

Board of Supervisors



City Hall
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TDD No. 554-5227

Legislation Introduced at Roll Call

Tuesday, June 20, 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

170761 [Public Works, Administrative Codes - Street Encroachment Permits and Maintenance Fund for Certain Permits]

Sponsor: Mayor

Ordinance amending the Public Works Code to update provisions on street encroachment permits, establish appeals procedures and fees for such appeals, waive the annual public right-of-way occupancy assessment fee in lieu of the waiver for permit fee payment for certain permits, modify the street encroachment permit process for governmental entities, and create a temporary street encroachment permit for a maximum period of 30 months; amending the Administrative Code to establish an encroachment maintenance fund for permits where the permittee is not an adjacent property owner; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

170762 [Health Service System Plans and Contribution Rates - Calendar Year 2018]

Sponsor: Farrell

Ordinance approving Health Service System plans and contribution rates for calendar year 2018. (Health Service System). ASSIGNED to Budget and Finance Sub-Committee.

- 170417 [Administrative Code - Owner Move-In Evictions and Other Landlord-Tenant Matters]**
Sponsors: Peskin; Kim and Ronen
Ordinance amending the Administrative Code regarding owner and relative move-in (“OMI”) evictions to require a landlord seeking to recover possession of a unit for an OMI to provide the tenant with an approved form to advise the Rent Board of address changes; clarify the evidentiary standard for finding that an OMI was performed in good faith; require a landlord to file documentation with the Rent Board regarding the status of the OMI, with a penalty for not filing such documentation, and requiring the Rent Board to transmit a random sampling of such documentation to the District Attorney; extend from three to five years the time period after an OMI during which a landlord who intends to re-rent the unit must first offer the unit to the displaced tenant; authorize a tenant who has been charged excess rent within five years after an OMI to sue for treble damages; as to matters not limited to OMI evictions, provide that a landlord’s failure to timely file a copy of the notice to vacate with the Rent Board is a defense in an unlawful detainer proceeding; provide that a tenant waiver of rights in a buyout agreement is not enforceable if the buyout is not timely filed with the Rent Board; extend from one to three years the statute of limitations for wrongful eviction claims; authorize interested non-profit organizations to sue for wrongful eviction and collection of excess rent; and making clarifying changes. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.
- 170763 [Environment Code - Antibiotic Use in Food Animals]**
Sponsor: Sheehy
Ordinance amending the Environment Code to require certain retailers of raw meat and poultry to report the use of antibiotics in such products to the Department of the Environment, and require City departments to report the use of antibiotics in meat purchased by the City to the Department of the Environment. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.
- 170764 [Administrative Code - Mid-Year Reports on Department Overtime Expenditures]**
Sponsor: Yee
Ordinance amending the Administrative Code to require the Controller to include in mid-year financial reports to the Board of Supervisors and Mayor information regarding the overtime expenditures of the Airport, Department of Emergency Management, Fire Department, Police Department, Department of Public Health, Public Utilities Commission, Public Works, Recreation and Park Department, and Sheriff’s Department. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

