

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, September 17, 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.

CHARTER AMENDMENT

190945 [Charter Amendment - Retiree Health Benefits - Housing Authority Employees]

Sponsors: Mayor; Walton, Peskin, Stefani, Yee and Safai

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide retiree health care benefits to employees of the Housing Authority of the City and County of San Francisco ("Housing Authority") who started working for the City and County of San Francisco on or after March 7, 2019, and before March 1, 2021, without a break in service between employment with the Housing Authority and employment with the City and County of San Francisco; and affirming the Planning Department's determination under the California Environmental Quality Act; at an election to be held on March 3, 2020. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

ORDINANCES

190710 [Health, Business and Tax Regulations Codes - Food Preparation and Service Establishment Categories, Disclosures, and Permit Fees]

Sponsor: Peskin

Ordinance amending the Health Code and Business and Tax Regulations Code to replace the requirement that food preparation and service establishments ("food facilities") post a symbol issued by the Department of Public Health with a requirement to post a color-coded placard indicating whether the establishment has passed (green), conditionally passed (yellow), or failed (red) a health inspection; clarifying some of the terminology pertaining to violations and remedies and penalties for same; defining new categories of food facilities; establishing annual permit fees for new categories of food facilities; and increasing permit fees for temporary permits and food vending machines. SUBSTITUTED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

- 190946 [Administrative Code - Definition of Tourist or Transient Use Under Hotel Conversion Ordinance]**
Sponsor: Peskin
Ordinance amending the Administrative Code to amend the definition of Tourist or Transient Use under the Residential Hotel Unit Conversion Ordinance, from a term of tenancy of less than 30 days to a term of tenancy of less than seven days, through December 31, 2021, and starting on January 1, 2022, back to a term of tenancy of less than 30 days, to provide a two year amortization period applicable to hotels currently regulated under the Ordinance; to provide a process by which the owners or operators of regulated hotels can request that the amortization period be longer, on a case-by-case basis; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 190947 [Public Works Code - Major Encroachment Permit - 3333 California Street Project]**
Sponsor: Stefani
Ordinance approving a major encroachment permit for Laurel Heights Partners, LLC ("Permittee") to occupy portions of Presidio Avenue, Masonic Avenue, Pine Street, Euclid Avenue, Mayfair Drive, and Laurel Street adjacent to 3333 California Street (Assessor's Parcel Block No. 1032, Lot No. 003) for the purpose of installing and maintaining landscape planters, differentiated paving, corner bulb-outs, and other improvements; waiving conflicting requirements under Public Works Code, Sections 800 et seq. and 810A, in connection with Permittee's implementation of the encroachment permit and project development; making findings 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.
- 190948 [Transportation Code - Lombard Street Reservation and Pricing Pilot Program]**
Sponsor: Stefani
Ordinance amending Division I of the Transportation Code to adopt rules and regulations for vehicular access and congestion management for Lombard Street between Leavenworth and Hyde Streets including a reservation and pricing pilot program and associated fee; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 190949 [Administrative Code - Extension of Pedestrian Safety Advisory Committee]**
Sponsors: Yee; Mar, Ronen and Walton
Ordinance amending the Administrative Code to extend the sunset date for the Pedestrian Safety Advisory Committee by one year, to October 1, 2020, and requiring the Committee to recommend changes to its structure and duties. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

RESOLUTIONS

190950 [Issuance of Bonds - California Municipal Finance Authority - HealthRIGHT 360 - Not to Exceed \$65,000,000]

