

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, May 8, 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

180480 [Administrative Code - Office of Sexual Harassment and Assault Response and Prevention]

Sponsors: Ronen; Stefani, Kim, Fewer, Cohen, Tang, Sheehy, Safai, Yee, Breed and Peskin
Ordinance amending the Administrative Code to establish, and to set rules governing the appointment of the Director and the qualifications and duties of employees of the Office of Sexual Harassment and Assault Response and Prevention (Office) as a City department under the direction and oversight of the Human Rights Commission, which Office shall be responsible for: 1) receiving complaints concerning the manner in which any City department has responded or failed to respond to allegations of sexual assault or sexual harassment, and assisting complainants in navigating within City government to resolve those complaints; 2) compelling the attendance of City officers or employees at meetings with complainants; 3) notifying relevant City departments of any failure, in connection with a complaint of sexual assault or sexual harassment, to perform a duty imposed by law, or to perform a promised act, or to respond reasonably to the complainant's or Office's requests, or to otherwise fully and conscientiously respond to the complainant's or the Office's concerns, and reporting to the Mayor and the Board of Supervisors if any City department so notified fails to take timely and adequate corrective action; 4) in certain cases, referring City officers and employees to appropriate disciplinary authorities for possible professional or administrative discipline; 5) requiring City departments to report aggregated or otherwise de-identified information concerning the department's handling of allegations of sexual assault and harassment; 6) engaging with community members to develop recommendations for improving the City's efforts to combat sexual assault and harassment, and making related recommendations to City policymakers; 7) making regular reports to the Human Rights Commission; and 8) maintaining the confidentiality of information required by law to be kept confidential, and respecting complainants' wishes for confidentiality to the maximum extent permitted by law. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

180481 [Building Code - Process for Building Inspection Commission Review of Legislation Proposed by the Board of Supervisors]

Sponsor: Tang
Ordinance amending the Building Code to establish a process for the Building Inspection Commission's review of legislation proposed by the Board of Supervisors; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

- 180482 [Planning Code - Permit Review Procedures and Zoning Controls - Neighborhood Commercial Districts in Supervisorial Districts 4 and 11]**
Sponsors: Tang; Safai
Ordinance amending the Planning Code to create a two-year pilot program removing public notice and Planning Commission review for certain uses in Neighborhood Commercial Districts in Supervisorial Districts 4 and 11; modifying zoning controls for certain uses in Supervisorial Districts 4 and 11; 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 180483 [Planning Code - Health Services - Ocean Avenue Neighborhood Commercial Transit District]**
Sponsor: Yee
Ordinance amending the Planning Code to provide that in the Ocean Avenue Neighborhood Commercial Transit District a Health Service Use, whether Principal or Accessory, requires a Conditional Use authorization on the ground story and is permitted above the ground story; 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.

RESOLUTION

- 180484 [Urging the Mayor to Fund Specific Cross-Departmental Priorities in the Two-Year Budget for FYs 2018-2019 and 2019-2020]**
Sponsors: Cohen; Stefani and Fewer
Resolution urging the Mayor to fund specific cross-departmental budget priorities, including pedestrian safety for seniors, workforce development, out of school time for youth, and to develop a strategic funding framework for cultural districts in the two-year budget for FYs 2018-2019 and 2019-2020. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS

- 180485 [Calling from Committee - Committee of the Whole - Proposed Ordinance (File No. 180318) - Administrative Code - Landlord Operating and Maintenance Expenses - May 22, 2018]**
Sponsor: Fewer
Motion calling from the Rules Committee, pursuant to Board Rule 3.37, the proposed Ordinance (File No. 180318) amending the Administrative Code to prohibit landlords from seeking rent increases on existing tenants due to increases in debt service and property tax that have resulted from a change in ownership; and scheduling the Board of Supervisors to sit as a Committee of the Whole on May 22, 2018, at 3:00 p.m., to hold a public hearing to consider the proposed Ordinance (File No. 180318). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

180488 [Cost of Living Adjustment to the Contract for Budget and Legislative Analyst Services - \$2,290,451 - FY2018-2019]

Motion enacting a 3% cost of living adjustment (COLA) to the base FY2017-2018 contract amount of \$2,223,739 for Budget and Legislative Analyst Services, to be effectuated as of July 1, 2018, resulting in a new FY2018-2019 contract amount of \$2,290,451, an increase of \$66,712; and directing the Clerk of the Board to take all necessary administrative action to amend the contract accordingly. (Clerk of the Board). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

REQUESTS FOR HEARING

180486 [Hearing - Housing Stabilization Programs in Development Agreement Projects]
Sponsors: Breed; Cohen

Hearing regarding funding and support for housing stabilization programs in Development Agreement projects; and requesting the Mayor's Office of Housing and Community Development, Office of Economic and Workforce Development, Planning Department, and Controller to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

180487 [Hearing - Central Subject Project]
Sponsor: Peskin

Hearing to receive information on the Central Subway Project coordinated construction management, project budget updates and schedule; and requesting the Municipal Transportation Agency and Tudor Perini Corporation 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

