

## Board of Supervisors



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### Legislation Introduced at Roll Call

Tuesday, May 7, 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

##### **190494 [General Obligation Bond Election - Earthquake Safety and Emergency Response - Not to Exceed \$628,500,000]**

**Sponsors:** Mayor; Fewer, Stefani and Mar

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, March 3, 2020, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$628,500,000 to finance the construction, acquisition, improvement, renovation, and seismic retrofitting of the Emergency Firefighting Water System, firefighting facilities and infrastructure, police facilities and infrastructure, facilities for the Department of Emergency Management's 911 Call Center, and other disaster response facilities and infrastructure for earthquake and public safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 190495 [General Obligation Bond Election - Affordable Housing - Not to Exceed \$500,000,000]**  
**Sponsors:** Mayor; Yee, Brown, Safai, Walton and Stefani  
Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 5, 2019, for the purpose of submitting to San Francisco voters a proposition to incur bonded indebtedness not to exceed \$500,000,000 to finance the construction, development, acquisition, improvement, rehabilitation, preservation, and repair of affordable housing improvements, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants under Administrative Code, Chapter 37; providing for the levy and collection of taxes to pay both principal and interest on such Bonds; incorporating the provisions regarding the Citizens' General Obligation Bond Oversight Committee's review of Affordable Housing Bond expenditures in Administrative Code, Sections 5.30-5.36; setting certain procedures and requirements for the election; adopting findings under the California Environmental Quality Act; and finding that the proposed Bonds are in conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 190459 [Planning Code - Temporary Uses: Intermittent Activities]**  
**Sponsor:** Brown  
Ordinance amending the Planning Code to allow operation of a farmers market on the Department of Motor Vehicles Field Office parking lot at 1377 Fell Street by allowing an intermittent activity to be located on a lot with a public facility in specified residential zoning districts; 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 UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 181216 [Planning, Building Codes - Controls on Residential Demolition, Merger, Conversion, and Alteration; Review of Additional Non--Residential Changes of Use and Alterations]**  
**Sponsors:** Peskin; Mandelman, Yee, Ronen and Fewer  
Ordinance amending the Planning Code to increase penalties for violations of the Planning Code and change the administrative enforcement procedure; provide new definitions for Residential Demolitions and Residential Flats, expand definitions of Alteration and Removal, expand definitions of, require additional notice, and impose new conditional use criteria for Residential Demolitions, Mergers, and Conversions; require additional review for changes of use to Child Care Facilities that propose an increase in the exterior dimension of the building; expand definition of change of use for Residential, Neighborhood Commercial (NC) and Neighborhood Commercial Transit (NCT) districts; add new notification requirements; add requirements for replacement structures; and establish definitions, criteria and procedures for approvals of Major Expansions of Existing Residential Buildings in certain residential districts; amending the Building Code to make the definition of Residential Demolition consistent with the Planning Code, and require pre-permit inspections and additional application requirements; 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; adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302; and instructing the Clerk to forward this Ordinance to the California Building Standards Commission upon final passage. SUBSTITUTED AND ASSIGNED to Land Use and Transportation 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. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.
- 190496 [Administrative Code - Office of Sexual Harassment and Assault Response and Prevention]**  
**Sponsor:** Ronen  
Ordinance amending the Administrative Code to change the Office of Sexual Harassment and Assault Response and Prevention ("Office") from a department directly under the Human Rights Commission to a division of the Human Rights Commission Department directly under the Executive Director of the Human Rights Commission; and modifying the appointment process for the Director of the Office. ASSIGNED to Rules Committee.
- 190497 [Administrative Code - Mental Health Board/Behavioral Health Commission]**  
**Sponsors:** Stefani; Mandelman  
Ordinance amending the Administrative Code to change the name of the Mental Health Board to the Behavioral Health Commission; to include in the definition of a "consumer" one who receives substance use services; and to permit a consumer who is an employee in a behavioral health public or private agency and who does not have any interest, influence, or authority over any financial or contractual matter concerning the employer, to be appointed to the Commission. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 190498 [Appropriation and De-Appropriation - Expenditures of \$400,000 Supporting District 7 Participatory Budgeting and Disaster Planning Projects - Expenditure of \$250,000 Supporting District 7 Vision Zero Projects - FY2018-2019]**  
**Sponsor:** Yee  
Ordinance de-appropriating \$400,000 from District 7 General City Responsibility and appropriating \$300,000 to various departments to support District 7 Participatory Budgeting projects and \$100,000 to the Office of the City Administrator to support District 7 Disaster Planning projects; and de-appropriating \$250,000 from the San Francisco Municipal Transportation Agency (SFMTA) and appropriating \$250,000 to support various District 7 Vision Zero projects at SFMTA in FY2018-2019. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 190499 [Administrative Code - Dissolving Workforce Community Advisory Committee and Committee on City Workforce Alignment]**  
Ordinance amending the Administrative Code to dissolve the Workforce Community Advisory Committee and the Committee on City Workforce Alignment. (Clerk of the Board). ASSIGNED UNDER 30 DAY RULE to Rules Committee.