Sponsor: Brown

Resolution approving in accordance with Internal Revenue Code of 1986, Section 147(f), as amended, the issuance of revenue bonds or a loan by the California Municipal Finance Authority in one or more series pursuant to a plan of financing and in an aggregate issue price not to exceed \$65,000,000 ("Bonds") to refinance all or a portion of certain outstanding debt obligations that originally financed and refinanced the acquisition, construction, improvement, equipping and furnishing of facilities located at 890 Hayes Street, 815 Buena Vista West, 214 Haight Street, 1563 Mission Street, 1735 Mission Street, 154 Coleridge Street within the City and County of San Francisco ("City"), owned and managed by the HealthRIGHT 360, a California nonprofit public benefit corporation, in connection with the provision of residential treatment services in the City; finance additional improvements to and equipping and maintenance of such facilities; pay capitalized interest on the Bonds; fund a reserve fund for the Bonds; and pay certain expenses incurred in connection with the issuance of the Bonds. (Controller). RECEIVED AND ASSIGNED to Budget and Finance Committee.

190951 [Urging the Governor to Sign California State Assembly Bill No. 857 (Chiu and Santiago) - Public Banks Act]

Sponsors: Fewer; Walton, Ronen, Peskin, Brown, Mandelman, Mar and Haney

Resolution urging the Governor to sign into law California State Assembly Bill No. 857, authored by State Assembly Members David Chiu and Miguel Santiago, the "Public Banks Act," to provide a pathway for the creation of municipal and regional public banks. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

190952 [Urging the United States Census Bureau to Provide Non-English Paper Questionnaires for Language Groups of 100,000 or More]

Sponsors: Fewer; Walton, Yee, Peskin, Brown, Ronen, Mandelman, Mar and Haney

Resolution urging the United States Census Bureau to provide non-English paper questionnaires for language groups of 100,000 or more in the United States during the 2020 Census, including Chinese, Korean, Vietnamese and Russian. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

190953 [Urging the Department of Public Health to Rescind Their Relocation Notice for Adult Residential Facility Residents]

Sponsors: Haney; Ronen, Walton, Mar and Fewer

Resolution urging the Department of Public Health to rescind their 60-day notice for adult residential facility residents to relocate; and supporting adult residential facility residents and workers. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

190954 [Condemning the United States Department of Agriculture's Proposed Rule Change that Threatens Food Security]

Sponsors: Walton; Ronen, Brown, Stefani, Mar, Fewer and Yee

Resolution condemning a proposed rule change by the United States Department of Agriculture (USDA) that would end categorical eligibility for Supplemental Nutrition Assistance Program benefits and cause more than 3,000,000 people nationwide to be more food insecure; urging the USDA to withdraw said rule change; and asking the Human Services Agency to explain the negative effects such a change will cause. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTION

190955 [Committee of the Whole - Findings and Recommendations Regarding Law Enforcement Practices - October 22, 2019]

Sponsors: Fewer; Walton

Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on October 22, 2019, at 3:00 p.m., for the Members of the Board of Supervisors to hear and receive updates on the progress and implementation status of the United States Department of Justice recommendations regarding reforms within the Police Department. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUESTS FOR HEARING

190956 [Hearing - Appropriate Amortization Period to Implement Hotel Conversion Ordinance]

Sponsor: Peskin

Hearing to receive public input on the appropriate amortization period to implement the City's Hotel Conversion Update; and requesting the Mayor's Office of Housing and Community Development, Department of Building Inspection, and Department of Homelessness and Supportive Housing to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

190957 [Hearing - Department of Police Accountability Operations and Implementation of Department of Justice Recommendations]

Sponsors: Walton; Haney

Hearing to receive an update of the Department of Police Accountability's operations and the Police Department's implementation of Department of Justice recommendations; and requesting the Department of Police Accountability and Police Department to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services 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

