

Board of Supervisors



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 554-5184
TDD No. 554-5227

Legislation Introduced at Roll Call

Tuesday, September 12, 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

- 170983 [Administrative Code Waivers - Public Offering of Port Property - “Parcel K North”]**
Sponsors: Mayor; Cohen
Ordinance approving the sale of Parcel K North, located at 20th Street and Illinois Street, by the Port Commission; waiving certain provisions of the Administrative Code; and adopting findings under the California Environmental Quality Act, public trust findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1(b). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 170984 [Appropriation - Grants to Businesses in Chinatown Affected by Delay of the Central Subway Project - \$225,000 - FY2017-2018]**
Sponsor: Peskin
Ordinance appropriating \$225,000 from the General Reserve to General City Responsibility to provide grants to businesses in Chinatown that have suffered economic losses due to unanticipated delays in construction of the Central Subway Project. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 170869 [Police Code - Noise Permits for Construction at Night]**
Sponsor: Peskin
Ordinance amending the Police Code to prohibit the Department of Public Works and the Department of Building Inspection from granting special permits to exceed ambient noise levels during night time construction unless certain written findings are made, and to prohibit the Department of Public Works from issuing such permits for projects in certain residential areas (outside the area bounded by Pine, Taylor, Market, 8th, Folsom, Fremont, and Front Streets) covered by the Holiday Moratorium on issuance of daytime special traffic permits; and affirming the Planning Department’s determination under the California Environmental Quality Act. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

- 170985 [Public Works and Subdivision Codes - City Maintenance of Street Trees]**
Sponsor: Sheehy
Ordinance amending the Public Works Code to implement Charter, Section 16.129 (Proposition E, November 2016) and generally provide that the City shall maintain Street Trees and be liable for injuries and property damage resulting from the failure to maintain Street Trees; amending the Subdivision Code to incorporate conforming changes regarding Street Tree maintenance; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

Resolutions

- 170986 [Disposition and Development Agreement - FC Pier 70, LLC - Pier 70 Project]**
Sponsors: Mayor; Cohen
Resolution approving a Disposition and Development Agreement between the Port and FC Pier 70, LLC, for 28 acres of real property located in the southeast portion of the larger area known as Seawall Lot 349 or Pier 70; adopting findings under the California Environmental Quality Act; adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and adopting public trust consistency findings. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170987 [Public Trust Exchange Agreement - California State Lands Commission - Pier 70 Project]**
Sponsors: Mayor; Cohen
Resolution approving the Compromise Title Settlement and Land Exchange Agreement for Pier 70 between the City and the California State Lands Commission in furtherance of the Pier 70 Mixed Use Project located at Pier 70; and adopting findings under the California Environmental Quality Act. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 170988 [Memorandum of Understanding Regarding Interagency Cooperation - Pier 70 Project]**
Sponsors: Mayor; Cohen
Resolution approving the Memorandum of Understanding between the Port and other City Agencies regarding Interagency Cooperation; and adopting findings under the California Environmental Quality Act. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170989 [Jurisdictional Transfer of City Property - Real Estate Division - Fire Department - 2245 Jerrold Avenue - \$0]**
Sponsor: Cohen
Resolution approving the jurisdictional transfer of 2245 Jerrold Avenue (Assessor's Parcel Block No. 5286A, Lot No. 004) currently under the jurisdiction of Real Estate Division to the Fire Department; approving the transfer price of \$0; adopting environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1; and authorizing other actions in furtherance of this Resolution, as defined herein. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