## **RESOLUTIONS**

### **190500 [General Obligation Bonds - Earthquake Safety and Emergency Response - Not to Exceed \$628,500,000]**

**Sponsors:** Mayor; Fewer, Stefani and Mar

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, renovation, and seismic retrofitting of the Emergency Firefighting Water System, firefighting facilities and infrastructure, police facilities and infrastructure, facilities for the Department of Emergency Management's 911 Call Center, and other disaster response facilities and infrastructure for earthquake and public safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of \$628,500,000 for such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; and waiving the time requirements specified in Administrative Code, Section 2.34. RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **190501 [General Obligation Bonds - Affordable Housing - Not to Exceed \$500,000,000]**

**Sponsors:** Mayor; Yee, Brown, Safai, Walton and Stefani

Resolution determining and declaring that the public interest and necessity demand the construction, development, acquisition, improvement, rehabilitation, preservation and repair of affordable housing improvements and related costs necessary or convenient for the foregoing purposes; to be financed through bonded indebtedness in an amount not to exceed \$500,000,000; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants under Administrative Code, Chapter 37; providing for the levy and collection of taxes to pay both principal and interest on such bonds; adopting findings under the California Environmental Quality Act; and finding that the proposed bond is in conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b). RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **190502 [Real Property Master Lease - JELANI INC. - 1601 Quesada Avenue - \$217,200 Initial Year]**

**Sponsors:** Mayor; Walton

Resolution approving a master lease of a building consisting of approximately 10,225 square feet located at 1601 Quesada Avenue, with JELANI INC., a California non-profit public benefit corporation as Landlord, for an initial ten-year term, to commence following Board approval no later than September 30, 2019, at a base rent of \$18,100 per month (\$217,200 per year), plus two additional terms of ten years each, increased annually by 1%, for use by the Department of Homelessness and Supportive Housing for the purpose of creating transitional housing to serve pregnant women experiencing homelessness in San Francisco; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1.; and adopting California Environmental Quality Act findings. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 190503 [Supporting California State Assembly Bill No. 1482 (Chiu) - Tenancy Rent Caps]**  
**Sponsors:** Brown; Fewer, Haney, Mandelman and Walton  
 Resolution supporting California State Assembly Bill No. 1482, authored by Assembly Member David Chiu and co-authored by Assembly Members Richard Bloom, Rob Bonta, Kevin McCarty, Phil Ting, and Buffy Wicks, to cap annual rent increases on residential rentals. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 190510 [Urging Specific City-Wide Public Safety and Behavioral Health Priorities in the FY2020-2021 Budget]**  
**Sponsors:** Fewer; Ronen, Mandelman and Stefani  
 Resolution urging the Mayor to fund specific city-wide public safety priorities in the FY2020-2021 budget, including foot patrols and traffic enforcement, crime prevention, civilianization efforts, and behavioral health priorities, including additional treatment beds, mobile outreach, community-based treatment and investment to acquire cooperative living units for individuals with chronic mental illness. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190504 [Supporting California State Assembly Bill No. 1481 - Tenancy Termination: Just Cause]**  
**Sponsors:** Haney; Fewer and Brown  
 Resolution supporting California State Assembly Bill No. 1481, authored by Assembly Member Rob Bonta, Tenancy Termination: Just Cause, which would protect California renters against unjust evictions. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190505 [Bladder Cancer Awareness Month - May 2019]**  
**Sponsor:** Peskin  
 Resolution proclaiming May 2019 as “Bladder Cancer Awareness Month” in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190506 [Honoring Missing and Murdered Indigenous Women - May 5]**  
**Sponsors:** Ronen; Brown and Walton  
 Resolution recognizing May 5 as the national day of awareness for Honoring Missing and Murdered Indigenous Women. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190511 [Nominating Supervisor Peskin or Supervisor Mandelman - Appointment to California Coastal Commission]**  
**Sponsor:** Stefani  
 Resolution nominating Supervisor Aaron Peskin or in the alternative Supervisor Rafael Mandelman for the North Coast Central seat on the California Coastal Commission. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 190507 [Urging Creation of a Systematic Daylighting Plan]**  
**Sponsors:** Yee; Mandelman, Brown, Mar and Stefani  
 Resolution urging the Municipal Transportation Agency (SFMTA) to create a Daylighting plan and systematically implement parking restrictions at intersection corners to improve traffic safety; and requesting a report from the SFMTA. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **MOTION**

