

Board of Supervisors



City Hall
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San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced at Roll Call

Tuesday, July 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

180732 [Police Code - Neighborhood-Restricted Liquor Licenses]

Sponsors: Mayor; Ronen

Ordinance amending the Police Code to authorize the Chief of Police, or the Chief's designee, to provide signed verification of preapplication meetings for neighborhood-restricted liquor licenses. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.

180733 [Waiver of Temporary Street Space Occupancy Fee - Street Tree Maintenance Activities - Greater Rincon Hill Association]

Sponsor: Kim

Ordinance waiving the fee required by Public Works Code, Section 724.1, for temporary street space occupancy permits in connection with tree maintenance by the Greater Rincon Hill Association within the Greater Rincon Hill Community Benefit District, also known as the East Cut Community Benefit District, between September 1, 2018, and June 30, 2019. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

180734 [Waiver of Banner Fee - Filipino American Arts Exposition]

Sponsor: Kim

Ordinance waiving the banner fee under Public Works Code, Section 184.78, for up to 100 banners to be placed on City-owned utility poles by the Filipino American Arts Exposition to publicize the August 2018 Pistahan Festival and Parade. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

180735 [Administrative Code - Harassment of Tenants in Single-Family Units Through Rent Increases]

Sponsors: Ronen; Peskin

Draft Ordinance amending the Administrative Code to prohibit landlords of single-family homes and condominiums covered by existing eviction controls from circumventing eviction controls through rent increases; and to clarify that a rent increase intended to defraud, intimidate, or coerce the tenant into vacating such a rental unit may qualify as tenant harassment. ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Rules Committee.

- 180519 [Environment Code - Single-Use Food Ware Plastics, Toxics, and Litter Reduction]**
Sponsors: Tang; Safai, Peskin, Yee, Ronen, Fewer and Kim
Ordinance amending the Environment Code to prohibit the sale or use in the City of single-use food service ware made with fluorinated chemicals and certain items made with plastic; require that food service ware accessories be provided only on request or at self-service stations; require reusable beverage cups at certain events that necessitate a City permit or are held at a City-owned or City-leased facility; remove waiver provisions; and affirming the Planning Department's determination under the California Environmental Quality Act. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.
- 180736 [Business and Tax Regulations Code - Validation Actions and Statute of Repose for June 2018 Ballot Measures]**
Sponsors: Yee; Kim
Ordinance amending the Business and Tax Regulations Code to permit validation actions and impose a statute of repose with respect to Propositions C and G, adopted by San Francisco voters on June 5, 2018. ASSIGNED to Budget and Finance Sub-Committee.

RESOLUTIONS

- 180737 [Apply for Grants - 2018 Emergency Preparedness Grants]**
Sponsor: Mayor
Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco any actions necessary for the purpose of obtaining State and Federal financial assistance under various grant programs, including: the Federal Fiscal Year 2018 Urban Areas Security Initiative Grant, the Federal Fiscal Year 2018 State Homeland Security Grant Program, the 2018 Emergency Management Performance Grant, and the 2018 Local Government Oil Spill Contingency Plan Grant Program. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 180738 [Multifamily Housing Revenue Bonds - 691 China Basin Street (Mission Bay South Block 6 West) - Not to Exceed \$80,000,000]**
Sponsor: Kim
Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$80,000,000 for 691 China Basin Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; 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 \$80,000,000; 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, and the Application, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 180621 [Resolution to Establish - Discover Polk Community Benefit District]**
Sponsor: Peskin
 Resolution to establish the property-based business improvement district known as the “Discover Polk Community Benefit District,” ordering the levy and collection of assessments against property located in that district for 11 years commencing with FY2018-2019, subject to conditions as specified, and making environmental findings. (Department of Economic and Workforce Development). RECEIVED AND ASSIGNED to Board of Supervisors.
- 180739 [Commending LaborFest on its 25th Anniversary]**
Sponsor: Peskin
 Resolution commending LaborFest on the occasion of its 25th anniversary, and its ongoing efforts to shed light on the ongoing plight of working people through arts and other cultural events. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 180740 [Accept and Expend Grant - Alternative and Renewable Fuel and Vehicle Technology Program - Electric Vehicle Ready Blueprint - \$199,398]**
Sponsor: Tang
 Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of \$199,398 from the California Energy Commission’s Alternative and Renewable Fuel and Vehicle Technology Program to develop an Electric Vehicle Ready Blueprint to accelerate regional vehicle electrification for the period of July 1, 2018, through June 30, 2019. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