Resolutions

- 170765 [Multifamily Housing Revenue Bonds - 1500-1580 Mission Street and 77 South Van Ness Avenue (also known as “Goodwill”) - Not to Exceed \$475,000,000]**
Sponsor: Mayor
Resolution approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$475,000,000 for the purpose of providing financing for the construction of approximately 550 units of residential rental housing located at 1500-1580 Mission Street and 77 South Van Ness Avenue, also known as Goodwill; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 170766 [Accept and Expend Grant - Bay Area Air Quality Management District - Proposition 1B: Goods Movement Emission Reduction Program - \$1,371,250]**
Sponsor: Mayor
Resolution retroactively authorizing the Port of San Francisco to accept and expend a grant in the amount of \$1,371,250 from the Bay Area Air Quality Management's Proposition: 1B Goods Movement Emission Reduction Program to purchase a new Tier 4 low emission locomotive for the period of May 1, 2017, through December 31, 2018. (Port). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 170767 [Supporting California State Assembly Bill 186 (Eggman, Wiener, and Friedman) - Controlled Substances: Safer Drug Consumption Program]**
Sponsor: Breed
Resolution supporting California State Assembly Bill 186, introduced by Assembly Member Susan Eggman, authored by Senator Scott Wiener and Assembly Member Laura Friedman, which would authorize specified counties or cities within those counties to authorize the operation of supervised injection services programs for adults that satisfies specified requirements. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 170768 [Interdepartmental Jurisdictional Transfer of City Property - 25th, Illinois, Cesar Chavez, and Maryland Streets - \$29,700,000]**
Sponsor: Cohen
Resolution approving the jurisdictional transfer of approximately 17 acres of City-owned real property comprised of portions of Assessor's Parcel Block Nos. 4297, 4298, 4299, 4300, 4310, and 4313, and bounded by 25th, Illinois, Cesar Chavez, and Maryland Streets, in the City and County of San Francisco, from the Port Commission to the Municipal Transportation Agency for no additional consideration; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 170769 [Multifamily Housing Revenue Bonds - Alice Griffith Phase 4 Apartments Project - Not to Exceed \$14,450,000]**
Sponsor: Cohen
Resolution authorizing the issuance, sale and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$14,450,000 for the purpose of providing financing for the acquisition and construction of a 31-unit multifamily rental housing project known as Alice Griffith Phase 4 Apartments Project; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 170770 [Supporting the Protection of Designated National Marine Sanctuaries]**
Sponsors: Fewer; Peskin and Yee
Resolution supporting the protection of designated National Marine Sanctuaries, along the California coast, against the threat of offshore oil exploration and drilling. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

170771 [Amendment to Memorandum of Understanding - San Francisco Local Agency Formation Commission - Not to Exceed \$2,100,000]
Sponsor: Fewer
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute the third amendment to the Memorandum of Understanding with the San Francisco Local Agency Formation Commission, extending its duration by two years, for a total agreement duration of 11 years from FY2008-2009 through FY2018-2019, with no change to the total amount not to exceed \$2,100,000, pursuant to Charter, Section 9.118. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Requests for Hearing

170772 [Hearing - Office of Economic and Workforce Development's TechSF Program]
Sponsor: Fewer
Hearing to receive a presentation from the Office of Economic and Workforce Development regarding its TechSF Program; and requesting the Office of Economic Workforce and Development to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

170773 [Hearing - Closing of the Skilled Nursing and Sub-Acute Units in St. Luke's Hospital]
Sponsor: Safai
Hearing to discuss the closing of the skilled nursing and sub-acute units in St. Luke's Hospital; and requesting the Department of Public Health, Human Services Agency, and the Office of Economic and Workforce Development to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

170642 [Hearing - Committee of the Whole - Japantown Community Benefit District - July 25, 2017]
Hearing of the Board of Supervisors sitting as a Committee of the Whole on July 25, 2017, at 3:00 p.m., to consider establishment of a property-based assessment district to be known as the Japantown Community Benefit District, pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code, Sections 36600, et seq.) and City and County of San Francisco Business and Tax Regulations Code, Article 15, scheduled pursuant to Resolution No. 198-17, adopted on May 23, 2017. (Clerk of the Board).
SCHEDULED FOR PUBLIC HEARING 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

