

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, October 17, 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

- 170938 [Planning Code, Zoning Map - 1629 Market Street Special Use District]**
Sponsors: Mayor; Kim and Sheehy
Ordinance amending the Planning Code and the Zoning Map to add the 1629 Market Street Special Use District; 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, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.
- 171106 [Administrative Code - Reauthorizing Sentencing Commission]**
Sponsor: Cohen
Ordinance amending the Administrative Code to reauthorize the San Francisco Sentencing Commission and extend the sunset date to June 30, 2020. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 171107 [Administrative Code - Appraisals for Jurisdictional Transfers of Real Property for Affordable Housing]**
Sponsor: Peskin
Ordinance amending the Administrative Code to exempt certain City jurisdictional transfers for affordable housing from appraisal requirement. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 171108 [Planning Code - Jackson Square Special Use District]**
Sponsor: Peskin
Ordinance amending the Planning Code to regulate restaurant and bar uses in the Jackson Square Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; 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.

Resolutions

- 171109 [Real Property Lease - Lexington Lion San Francisco LP - 350 Rhode Island Street - San Francisco District Attorney, Police Investigations - \$4,319,445 Initial Maximum Annual Base Rent]**
Sponsor: Mayor
Resolution authorizing a Lease for up to 125,122 square feet consisting of a portion of the first floor and entire second, third, and fourth floors at 350 Rhode Island Street - North, for the San Francisco District Attorney and Police Investigations, with Lexington Lion San Francisco L.P., a Delaware limited partnership, for 15 years, to be occupied in phases, for the period of July 1, 2018, through June 30, 2033, with one five-year option to extend, at an initial monthly base rent not to exceed \$359,953.75 for a total annual maximum base rent of \$4,319,445 in the initial year with increases as set forth in the schedule of the Lease; and finding the proposed Lease is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171110 [Negotiate Real Property Lease - LCL Global - 777 Brannan Street, LLC - 777 Brannan Street- San Francisco Police Department - \$1,004,698 Initial Annual Base Rent]**
Sponsor: Mayor
Resolution authorizing the Director of Property to negotiate a Lease for up to 27,154 square feet consisting of the entire three floors of 777 Brannan Street, for the San Francisco Police Department, with LCL Global - 777 Brannan Street, LLC, a limited liability corporation, for a term of ten years from July 1, 2018, through June 30, 2028, with two five-year options for renewal, at an initial monthly base rent not to exceed \$83,724.83 for a total annual base rent of \$1,004,698 in the initial year with increases as set forth in the schedule of the Letter of Intent; and finding the proposed Lease is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171111 [Negotiate Real Property Lease - Bridgeton 945 Bryant Fee LLC - 945 Bryant Street - San Francisco Adult Probation - \$1,763,968 Initial Maximum Annual Base Rent]**
Sponsor: Mayor
Resolution authorizing the Director of Property to negotiate a Lease for up to 41,744 square feet consisting of the entire three floors of 945 Bryant Street, for the San Francisco Adult Probation Office, with Bridgeton 945 Bryant Fee LLC, a limited liability corporation, for twenty years, to be occupied in phases, for the period of July 1, 2018, through June 30, 2038, at an initial monthly base rent not to exceed \$146,997.33 for a total maximum base rent of \$1,763,968 in the initial year with increases as set forth in the schedule of the Letter of Intent; and finding the anticipated Lease is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171112 [Grant Acceptance Agreement and Permit to Enter - Asian Art Museum Foundation - Indemnification for Claims Related to Construction Improvements to Asian Art Museum]**
Sponsors: Mayor; Kim
Resolution authorizing the Asian Art Commission to execute a Grant Acceptance Agreement and Permit to Enter with the Asian Art Museum Foundation, whereby the City would indemnify Asian Art Museum Foundation trustees, officers, and employees for claims related to construction improvements to the Asian Art Museum. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 171113 [Multifamily Housing Revenue Bond - 1500 Mission Street Apartments - Not to Exceed \$325,000,000]**