MOTIONS

- 180741 [Special On-Sale General Liquor License - Verifying Completion of Preapplication Meeting - 3414 Judah Street - La Puesta del Sol Cantina]**
Sponsor: Tang
 Motion verifying that CBTW Inc., doing business as La Puesta del Sol Cantina, located at 3414 Judah Street, has completed the preapplication meeting requirement under California Business and Professions Code, Section 23826.13, for the issuance of a new, non-transferable, Type-87 neighborhood-restricted special on-sale general liquor license. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 180742 [Closed Session - Anticipated Litigation - Tax Measures Adopted by the Voters at the June 5, 2018 Municipal Election - July 24, 2018]**
 Motion that the Board of Supervisors convene in closed session on July 24, 2018, pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(2), for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation in which the City may be a plaintiff or a defendant, regarding the adoption of Proposition C (Additional Tax on Commercial Rents Mostly to Fund Child Care and Education) and Proposition G (Parcel Tax for San Francisco Unified School District) on the June 5, 2018, ballot. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 180744 [Concurring in the Continuation of the Declaration of Local Emergency - Flooding Affecting SFPUC’s Moccasin Reservoir (Tuolumne County)]**
 Motion concurring in the continuation of the Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency of flooding affecting the San Francisco Public Utilities Commission’s Moccasin Reservoir in Tuolumne County. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 180745 [Confirming Reappointment, Planning Commission - Dennis Richards]**
 Motion approving/rejecting President of the Board of Supervisors Malia Cohen's nomination for the reappointment of Dennis Richards to the Planning Commission, for a four-year term ending July 1, 2022. (Rules Committee). RECEIVED AND ASSIGNED to Rules Committee.
- 180746 [Confirming Reappointment, Planning Commission - Kathrin Moore]**
 Motion approving/rejecting President of the Board of Supervisors Malia Cohen's nomination for the reappointment of Kathrin Moore to the Planning Commission, for a four-year term ending July 1, 2022. (Rules Committee). RECEIVED AND ASSIGNED to Rules Committee.
- 180747 [Confirming Reappointment, Planning Commission - Rodney Fong]**
 Motion approving/rejecting the Mayoral nomination for the reappointment of Rodney Fong to the Planning Commission, for a four-year term ending June 30, 2022. (Rules Committee). RECEIVED AND ASSIGNED to Rules Committee.
- 180748 [Confirming Reappointment, Planning Commission - Milicent Johnson]**
 Motion approving/rejecting the Mayoral nomination for the reappointment of Milicent Johnson to the Planning Commission, for a four-year term ending June 30, 2022. (Rules Committee). RECEIVED AND ASSIGNED to Rules Committee.
- 180749 [Mayoral Reappointment, Board of Appeals - Ann Lazarus]**
 Motion approving/rejecting the Mayoral reappointment of Ann Lazarus to the Board of Appeals, for a term ending July 1, 2022. (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