- 170990 [Approval of a 120-Day Extension for Planning Commission Review of Planning Code, Zoning Map - Establishment of Geary- Masonic Special Use District (File No. 161109)]**
Sponsor: Farrell
Resolution retroactively extending by 120 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 161109) amending the Planning Code by adding Section 249.20; and amending Sheet 4 SU03 of the Zoning Map, to establish the Geary- Masonic Special Use District in the area generally bounded by Geary Boulevard to the south, Masonic Avenue to the east, and Assessor's Parcel Block No. 1071, Lot Nos. 001 and 004, to the north and west, respectively; 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 convenience, necessity, and welfare under Planning Code, Section 302. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 170991 [Comfort Women Day - September 22, 2017]**
Sponsors: Fewer; Kim and Ronen
Resolution declaring September 22, 2017 as Comfort Women Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 170992 [Bi-Annual Housing Balance Report - May 2017]**
Sponsor: Kim
Resolution receiving and approving the bi-annual Housing Balance Report dated May 12, 2017, submitted as required by Planning Code, Section 103. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 170993 [Lower Polk Community Benefit District - Annual Report for FY2015-2016]**
Sponsor: Peskin
Resolution receiving and approving annual report for the Lower Polk Community Benefit District for FY2015-2016, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 170994 [Revenue Agreement Amendment - JC Decaux San Francisco, Inc. - Extending Term to December 16, 2017]**
Sponsor: Peskin
Resolution approving the Third Amendment to the Revenue Agreement between San Francisco Public Works and JC Decaux San Francisco, LLC, for the Automatic Public Toilet and Public Service Kiosk Program extending the contract term by 60 days, changing the termination date from October 17, 2017, to December 16, 2017. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 170995 [Commemorative Street Name Designation - "Tony Bennett Way" - 900 Block of Mason Street]**
Sponsor: Peskin
Resolution adding the commemorative street name "Tony Bennett Way" to the 900 block of Mason Street in recognition of legendary singer Tony Bennett and his ambassadorship to the City and County of San Francisco, as well as his long and celebrated history with the Fairmont Hotel and San Francisco communities. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

- 170996 [Urging the U.S. Navy to Name a Ship in Honor of Joseph Rosenthal]**
Sponsor: Peskin
Resolution urging the naming of a United States Navy Ship in honor of Joseph Rosenthal, whose Pulitzer Prize-winning photo of the raising of the American Flag at Iwo Jima captured the sacrifice of an entire generation of Americans. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 170997 [Multifamily Housing Revenue Bonds - 2675 Folsom Street and 970 Treat Avenue - Not to Exceed \$130,000,000]**
Sponsor: Ronen
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 \$130,000,000 for 2675 Folsom Street and 970 Treat Avenue; 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 \$130,000,000; 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 Committee.

Motions

- 170998 [Issuance of Subpoena Duces Tecum - Derrick Roorda]**
Sponsor: Peskin
Motion directing the Clerk of the Board of Supervisors to issue a subpoena duces tecum to Derrick Roorda, requiring him to appear at the Government Audit & Oversight Committee on October 4, 2017, at 10:00 a.m., to provide oral information at the hearing of File No. 160975 and respond to questions regarding the design, engineering, and cost benefit analysis for the project at 301 Mission Street; and requiring him to produce documents, correspondence, records, and other materials in his possession related to that project. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 170999 [Closed Session - Labor Negotiations - October 3, 2017]**
Sponsor: Peskin
Motion that the Board of Supervisors convene in closed session on October 3, 2017, with the Department of Human Resources under Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding labor negotiations of the City's open labor contracts. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 171000 [Adopting Findings Reversing the Final Environmental Impact Report Certification - Alameda Creek Recapture Project]**
Motion adopting findings reversing the Planning Commission's certification of the Final Environmental Impact Report for the San Francisco Public Utilities Commission's proposed Alameda Creek Recapture Project. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

- 171001 [Hearing - San Francisco Municipal Transportation Agency's Use of On-board Diagnostics for Muni Emissions Control]**
Sponsor: Peskin
Hearing on the testing, measuring, tracking, and recording of smoke emissions on San Francisco's Muni fleet through the use of On-Board Diagnostics computer systems; and requesting the San Francisco Municipal Transportation Agency 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 ORDINANCE

- 170903 [Settlement of Lawsuit - Andre Price, Kenneth Farris, Jr., Abdelaziz Aineb - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Andre Price, Abdelaziz Aineb, and Kenneth Farris, Jr. against the City and County of San Francisco for \$100,000; the lawsuit was filed on December 22, 2014, in San Francisco Superior Court, Case No. CGC-14-543349; entitled Andre Price, et al. 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 RESOLUTION

- 170904 [Mental Health Services Act - Program and Expenditure Plan (Integrated Plan)]**
Resolution adopting the Mental Health Services Act Program and Expenditure Plan (Integrated Plan) for FY2017-2018 through FY2019-2020. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – September 12, 2017

No minutes were approved.

There were no Clerk to Act requests submitted at the September 12, 2017 Board Meeting.

In Memoriam

Terrence Daniel Hanley - Supervisor Fewer

Anthony "Bubbles" Torres - Supervisors Kim, Ronen and Sheehy

Fr. Larry Lorenzoni - Supervisor Peskin

Kevin O'Boyle - Supervisor Tang

Terry Smerdel - Full Board