- 190916 [Settlement of Attorney's Fee Claim - Contest Promotions, LLC - City to Receive \$500,000]**
Ordinance authorizing settlement by payment of \$500,000 to the City and County of San Francisco, of the City's claim for attorney's fees and costs arising from the lawsuit that Contest Promotions, LLC, filed against the City; the lawsuit was filed on August 26, 2015, in San Francisco Superior Court, Case No. CGC-15-547630; entitled Contest Promotions, LLC vs. City and County of San Francisco; San Francisco Superior Court Case No. CPF-16-514771 was filed on February 9, 2016, and the actions were consolidated; the lawsuit involves a dispute about the City's compliance with a prior settlement agreement between the parties, and the constitutionality of sections of the Planning Code regulating on-site and off-site commercial signs. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 190917 [Settlement of Lawsuit - Fidelis Cybersecurity, Inc. - City to Receive \$850,978]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Fidelis Cybersecurity, Inc. and others for \$850,978; the lawsuit was filed on November 27, 2018, in San Francisco Superior Court, Case No. CGC-18-571572; entitled City and County of San Francisco and the People of the State of California v. Fidelis Cybersecurity, Inc.; Maarek Zalatimo (aka Mark Zalatimo); Heather Zalatimo; Jeff Jorgenson, and Does One through Ten; the lawsuit involves the sale of products to the City in violation of conflict of interest laws; other material terms of the settlement are that Fidelis will pay the settlement amount over 18 months and that the City will return hardware purchased from Fidelis within 30 days. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 190918 [Settlement of Lawsuit - Cheryl Jarne - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Cheryl Jarne against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 2, 2018, in San Francisco Superior Court, Case No. CGC-18-564726; entitled Cheryl Jarne v. City and County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

- 190919 [Jurisdictional Transfer and Exchange of City Property - Municipal Transportation Agency - Real Estate Division - 1419 Bryant Street - 1200-15th Street - \$0]**
Resolution approving the jurisdictional transfer of 1419 Bryant Street, a portion of Assessor's Parcel Block No. 3904, Lot No. 002, consisting of approximately 48,000 square feet, currently under the jurisdiction of the Municipal Transportation Agency (MTA) to the Real Estate Division on behalf of Animal Care and Control (ACC), and 1200-15th Street, Assessor's Parcel Block No. 3925, Lot No. 002, consisting of 15,260 square feet improved with an office building of approximately 29,116 rentable square feet, commonly known as the City's Animal Shelter, currently under the jurisdiction of the ACC to the MTA, subject to the terms and conditions of a Memorandum of Understanding between MTA and ACC; approving the transfer price of \$0; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent 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. (Real Estate Department). RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 190920 [Lease Amendment - Lexington Lion San Francisco, LP - 350 Rhode Island Street-North - \$2,600,000 Rent Credit]**
Resolution authorizing the execution and acceptance of the First Amendment to Lease of that certain lease dated September 28, 2017 ("Lease"), by and between Lexington Lion San Francisco, LP, a Delaware Limited Partnership, and the City and County of San Francisco, for the real property located at 350 Rhode Island Street-North, facilitating the provision of a rent credit to City in the amount of \$2,600,000 in consideration for a waiver of certain real estate expense pass-through protections afforded to the the City under the Lease, to commence upon approval by the Board of Supervisors. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 190921 [Contract - Retroactive - Sentinel Offenders Services, LLC - Home Detention and Electronic Monitoring Services]**
Resolution retroactively approving the Sheriff Department's contract with Sentinel Offenders Services, LLC to administer a Home Detention and Electronic Monitoring Program, for a term of three years from August 1, 2019, through July 31, 2022, with two one-year options to renew. (Sheriff). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – September 17, 2019

No Board Meeting Minutes were approved.

Requests Granted

From: Supervisor Walton

To: City Attorney

Requesting/Inquiring: To draft an ordinance prohibiting the Juvenile Probation Department from using Juvenile Hall to provide any type of programming that incarcerates youth “post adjudication.”

From: Supervisors Walton, Peskin, Haney, Ronen, Fewer

To: City Attorney

Requesting/Inquiring: To prepare an appropriation ordinance for the Office of the Controller placing the remaining non-salary budget for the Juvenile Probation Department for fiscal year 2019-2020 on Board of Supervisors Reserve.

In Memoriam

None