- 171004 [Settlement of Lawsuit - George Birmingham - City to Receive \$1,500,000 for Sale of Parcels on the 400 Block of Burnett Avenue]**
 Ordinance authorizing settlement of the lawsuit filed by George Birmingham against the City and County of San Francisco; approving the Agreement for Purchase and Sale of Real Estate; and authorizing official acts in connection with this Ordinance; the lawsuit was filed on September 9, 2015, in San Francisco Superior Court, Case No. CGC 15-547835; entitled George Birmingham v. City and County of San Francisco, et al.; the lawsuit involves plaintiff's attempts to gain street access for his parcel that is separated from Burnett Avenue by a paper street owned by Public Works and a vacant Public Utilities Commission parcel; the material terms of the settlement are the City will pursue the legislative approvals necessary to sell the parcels to plaintiff, and plaintiff will purchase the parcels from the City for \$1,500,000; approving the sale of the parcels; and affirming the Planning Department's determination under the California Environmental Quality Act. (City Attorney). SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

- 180703 [Settlement of Lawsuit - Charleen Maghzi - \$1,427,637.59]**
Ordinance authorizing settlement of the lawsuit filed by Charlene Maghzi, individually and as trustee of the Maghzi Family Marital Trust, against the City and County of San Francisco for \$1,427,637.59; the lawsuit was filed on January 26, 2018, in San Francisco Superior Court, Case No. CGC-18-563778; entitled Charleen Maghzi, individually and as trustee of the Maghzi Family Marital Trust v. The City and County of San Francisco; the lawsuit involves the plaintiff's claim for damages arising from a 2016 landslide adjacent to Casitas Avenue in San Francisco; and appropriating San Francisco Public Utilities Commission funds for payment of the settlement amount. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 180704 [Settlement of Lawsuit - Robert Brown - \$119,909]**
Ordinance authorizing settlement of the lawsuit filed by Robert Brown against the City and County of San Francisco for \$119,909; the lawsuit was filed on August 13, 2016, in United States District Court, Case No. 16-CV-04671; entitled Robert Brown v. City and County of San Francisco et al.; the lawsuit involves claims of alleged civil rights violation. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 180705 [Settlement of Lawsuit - Isabel Rodriguez-Alba - \$55,000]**
Ordinance authorizing settlement of the lawsuit filed by Isabel Rodriguez-Alba against the City and County of San Francisco for \$55,000; the lawsuit was filed on November 10, 2015, in San Francisco Superior Court, Case No. CGC-15-548917; entitled Isabel Rodriguez-Alba v. City and County of San Francisco; the lawsuit involves an injury when plaintiff tripped and fell in a pothole. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 180706 [Settlement of Lawsuit - Pacific Bell Telephone Company, and AT&T Services, Inc. - \$852,057.22]**
Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company, and AT&T Services, Inc. against the City and County of San Francisco for \$852,057.22; the lawsuit was filed on October 4, 2016, in San Francisco Superior Court, Case No. CGC-16-554661; entitled Pacific Bell Telephone Company, and AT&T Services, Inc. v. City and County of San Francisco and Does 1 to 100; the lawsuit involves damage to real and personal property caused by two alleged flooding events at 30 Onondaga Street; and appropriating San Francisco Public Utilities Commission funds for payment of the settlement amount. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 180707 [Settlement of Lawsuit - Gail Bonnifield, Aquene Cali Montano, a Minor, By And Through Her Guardian Ad Litem Ulises Montano, and Dontanayia Lockwood - \$110,000]**
Ordinance authorizing settlement of the lawsuit filed by Gail Bonnifield, Aquene Cali Montano, a Minor, By And Through Her Guardian Ad Litem Ulises Montano, and Dontanayia Lockwood against the City and County of San Francisco, et al. for \$110,000; the lawsuit was filed on March 22, 2017, in San Francisco Superior Court, Case No. CGC-17-557677; entitled Gail Bonnifield, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from pedestrians being struck by a City vehicle. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180708 [Authorizing Agreements - Binding Arbitration for Purchase of Electricity and Related Products - Public Utilities Commission - Total Costs of \$13,762,490]
Ordinance delegating authority to the General Manager of the Public Utilities Commission to enter into agreements requiring binding arbitration for purchase of electricity and related products within certain parameters and where necessary to meet legal requirements; and retroactively authorizing three agreements for CleanPowerSF with Pacific Gas & Electric Company requiring binding arbitration, with a combined term of two years and five months from August 2018, through December 2020, and total costs of \$13,762,490 for purchase of electricity-related products. (Public Utilities Commission). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