Sponsor: Mayor
 Resolution authorizing the issuance and sale of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$325,000,000 for the purpose of providing financing for the acquisition, development and construction of a 550-unit, mixed income, multifamily rental housing project located in the City at 1500-1580 Mission Street; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds and authorizing the issuance thereof; 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; approving the form of and authorizing the execution of a bond purchase agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the Project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171114 [Accept and Expend Grant - San Francisco Parks Alliance - Let'sPlaySF! Playground Renovation Initiative - \$15,000,000]**
Sponsor: Mayor
 Resolution authorizing the Recreation and Park Department to accept and expend a grant from the San Francisco Parks Alliance for the renovation of San Francisco playgrounds, to partner on the Let'sPlaySF! Playground Renovation Initiative, for \$15,000,000. (Recreation and Park Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171115 [Approval of an Additional 180-Day Extension for Planning Commission Review of Inclusionary Affordable Housing Program (File No. 150911)]**
Sponsors: Mayor; Farrell and Tang
 Resolution extending by an additional 180 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 150911) amending the Planning Code to provide revised geographic, timing, pricing and other requirements for the off-site alternative to the Inclusionary Housing Fee; create a new option for off-site projects that qualify as Nonprofit Provider Partner Projects; create a new alternative for project sponsors of smaller market-rate projects to direct the Affordable Housing Fee to small sites projects; create an option for project sponsors of on- and off-site housing to provide higher amounts of affordable housing at higher levels of affordability termed "dialing up;" revise certain definitions and operating procedures related to the Inclusionary Housing Program and make conforming changes; and 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 the Planning Code, Section 101.1. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 171116 [Accept and Expend Grant - San Francisco Parks Alliance - Recreation and Park Department's Scholarship Program - \$110,000]**
Sponsor: Mayor
 Resolution authorizing the Recreation and Park Department to accept and expend a grant of \$110,000 from the San Francisco Parks Alliance to benefit the Department's scholarship program for the project term of December 1, 2017, through June 30, 2018. (Recreation and Park Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 171117 [Resolution of Intention to Form Project Area I (Mission Rock), and Sub-Project Areas I-1 Through I-13 Therein, of Infrastructure Financing District No. 2 (Port of San Francisco)]**
Sponsors: Mayor; Kim
 Resolution of Intention to establish Project Area I (Mission Rock), and Sub-Project Areas I-1 through I-13 therein, of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco); establishing the time and date for a public hearing; and determining other matters in connection therewith. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 171118 [Resolution of Intention to Issue Bonds Related to Project Area I of Port Infrastructure Financing District No. 2 (Port of San Francisco)]**
Sponsors: Mayor; Kim
 Resolution of Intention to Issue Bonds for Project Area I of City and County of San Francisco Infrastructure Financing District No. 2. (Port of San Francisco). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 171119 [Multifamily Housing Revenue Notes - 171 Loehr Street and 1250 Sunnydale Avenue ("Britton Courts Apartments") - Not to Exceed \$76,000,000]**
Sponsor: Cohen
 Resolution authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$76,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 92-unit multifamily rental housing project known as "Britton Courts Apartments;" approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the loan from the funding lender to the City and the execution and delivery of the note; approving the form of and authorizing the execution of a borrower loan agreement providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; 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 back-to-back loans, the note and the project; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171120 [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 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; 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.