- 180439 [Real Property Acquisition - Easements from Lake Merced Golf Club - Regional Groundwater Storage and Recovery Project, San Mateo County - \$66,465]**
Resolution approving and authorizing the acquisition of one permanent surface access easement; seven permanent subsurface easements for an electrical line, telephone line, utility line, storm drain, sanitary sewer, utility water and well discharge; one temporary construction easement; and a well and building easement that includes bathroom improvements from Lake Merced Golf Club, a California corporation, for \$66,465 to be used by the City and County of San Francisco under the Water System Improvement Program for the access, installation, modification, removal, inspection, maintenance, repair, replacement, periodic scheduled maintenance, emergency repairs, and construction of the project known as the Regional Groundwater Storage and Recovery Project, Project No. CUW30103; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and approving the Agreement and authorizing the Director of Property and/or the San Francisco Public Utilities Commission General Manager to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 180440 [Agreement Amendment - ARAMARK Correctional Services, LLC - Jail Food Services - Not to Exceed \$19,659,606]**
Resolution authorizing the Sheriff's Department to execute a Fourth Amendment to the existing Agreement with ARAMARK Correctional Services, LLC, for jail food services to extend the contract term four months from July 1, 2018, to October 31, 2018, with no change to the amount not to exceed \$19,659,606. (Sheriff). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 180441 [Airport Professional Services Contract - Management and Operation of the Airport's Public and Employee Parking Facilities - Not to Exceed \$124,812,393]**
Resolution approving Professional Services Contract No. 50107.01 for the Management and Operation of the Airport's Public and Employee Parking Facilities between New South Parking - California, GP, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$124,812,393 over a five year term from July 1, 2018, through June 30, 2023. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 180442 [2011 Lease and Use Agreement - Thomas Cook Airlines Limited]**
Resolution approving a 2011 Lease and Use Agreement No. 18-0086 between Thomas Cook Airlines Limited, and the City and County of San Francisco, acting by and through its Airport Commission, to conduct flight operations at the San Francisco International Airport, with no change to the term length to expire on June 30, 2021, to commence on the first day of the month following upon approval by the Board of Supervisors. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Clerk to Act - May 8, 2018

Board Meeting Minutes for April 3, 2018 were approved.

Request Granted

From: Supervisor Peskin

To: San Francisco International Airport (SFO)

Requesting/Inquiring: Supervisor Peskin requests a Letter of Inquiry to San Francisco International Airport (SFO) on Use of Facilities Policies.

May 8, 2018

Dear Madame Clerk Calvillo,

On May 1, 2018, the Board of Supervisors adopted a resolution formally condemning the recent inhumane treatment of Filipino activist Jerome Succor Aba, on file with your office in File No. 180432. Under the unlimited power of inquiry assigned to the Board of Supervisors in the City Charter and under the Sunshine provisions outlined in California Government Section 6253.1, I request the Office of the Clerk of the Board to submit a letter of inquiry on behalf of my office to obtain the following information from the San Francisco International Airport (SFO), where the interrogation and detention took place for 28 hours:

- Does the SFO have a formal policy on the use of airport facilities for the Department of Homeland Security (DHS) to deny passengers their constitutional rights and their rights under the United Nations Charter and International Law? What about a formal policy on the use of airport facilities to detain passengers without access to legal counsel
- Does the SFO have specific quarters that are designated for detention and interrogation? Where are these spaces located at SFO and what do they look like? Who monitors what happens inside of these rooms and who has access to them?
- Immigrant detainees have reported that Customs and Border Protection (CBP) refer to the rooms where detainees are held as “iceboxes”, the description of which closely resembles the description Mr. Aba used in his retelling of his detention experience. Does the SFO have stainless steel rooms or 4-sided metal meeting rooms anywhere on the premises? Where are they located? Do these rooms have windows or surveillance cameras? Who has access to these rooms? Who has access to the temperature controls?
- What federal offices and agencies are located at the SFO airport facilities? What Department of Homeland Security (DHS) agencies, offices and divisions are at the SFO?
- What is the nature of the binding relationship between the federal government agencies and the SFO, whether regulatory, legislative or statutory, and the nature of

lease and tenancy contracts? What is the nature of the relationship with the DHS and CBP, in particular?

- Does the DHS lease space with conditions or own and operate its space outright? Does the SFO receive rent from federal agencies for use of SFO space or resources, including security staff, facilities or cameras?
- What kinds of conditions does the SFO place on its relationship with federal agencies operating out of the SFO airport, including the DHS and CBP?
- What role does the Airport Commission have in overseeing any of these conditions and inter-agency agreements? Are SFO facilities tenants made aware of the City's Sanctuary City and Due Process For All laws?
- Does the SFO receive any regular reporting from federal agencies utilizing SFO facilities on the use of this space for security purposes, including how many individuals are detained per month? Where are civil rights complaints filed and who responds to violations by federal agencies or SFO tenants against civilians?

Staff should respond to this inquiry by the start of Budget and Finance Committee on May 10 at, 2018 at 1:00 pm and copy Sunny Angulo in my office.

Thank you,

Aaron Peskin

In Memoriams

Soni Wolf - Supervisor Sheehy
Rong Hai Lao - Supervisor Peskin
Lee Radner - Supervisor Peskin