- 170727 [Settlement of Lawsuit - Alfred Fred Pittman - \$30,000]**
Ordinance authorizing settlement of the lawsuit filed by Alfred Fred Pittman against the City and County of San Francisco for \$30,000; the lawsuit was filed on June 20, 2013, in United States District Court, Case No. 13-CV-02095; entitled Alfred Fred Pittman v. City and County of San Francisco; the lawsuit involves alleged civil rights violations. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 170728 [Settlement of Lawsuit - Barbara Burke and Miles Burke - \$65,000]**
Ordinance authorizing settlement of the lawsuit filed by Barbara Burke and Miles Burke against the City and County of San Francisco for \$65,000; the lawsuit was filed on May 20, 2015, in San Francisco Superior Court, Case No. CGC-15-545917; entitled Barbara Burke and Miles Burke v. City and County of San Francisco, Does 1-10; the lawsuit involves personal injury from an alleged dangerous condition of public property. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 170729 [Settlement of Lawsuit - San Francisco Apartment Association, et al. - \$130,440]**
Ordinance authorizing settlement of the lawsuit filed by San Francisco Apartment Association, Coalition For Better Housing, and San Francisco Association of Realtors against the City and County of San Francisco for \$130,440; the lawsuit was filed on January 28, 2014, in San Francisco Superior Court, Case No. CPF-14-513452; entitled San Francisco Apartment Association, et al. v. City and County of San Francisco; the lawsuit involves a claim for attorney's fees and costs following Petitioners' challenge to Section 317(e)(4) of Ordinance No. 287-13 on the grounds it is preempted by the state Ellis Act. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 170730 [Settlement of Lawsuit - Jose H. Lima Osorio - \$57,500]**
Ordinance authorizing settlement of the lawsuit filed by Jose H. Lima Osorio against the City and County of San Francisco for \$57,500; the lawsuit was filed on March 9, 2016, in San Francisco Superior Court, Case No. CGC-16-550862; entitled Jose H. Lima Osorio v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injuries when plaintiff was struck by a vehicle while in the crosswalk. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 170731 [Settlement of Lawsuit - BHR Operations LLC, dba Crowne Plaza and dba Holiday Inn Fisherman's Wharf, et al. - \$1,613,554.74]**
Ordinance authorizing settlement of two lawsuits filed by BHR Operations LLC, dba Crowne Plaza and dba Holiday Inn Fisherman's Wharf, et al. against the City and County of San Francisco for \$1,613,554.74 to be distributed as follows: BHR Operations LLC \$379,969.68, Hotel Nikko of San Francisco Inc. \$201,741.40, Datam S.F. LLC \$277,953.69, RP/Kinetic Parc 55 Owner, LLC \$25,601.63, S.F. Hilton LLC \$447,301.52, W2005 Argent Hotel Realty LLC \$42,857.19, British Airways Plc \$163,369.38, Cathay Pacific Airways Ltd \$74,760.25; the lawsuits were filed in San Francisco Superior Court, as Case No. CGC-10-498514 entitled BHR Operations LLC, dba Crowne Plaza and dba Holiday Inn Fisherman's Wharf, et al. v. City and County of San Francisco, et al. filed on April 9, 2010, and Case No. CGC-10-505526 entitled British Airways Plc v. City and County of San Francisco, et al. filed on November 19, 2010; other material terms of the settlement include the City's retaining transient occupancy taxes collected by the Tax Collector, and the plaintiffs' agreement to pay transient occupancy taxes in the future according to the Tax Collector's regulations; the lawsuits involve a dispute between the City and the hotel and airline industry about whether airline crew rooms are exempt from the City's transient occupancy tax. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 170732 [Settlement of Lawsuit - Betsy Isabel Ayala - \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by Betsy Isabel Ayala against the City and County of San Francisco for \$75,000; the lawsuit was filed on July 7, 2015, in San Francisco Superior Court, Case No. CGC-15-546742; entitled Betsy Isabel Ayala v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 170733 [Subdivision Code - Transfer Subdivision Maps]**
Ordinance amending the Subdivision Code to allow subdivision map applicants to apply for and obtain final or parcel transfer subdivision maps that are for conveyancing and/or financing purposes only, but do not grant any development rights; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

PROPOSED RESOLUTIONS

- 170734 [Settlement of Unlitigated Claim - Everlane Inc. - \$117,726.22]**
Resolution approving the settlement of the unlitigated claim filed by Everlane Inc. against the City and County of San Francisco for \$117,726.22; claim was filed on January 26, 2017; the claim involves property damage arising from flooding. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 170735 [Settlement of Unlitigated Claim - Adam Holm, dba Pseudo Studio - \$33,202.60]**
Resolution approving the settlement of the unlitigated claim filed by Adam Holm, dba Pseudo Studio against the City and County of San Francisco for \$33,202.60; the claim was filed on January 20, 2017; the claim involves property damage arising from flooding. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Clerk to Act - June 20, 2017

Board Meeting Minutes for May 2, 2017 and Special Meeting Minutes at the Budget and Finance Committee for May 11, 2017 approved

There were no Clerk to Act requests submitted at the June 20, 2017 Board Meeting.

In Memoriam

Ed Nevin Jr. - Board President Breed

Paul Rosenberg - Supervisors Fewer and Peskin

Gerson Bakar - Supervisor Peskin

Katherine Koelsch - Supervisor Peskin

Barbara Kasoff - Supervisor Peskin

Dr. Alfred Lee - Supervisor Yee

Wayne Chan - Entire Board

Benson Louie - Entire Board

Michael Lefiti - Entire Board