180709 [Settlement of Lawsuit - Rita Kae Restrepo, Cheryl Randolph - \$195,000]
Ordinance authorizing settlement of the lawsuit filed by Rita Kae Restrepo and Cheryl Randolph against the City and County of San Francisco for \$195,000; the lawsuit was filed on May 13, 2016, in the San Francisco Superior Court, Case No. CGC-16-551996; entitled Rita Kae Restrepo and Cheryl Randolph v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

180710 [Contract Amendment - URS Corporation - Engineering Support Services - Not to Exceed \$30,915,000]
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendment No. 5 to an agreement with URS Corporation, increasing the length of the agreement by up to 13 months for a total term of September 11, 2003, through July 10, 2020, and increasing the agreement by \$2,415,000, adjusting the estimated cumulative contract amount from \$28,500,000 to \$30,915,000 for engineering support services for the Water Enterprise Water System Improvement Program-funded Agreement No. CS-716, Calaveras Dam Replacement, pursuant to Charter, Section 9.118(b). (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

180711 [Settlement of Unlitigated Claim - Sarah Vigil - \$50,000]
Resolution approving the settlement of the unlitigated claim filed by Sarah Vigil against the City and County of San Francisco for \$50,000; the claim was filed on October 6, 2017; the claim involves a bodily injury arising from a multiple rear-end vehicle accident. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180712 [Settlement of Unlitigated Claim - P55 Hotel Owner, LLC - \$575,350]
Resolution approving the settlement of the unlitigated claim filed by P55 Hotel Owner, LLC against the City and County of San Francisco for \$575,350; the claim was filed on December 11, 2017; the claim involves an alleged overpayment of transfer tax. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

180713 [Contract Amendment - Positive Resource Center - Behavioral Health Services - Not to Exceed \$21,542,846]
Resolution retroactively approving a fourth amendment to the Department of Public Health contract for behavioral health services with Positive Resource Center, to extend the contract term by four years, from July 1, 2018, for a total term of October 1, 2013, through June 30, 2022, and to increase the contract by \$10,798,399 for a total amount not to exceed \$21,542,846. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

180714 [Agreement Amendment - California Department of Health Care Services - Change Effective End Date of Agreement - Mental Health Plan - Not to Exceed \$238,581,122]

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services, to retroactively enter into an amended Agreement No. 12-89390 with the California Department of Health Care Services to change the end date of the agreement from April 30, 2018, to June 30, 2017, with no change to the amount not to exceed \$238,581,122. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

180715 [Agreement - California Department of Health Care Services - Mental Health Plan - \$0]

Resolution retroactively approving Agreement No. 17-94609, between Department of Public Health, Community Behavioral Health Services, and the California Department of Health Care Services, for the San Francisco Mental Health Plan, for a five year term of July 1, 2017, through June 30, 2022, in the amount of \$0. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

180716 [Contract Agreement - Regents of the University of California - Behavioral Health Services for Adults and Older Adults - Not to Exceed \$22,811,510]

Resolution approving a contract agreement between the Department of Public Health and The Regents of the University of California, for behavioral health services for adults and older adults for a contract term of five years, from July 1, 2018, through June 30, 2022, in an amount not to exceed \$22,811,510. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Clerk to Act - July 10, 2018

Board Meeting Minutes for June 5, 2018 were approved.

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

In Memoriams

Aaron Goldsmith - Entire Board

Elaine Lambright - Entire Board

George Pulizzano - Supervisor Fewer

Anthony Nguyen - Supervisor Kim

Kevin Manning - Supervisor Peskin

Jaime Poole, Jr. - Supervisor Ronen