

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, December 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.

Charter Amendments

171304 [Charter Amendment - Cannabis Commission]

Sponsor: Fewer

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to create the Cannabis Commission to oversee the Department of Cannabis; at an election to be held on June 5, 2018. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

171305 [Charter Amendment - Noncitizen Voting in School Board Elections]

Sponsor: Fewer

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to establish, as a condition for noncitizens voting in an election for members of the Board of Education, that the Board of Supervisors adopt an implementing ordinance for that election at least 270 days before that election; at an election to be held on June 5, 2018. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

171306 [Charter Amendment - Appointed Board Members and Commissioners Seeking Elective Office]

Sponsors: Peskin; Kim, Safai and Yee

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide that appointed members of boards and commissions under the Charter forfeit their offices upon filing a declaration of candidacy for state or local elective office; at an election to be held on June 5, 2018. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

171307 [Charter Amendment - Retirement Board]

Sponsor: Peskin

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to reduce the Mayoral appointments to the Retirement Board from three to two members and to require that the City Attorney appoint one member; to require that the appointments of the Mayor and City Attorney be subject to a hearing and Board of Supervisors' approval within 60 days, but that if not acted upon become effective on the 61st day; to require that the term of any member appointed by the Mayor between December 1, 2014, and January 1, 2018, expire on September 1, 2018, with the City Attorney appointing a member to fill such a vacancy; and to require that the Retirement Board disclose certain investment information on a biannual basis; at an election to be held on June 5, 2018. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

171308 [Charter Amendment - Revenue Bonds for Public Utilities Commission Power Facilities]

Sponsors: Peskin; Tang

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize the Public Utilities Commission to issue revenue bonds for power facilities when approved by ordinance receiving a two-thirds vote of the Board of Supervisors; at an election to be held on June 5, 2018. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

171309 [Charter Amendment - Jurisdiction Within City Government Over Parking and Traffic Matters]

Sponsors: Safai; Peskin

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to eliminate the San Francisco Municipal Transportation Agency's jurisdiction over parking and traffic regulations; to grant the legislative authority over parking and traffic to the Board of Supervisors; to create a new Livable Streets Commission and Department to manage parking and traffic; and affirming the Planning Department's determination under the California Environmental Quality Act; at an election to be held on June 5, 2018. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

171310 [Charter Amendment - Budget Set-Asides and Baselines]

Sponsors: Tang; Peskin

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide that whenever the City's projected budget deficit for the upcoming fiscal year exceeds \$200 million, the City is not required to increase funding for the Municipal Transportation Fund; the Park, Recreation and Open Space Fund; the Children and Youth Fund; the Library Preservation Fund; the Housing Trust Fund; the Public Education Enrichment Fund; the Dignity Fund; the Street Tree Maintenance Fund; the Controller's Audit Fund; the Asian Art Museum; the California Academy of Sciences; the Fine Arts Museums; the War Memorial and Performing Arts Center; the Library; the Recreation and Park Commission; or community cultural centers; to provide that money in these funds in future years that remain unspent or uncommitted at the end of the fiscal year will be returned to the City's General Fund; and to eliminate the requirement that the City provide funding to maintain a symphony orchestra; at an election to be held on June 5, 2018. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