171070 [Accept and Expend Gift - Comfort Women Justice Coalition - Arts Commission - Maintenance of the “Comfort Women’s” Column of Strength - Total Gift Value of \$208,000]

Sponsors: Kim; Fewer and Peskin

Resolution retroactively authorizing the Arts Commission to accept and expend a donation from the “Comfort Women” Justice Coalition of \$208,000 for the purpose of maintaining the artwork titled the “Comfort Women’s” Column of Strength for a period not less than 20 years. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

171121 [Agreement Amendment - Transbay Joint Powers Authority - Municipal Transportation Agency - Transbay Transit Center Program Services - No Additional Cost]

Sponsor: Kim

Resolution approving the Third Amendment to Contract No. CS-159 between the Municipal Transportation Agency and the Transbay Joint Powers Authority for Transbay Transit Center Program Services pursuant to Charter, Section 9.118, for the period of July 21, 2009, through June 30, 2018, at no additional cost. (Municipal Transportation Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.

171122 [Interim Zoning Controls - Supervisorial District 11 - Institutional Uses, Certain Personal Service Uses, and Conversion of Commercial to Residential Use]

Sponsor: Safai

Resolution imposing interim zoning controls for an 18-month period in the Excelsior Outer Mission Neighborhood Commercial District and areas in Supervisorial District 11 zoned Small-Scale Neighborhood Commercial District (NC-2), Moderate-Scale Neighborhood Commercial District (NC-3), Neighborhood Commercial Shopping Center District (NC-S), Small-Scale Neighborhood Commercial Transit District (NCT-2), and Moderate-Scale Neighborhood Commercial Transit District (NCT-3), to require a Conditional Use authorization for the following new Uses (or existing Uses operating without proper approvals and permits) in areas where such Uses currently are permitted: all Institutional Uses located on the First Story, certain categories of Institutional Uses located on any Story, and a Personal Service Use operating as a salon and/or providing cosmetic services and located on the First Story; to require a Conditional Use authorization for the conversion of any Commercial Use to a Residential Use; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and priority policies in Planning Code, Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

171123 [Adopting Principles for Regulation of Emerging Technology and Urging the City Administrator to Convene an Emerging Technology Task Force]

Sponsors: Yee; Ronen and Fewer

Resolution adopting guiding principles that the Board of Supervisors shall use to inform and adopt future legislation regulating businesses that utilize emerging technologies and to urge the Office of the City Administrator to convene a Task Force on Emerging Technology. RECEIVED AND ASSIGNED to Rules Committee.

Motions

171086 [Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor Sandra Lee Fewer]

Motion appointing Supervisor Sandra Lee Fewer, term ending January 31, 2019, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

- 171087 [Appointment, Children and Families First Commission - Supervisor Sandra Lee Fewer]**
Motion appointing Supervisor Sandra Lee Fewer, for an indefinite term, to the Children and Families First Commission. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.
- 171088 [Appointment, California State Association of Counties - Supervisor Malia Cohen]**
Motion appointing Supervisor Malia Cohen, term ending December 2, 2018, to the California State Association of Counties. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.
- 171089 [Appointment, City College Financial Assistance Fund Oversight Committee - Supervisor Jane Kim]**
Motion appointing Supervisor Jane Kim, for an indefinite term, to the City College Financial Assistance Fund Oversight Committee. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.
- 171125 [Mayoral Appointment, Airport Commission - Richard Guggenhime]**
Motion approving/rejecting the Mayor's reappointment of Richard Guggenhime to the Airport Commission, for a term ending August 31, 2021. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

Requests for Hearing

- 171124 [Hearing - Achieving the City's Zero Waste Goals]**
Sponsor: Safai
Hearing on the City's overall diversion rate; reviewing how the City plans to achieve zero waste, if not by 2020 as has been publicly discussed; reviewing the methodology for calculating the diversion rate and plans for increasing overall diversion; and requesting Public Works, Recology, and the Department of the Environment to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 171127 [Closed Session - Existing Litigation - October 24, 2017]**
Closed Session for the Board of Supervisors to convene on October 24, 2017, for the purpose of conferring with, or receiving advice from, the City Attorney, under California Government Code, Section 54956.9(a), and Administrative Code, Section 67.10(d)(1), regarding the existing litigation in which the City is a defendant and appellee, American Beverage Association, California Retailers Association, and California State Outdoor Advertising Association v. City and County of San Francisco, Ninth Circuit Court of Appeals Case Nos. 16-16072 and 16-16073, filed in the United States District Court for the Northern District of California on July 24, 2015; scheduled pursuant to Motion No. M17-161, approved October 17, 2017. (Clerk of the Board). RECEIVED AND ASSIGNED 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

- 171074 [Settlement of Lawsuit - Kevin Smith - \$300,000]**
Ordinance authorizing settlement of the lawsuit filed by Kevin Smith against the City and County of San Francisco for \$300,000; the lawsuit was filed on January 26, 2016, in San Francisco Superior Court, Case No. CGC-15-550065; entitled Kevin Smith v. City and County of San Francisco; the lawsuit involves alleged personal injury on a City street. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 171075 [Settlement of Lawsuit - T-Mobile West, LLC - \$72,500]**
Ordinance authorizing settlement of the lawsuit filed by T-Mobile West, LLC against the City and County of San Francisco for \$72,500; the lawsuit was filed on September 9, 2015, in San Francisco Superior Court, Case No. CGC-15-547840; entitled T-Mobile West, LLC v. City and County of San Francisco; the lawsuit involves a Utility Users Tax refund. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 171076 [Settlement of Lawsuit - AT&T Corp. - \$498,000]**
Ordinance authorizing settlement of the lawsuit filed by AT&T Corp. against the City and County of San Francisco for \$498,000; the lawsuit was filed on October 26, 2016, in San Francisco Superior Court, Case No. CGC-16-555047; entitled AT&T Corp. v. City of San Francisco, Department of Public Health; the lawsuit involves a breach of contract claim arising from a dispute over AT&T's design of a medical grade wireless network at Zuckerberg San Francisco General Hospital; other material terms of the settlement are that the City reserves all rights to pursue claims against AT&T for, and AT&T shall retain responsibility for, latent defects; all extant express and implied warranties under the contract shall remain in full force and effect; the City and AT&T will execute a mutual release; the City and AT&T will each bear its own fees and costs. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

