three performance audits in FY2018-2019 of the trends in Muni ridership and revenues, and the effectiveness of the San Francisco Municipal Transportation Agency in managing traffic congestion and the impact of congestion on Muni; the effectiveness of the City's workforce development programs for low-income, homeless, and formerly homeless adults; and the Office of Economic and Workforce Development's planning for large-scale development and capital projects to address the economic impacts of the projects on surrounding businesses. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180373 [Initiative Ordinance - Business and Tax Regulations Code - Gross Receipts Tax on Transportation Network Company Services and Private Transit Vehicle Services]

Sponsor: Peskin

Motion ordering submitted to the voters at an election to be held on November 6, 2018, an Ordinance amending the Business and Tax Regulations Code to add a new gross receipts tax category for transportation network company services and private transit vehicle services, revise the application of the gross receipts tax for persons engaged in multiple business activities, and eliminate the payroll expense tax exclusion and the gross receipts tax limit for certain persons in the Central Market Street and Tenderloin Area; and increasing the City's appropriations limit by the amount collected under the new gross receipts tax category for four years from November 6, 2018. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

180261 [Committee of the Whole - Report of Assessment Costs - Blighted Properties - May 15, 2018]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 15, 2018, at 4:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties, ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

180374 [Rules of Order - Adding Board Rule 1.3.2 - Political Activities Prohibited During Board of Supervisors' Meetings]

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 1.3.2 regarding political activities that are prohibited during Board of Supervisors' meetings, including during public comment and the authority to enforce such Rule. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules 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

180303 [Partial Settlement of Lawsuit - Rick Popko and Nancy Huff - \$36,000]

Ordinance authorizing settlement of the lawsuit filed by Rick Popko and Nancy Huff against the City and County of San Francisco for \$36,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiffs Rick Popko and Nancy Huff, by the payment of \$36,000 and excluding the claim by these plaintiffs for diminution of value for plaintiffs' real property and the claim by plaintiffs for attorney's fees, costs and interest, which will be addressed in later proceedings (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 180304 [Partial Settlement of Lawsuit - Carlos Gross - \$88,500]**
Ordinance authorizing settlement of the lawsuit filed by Carlos Gross against the City and County of San Francisco for \$88,500; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiff Carlos Gross, by the payment of \$88,500 and excluding the claim by this plaintiff for diminution of value for plaintiff's real property and the claim by plaintiff for attorney's fees, costs and interest, which will be addressed in later proceedings (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 180305 [Settlement of Lawsuit - Fabio Petrolino; M. P., a Minor, Through Her Guardian Ad Litem, Ana Petrolino; Andrelina Silva; Angela Petrolino and Alex Petrolino - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Fabio Petrolino; M. P., a minor, through her guardian ad litem, Ana Petrolino; Andrelina Silva; Angela Petrolino and Alex Petrolino against the City and County of San Francisco for \$100,000; the lawsuit was filed on June 2, 2016, in United States District Court, Northern District, Case No. 16-cv-02946 RS; entitled Fabio Petrolino, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged wrongful death; other material terms of the settlement are co-defendants to pay an additional total of \$500,000. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 180306 [Partial Settlement of Lawsuit - John and Maria Naniola - \$85,000]**
Ordinance authorizing settlement of the lawsuit filed by John and Maria Naniola against the City and County of San Francisco for \$85,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiffs John and Maria Naniola, by the payment of \$85,000 and excluding the claim by these plaintiffs for diminution of value for plaintiffs' real property and the claim by plaintiffs for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 180307 [Partial Settlement of Lawsuit - San Francisco Motorcycle Club - \$140,000]**
Ordinance authorizing settlement of the lawsuit filed by San Francisco Motorcycle Club against the City and County of San Francisco for \$140,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiff San Francisco Motorcycle Club, by the payment of \$140,000 and excluding the claim by this plaintiff for diminution of value for plaintiff's real property and the claim by plaintiff for attorney's fees, costs and interest, which will be addressed in later proceedings. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 180308 [Settlement of Lawsuit - AvalonBay Communities, Inc. and MVP I, LLC - \$166,019.37]**
Ordinance authorizing settlement of the lawsuit filed by AvalonBay Communities, Inc. and MVP I, LLC against the City and County of San Francisco for \$166,019.37; the lawsuit was filed on January 12, 2018, in San Francisco Superior Court, Case No. CGC-18-563657; entitled AvalonBay Communities, Inc. et al. v. City and County of San Francisco et al.; the lawsuit involves a claim for refund of payroll expense taxes and gross receipts taxes for tax years 2014 and 2015. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

180213 [Annual Fundraising Drive - 2018]

Resolution designating those agencies qualified to participate in the 2018 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (City Administrator). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

180263 [Report of Assessment Costs - Blighted Properties]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for by the City and County out of a blight abatement fund. (Public Works). RECEIVED AND ASSIGNED to Board of Supervisors.

180309 [Sugary Drinks Distributor Tax Advisory Committee - Annual Report - FY2017-2018]

Resolution receiving the annual report from the Sugary Drinks Distributor Tax Advisory Committee to evaluate the impact of the Sugary Drinks Distributor Tax on beverage prices, consumer purchasing behavior and public health for FY2017-2018, submitted as required by Administrative Code, Section 5.33-4. (City Administrator). RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

180310 [Agreement Amendments - Various Companies - Specialized and Technical Services for Natural Resources and Watershed Management and Monitoring - Not Exceed Amounts of \$6,500,000, \$6,490,000, \$515,000, and \$7,490,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to retroactively execute Amendment No. 1 to Agreements CS-211B with ICF+Avila, and CS-211D with URS Corporation, for an increase of \$1,490,000 each, for a total not to exceed amount of \$6,490,000; retroactively execute Amendment No. 1 to Agreement CS-211C with Shaw Environmental and Infrastructure, Inc., to reduce the Agreement by \$4,485,000, for a total not to exceed amount of \$515,000; execute Amendment No. 1 to Agreement CS-211A with CDM Smith/ATS, increasing the Agreement by \$1,500,000 for a total agreement amount not to exceed \$6,500,000; and execute Amendment No. 2 to CS-211D with URS Corporation, increasing the Agreement by \$1,000,000 for a total agreement amount not to exceed \$7,490,000 with no change to the length of terms of the four Agreements to expire June 15, 2017, for Specialized and Technical Services for natural resources and watershed management and monitoring, pursuant to Charter, Section 9.118(b). (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Clerk to Act - April 10, 2018

Board Meeting Minutes for March 6, 2018 were approved.

There were no Clerk to Act requests submitted at the April 10, 2018 Board Meeting.

In Memoriam

None