Ordinances

- 171311 [Health Code - License Fee for Cannabis Smoking Consumption Permit]**
Sponsor: Mayor
Ordinance amending the Health Code to impose an annual license fee of \$1,200 for a Cannabis Smoking Consumption permit. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 171313 [Development Agreement - SWL 337 Associates, LLC - Mission Rock Project - Seawall Lot 337]**
Sponsors: Mayor; Kim
Ordinance approving a Development Agreement between the City and County of San Francisco and SWL 337 Associates, LLC, for 28 acres of real property known as Seawall Lot 337, located east of Third Street between China Basin Channel and Mission Rock Street, China Basin Park and the portion of Terry A. Francois Boulevard abutting the park, Pier 48, the marginal wharf between Pier 48 and Pier 50, and Parcel P20; waiving certain provisions of the Administrative Code, Planning Code, and Subdivision 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 Government Audit and Oversight and Rules Committee.
- 171314 [Establishing Project Area I (Mission Rock), and Sub-Project Areas I-1 Through I-13 Therein - Adopting Appendix I to Infrastructure Financing Plan (Port of San Francisco)]**
Sponsors: Mayor; Kim
Ordinance establishing 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); affirming the Planning Department's determination and making findings under the California Environmental Quality Act; and approving other matters in connection therewith. ASSIGNED UNDER 30 DAY RULE to Board of Supervisors' meeting on January 23, 2018.
- 171316 [Reward - Property Tax Underpayment Information - Natasha Khoruzhenko - \$7,095.42]**
Sponsor: Peskin
Ordinance approving Assessor's recommended reward of \$7,095.42 to Natasha Khoruzhenko for information that led to detection of underpayment of property tax from an unreported change in ownership. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.
- 171245 [Appropriation - State Grant, Private Funds, Tax Credits, and City Funds from CAST Powerhouse QALICB, LLC - Geneva Car Barn and Powerhouse Capital Improvements - \$11,048,767 - FY2017-2018]**
Sponsor: Safai
Ordinance appropriating \$11,048,767 to the Recreation and Park Department for funding received from CAST Powerhouse QALICB, LLC (QALICB) consisting of a state grant, tax credit investments, private funding from Community Arts Stabilization Trust (CAST), and existing city appropriations for Geneva Car Barn and Powerhouse capital improvements in FY2017-2018; and placing \$11,048,767 on Controller's reserve pending receipt of a grant award from the state by the Recreation and Park Department, and written documentation of receipt of CAST equity and tax credit investments by QALICB. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 171317 [Health Code - Banning Sale of Animal Fur Products]**
Sponsor: Tang
 Ordinance amending the Health Code to ban the sale in San Francisco of animal fur products. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.
- 171318 [Public Works Code - Fees for Autonomous Delivery Device Testing and Nighttime Work Permits]**
Sponsor: Yee
 Ordinance amending the Public Works Code to establish fees for Autonomous Delivery Device Testing permits and appeals of Public Works Director's decisions regarding such permits, and to increase fees for Nighttime Work permits. ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee.

Resolutions

- 171315 [Bond Issuance - Port Infrastructure Financing District - Project Area I (Mission Rock) and Sub-Project Areas I-1 Through I-13 Therein - Not to Exceed \$1,378,000,000]**
Sponsors: Mayor; Kim
 Resolution approving issuance of Bonds in an Amount not to exceed \$1,378,000,000 for 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); approving Indenture of Trust and Pledge Agreement; and approving other matters in connection therewith. RECEIVED AND ASSIGNED to Board of Supervisors' meeting on January 23, 2018.
- 171319 [Real Property Acquisition - 700-730 Stanyan Street - McDonald's Corporation - \$15,500,000]**
Sponsor: Mayor
 Resolution approving and authorizing the Real Estate Division, on behalf of the Mayor's Office of Housing and Community Development, to acquire Real Property, located at 700-730 Stanyan Street from McDonald's Corporation, for purchase at \$15,500,000; placing the property under the jurisdiction of the Mayor's Office of Housing and Community Development for use in constructing affordable housing for San Franciscans; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the purchase agreement and this Resolution, as defined herein. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171320 [Real Property Lease - NPU, Inc. - United States Old Mint - 88 Fifth Street - \$20,000 per Month]**
Sponsor: Mayor
 Resolution authorizing and approving a Lease with NPU, Inc., a California corporation, for the United States Old Mint at 88 Fifth Street, at the monthly base rent of \$20,000; requiring tenant to be responsible for all utilities and services, participation rent of 50% of venue rental fees and \$2,500 per ticketed event, for a two year term to commence upon approval by the Board of Supervisors and Mayor through July 31, 2019, with three one-year options to extend; adopting findings under the California Environmental Quality Act, Public Resources Code, Section 21000 et seq.; and making findings that the proposed transaction is in conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Real Estate Department). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 171321 [Accept and Expend Grant - The Trust for Public Land - Sergeant John Macaulay Children's Play Area Renovation Project - Up to \$500,000 of In-Kind Grant]**
Sponsor: Kim
 Resolution retroactively authorizing the Recreation and Park Department to accept an in-kind grant of up to \$500,000 from the Trust for Public Land for project management, design services, and community engagement for the Sergeant John Macaulay children's play area renovation project for the project term of December 30, 2017, through July 1, 2018. (Recreation and Park Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171322 [Real Property Lease Amendment - BGCA Management, LLC - Bill Graham Civic Auditorium, 99 Grove Street - \$25,000 per Month Base Rent]**
Sponsor: Kim
 Resolution authorizing and approving an Amendment to Lease with BGCA Management, LLC, a Delaware limited liability company, for Bill Graham Civic Auditorium, at 99 Grove Street; increasing monthly base rent to \$25,000; requiring tenant to be responsible for all utilities and a minimum of \$10,250,000 in building improvements, new participation rent calculation, and other changes as set forth in Amendment; with no change to the term length to expire on December 31, 2030, to commence upon approval by the Board of Supervisors and Mayor. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 171323 [Urging Protection for Ocean and Coastal Regions from Offshore Drilling and Fracking]**
Sponsor: Peskin
 Resolution urging a ban on new offshore drilling and fracking in federal and state waters in the Pacific Ocean and a ban on new federal oil and gas leases in the Pacific, Atlantic, and Arctic Oceans and the Gulf of Mexico. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 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. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