- \* **190508 [Initiative Ordinance - Business and Tax Regulations, Administrative Codes - Stock-Based Compensation Tax]**  
**Sponsors:** Mar; Yee, Haney, Ronen, Walton, Fewer and Mandelman  
Motion ordering submitted to the voters at an election to be held on November 5, 2019, an Ordinance amending the Business and Tax Regulations Code and Administrative Code to impose an additional tax on stock-based compensation payroll expense to fund affordable housing, programs for families, education, and youth, support for the low- and moderate-income workforce, and small business stabilization; to create an advisory oversight committee regarding the tax and funding; and to increase the City's appropriations limit by the amount collected under the additional tax for four years from November 5, 2019.  
**ASSIGNED UNDER 30 DAY RULE** to Budget and Finance Sub-Committee.

## **REQUEST FOR HEARING**

- 190509 [Hearing - Nine-Month Budget Status Report - FY2018-2019]**  
**Sponsor:** Fewer  
Hearing on the FY2018-2019 nine-month budget status report; and requesting the Controller to report. RECEIVED AND ASSIGNED to Budget and Finance 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 ORDINANCE**

- 190454 [Planning Code - Obstructions in Required Setbacks, Yards, and Usable Open Space]**  
Ordinance amending the Planning Code to allow, in required setbacks, yards, and usable open space, all projections of an architectural nature if they meet the specified requirements and to allow bay windows that do not meet the specified requirements to apply for a Zoning Administrator waiver; 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. (Planning Commission).  
ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

## **PROPOSED RESOLUTIONS**

- 190455 [Real Property Lease Extension - Multiple Ownership - 651 Bryant Street - \$577,920 Annual Base Rent]**  
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to exercise a Lease Extension for the real property located at 651 Bryant Street with William H. Banker, Jr., Successor Trustee of The Banker Trust dated April 20, 1992, Fillmore C. Marks, Trustee of The Fillmore and Barbara Marks 1992 Trust, Fillmore Douglas Marks, William C. Marks, and Bradford F. Marks, tenants in common, collectively as Landlord, for a ten year extension term, commencing on November 1, 2019, through October 31, 2029, for the continued use by the San Francisco Public Utilities Commission at the monthly base rent of \$48,160 for a total annual base rent of \$577,920. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 190456 [Grant Agreement Amendment - Retroactive - Wu Yee Children's Services - Early Care and Education Integrated Services - \$42,036,965]**  
Resolution retroactively approving the first amendment to the grant agreement between the City and County of San Francisco and Wu Yee Children's Services for the provision of Early Care and Education Integrated Services to support the City's implementation of the San Francisco Citywide Plan For Early Care and Education, to increase the amount by \$9,918,234 for a total amount of \$42,036,965 to commence May 1, 2019, for the total term of July 1, 2017, through June 30, 2020. (Human Services Agency). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.