- 171077 [Real Property Lease Renewal - 1145 Market LP - 1145 Market Street - San Francisco Law Library - \$1,180,000 Initial Annual Base Rent]**
Resolution authorizing the exercise of an option to extend the term of a Lease for approximately 20,000 square feet, consisting of a portion of the second floor and entire fourth floor at 1145 Market Street, for the San Francisco Law Library, with 1145 Market Street LP, a California limited partnership, for five years, subject to City's right to terminate, for the period of July 1, 2018, to June 30, 2023, at a monthly base rent of \$98,333.33 for a total annual base rent of 1,180,000 in the initial year with 3% annual increases. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 171078 [Airport Professional Services Agreement Modification - CAGE Professional Services, Inc. dba CAGE, Inc. - International Terminal Checked Baggage Inspection System Modernization Program and Baggage Handling Improvements Project - Not to Exceed \$14,500,000]**
 Resolution approving Modification No. 10 to Airport Contract No. 9024.9, Construction Management Services for the International Terminal Checked Baggage Inspection System Modernization Program and Baggage Handling System Improvements Project, with CAGE Professional Services, Inc. dba CAGE, Inc., and approving an amount for further modifications for a total amount not to exceed \$14,500,000 for services through December 31, 2020, pursuant to Charter, Section 9.118(b). (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171079 [Lease Agreement - Wells Fargo Bank, N.A. - Automated Teller Machines - \$475,000 Minimum Annual Guarantee]**
 Resolution approving the Domestic Terminals Automated Teller Machines Lease A No. 17-0194 between Wells Fargo Bank, N.A., and the City and County of San Francisco, acting by and through its Airport Commission, for a term of five years, to commence following Board approval, with a two-year option to extend, and a minimum annual guarantee of \$475,000 for the first year of the Lease. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171080 [2011 Airport Lease and Use Agreement - Air Pacific Limited dba Fiji Airways]**
 Resolution approving the terms of 2011 Lease and Use Agreement No. 17-0183 between the City and County of San Francisco, acting by and through its Airport Commission, and Air Pacific Limited dba Fiji Airways to conduct flight operations at San Francisco International Airport, for the lease term to commence following Board approval through June 30, 2021. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171081 [2011 Airport Lease and Use Agreement - Air India Limited]**
 Resolution approving the terms of 2011 Lease and Use Agreement No. 17-0183 between the City and County of San Francisco, acting by and through its Airport Commission, and Air India Limited to conduct flight operations at San Francisco International Airport, for the lease term to commence following Board approval through June 30, 2021. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171082 [Accept and Expend Three Gifts - Thomas G. Dragges, James Lund and Jon Simmonds - Airport - SFO Museum Collection - Total Gift Value of \$95,103]**
 Resolution retroactively authorizing the Airport Director, or his/her designee, to accept three gifts for the SFO Museum collection: 1) 998 airline and airport timetables valued at \$47,435 from Thomas G. Dragges, 2) 73 scale model aircraft valued at \$36,500 from James Lund, and 3) 163 commercial aviation artifacts valued at \$11,168 from Jon Simmonds; for a total gift value of \$95,103. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – October 17, 2017

Board Meeting Minutes for September 5, 2017 and September 12, 2017 were approved.

There were no Clerk to Act requests submitted at the October 17, 2017 Board Meeting.

In Memoriam

David Grinberg - Supervisor Breed

Cora Theresa Washington - Supervisor Breed

Tom Dunn - Supervisor Farrell

Jim Suekama - Supervisor Peskin