Request for Hearing

171312 [Hearing - Committee of the Whole - Amendments to the Mission Bay South Redevelopment Plan - January 23, 2018]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on January 23, 2018, to hold a public hearing to consider amendments to the Mission Bay South Redevelopment Plan as authorized by Assembly Bill 2796 (Chapter 529, Statutes 2016); scheduled pursuant to Motion No. M17-206, approved on December 12, 2017. (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors' meeting on January 23, 2018.

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

171275 [Appropriation and De-Appropriation - Airport NARC Forfeiture and Asset Seizure Fund Balance - Police Training Support Facility Capital Project - FY2017-2018 - \$1,100,000]

Ordinance appropriating \$1,100,000 consisting of \$333,163 from fund balance in the Airport NARC Forfeiture and Asset Seizure Fund; and \$766,837 de-appropriated from Programmatic Projects - Budget in the Airport NARC Forfeiture and Asset Seizure Fund, and re-appropriated to Building, Structures, & Improvements Project - Budget; to support the Airport Commission's Police Training Support Facility capital project. (Airport Commission). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

171276 [Settlement of Lawsuit - Lai King Tam - \$142,500]

Ordinance authorizing settlement of the lawsuit filed by Lai King Tam against the City and County of San Francisco for \$142,500; the lawsuit was filed on June 2, 2016, in San Francisco Superior Court, Case No. CGC-16-552527; entitled Lai King Tam v. City and County of San Francisco; the lawsuit involves personal injury allegedly caused by the dangerous condition of a City sidewalk. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

171277 [Settlement of Lawsuit - Patricia Burley - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Patricia Burley against the City and County of San Francisco for \$100,000; the lawsuit was filed on October 18, 2016, in San Francisco Superior Court, Case No. CGC-16-554887, and removed on November 22, 2016, to United States District Court, Case No. 16-cv-06762 JCS; entitled Patricia Burley vs. 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

171278 [Emergency Declaration - Repair and Servicing of the Tesla Treatment Facility Flywheel Uninterruptible Power Supply Units - Hetch Hetchy Regional Water System - Not to Exceed Cost of \$500,000]

Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Section 6.60, for the repair and servicing of the Tesla Treatment Facility Flywheel Uninterruptible Power Supply Units of the Hetch Hetchy Regional Water System, with an estimated total not to exceed cost of \$500,000. (Public Utilities Commission). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Clerk to Act - December 12, 2017

Land Use and Transportation Committee Meeting Minutes for November 6, 2017 approved.

Special Rules Committee Meeting Minutes for November 7, 2017 approved.

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

In Memoriam

Mayor Edwin M. Lee - Entire Board
Donnalyn Murphy - Board President Breed
Elvira Dela Cruz Natividad - Supervisor Yee
Yin Ching Tam - Supervisors Yee and Tang
Dana Denise Faulkner - Supervisor Tang
David Eng Wong - Supervisor Tang
Michael R. Barton - Supervisor Tang
James Samiere - Supervisor Tang
JB Rumburg - Supervisor Tang