

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, October 8, 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.

ORDINANCES

- 191011 [Appropriation - Certificates of Participation to Mayor's Office of Housing and Community Development for HOPE SF - \$83,600,000 - FY2019-2020]**
Sponsor: Mayor
Ordinance appropriating \$83,600,000 of Certificates of Participation to the Mayor's Office of Housing and Community Development to fund project costs of HOPE SF in FY2019-2020; and placing these funds on Controller's Reserve pending the sale of the Certificates of Participation. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 191012 [Appropriation - Certificates of Participation to Department of Public Health for the Homeless Services Center - \$7,250,000 - FY2019-2020]**
Sponsor: Mayor
Ordinance appropriating \$7,250,000 of Certificates of Participation to the Department of Public Health to fund construction costs for the Homeless Services Center in FY2019-2020; and placing these funds on Controller's Reserve pending the sale of the Certificates of Participation. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 191013 [Transportation Code - Mobility Device Permit Requirement]**
Sponsor: Mayor
Ordinance amending the Transportation Code to establish a violation for operating a Shared Mobility Device Service without a permit or other authorization from the Municipal Transportation Agency, and to repeal certain parking restrictions related to stationless bicycle share programs and powered scooter share programs; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

191014 [Authorizing Taxable and/or Tax-Exempt Certificates of Participation - HOPE SF - Not to Exceed \$83,600,000]

Sponsor: Mayor

Ordinance authorizing the execution and delivery of Certificates of Participation, in one or more series on a tax-exempt and/or taxable basis and from time to time, evidencing and representing an aggregate principal amount not to exceed \$83,600,000 to finance and refinance certain capital improvement projects, including but not limited to certain properties generally known as Hunters View, Sunnydale, and Potrero Terrace and Annex housing developments, approving the form of a Supplement to Trust Agreement between the City and County of San Francisco and U.S. Bank National Association, as trustee ("Trustee") (including certain indemnities contained therein); approving respective forms of a Supplement to Property Lease and a Supplement to Project Lease, each between the City and the Trustee for the lease and lease back certain real property and improvements located at 375 Laguna Honda Boulevard or other property as determined by the Director of Public Finance; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Certificates of Participation; approving the form of an Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith, as defined herein. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

191015 [Accept and Expend Grant and Amend the Annual Salary Ordinance - Retroactive - Office of Financial Empowerment Kindergarten to College Program - Mott Foundation - \$365,000]

Sponsor: Fewer

Ordinance retroactively authorizing the Office of Treasurer & the Tax Collector to accept and expend a grant in the amount of \$365,000 from the Charles & Stuart Mott Foundation for implementing the Office of Financial Empowerment Kindergarten to College Program for the period of September 1, 2019, through August 31, 2021; and amending Ordinance No. 170-19 (Annual Salary Ordinance File No. 190620 for FYs 2019-2020 and 2020-2021) to provide for the creation of one grant-funded Class 1844 Senior Management Assistant position (0.67 FTE). (Treasurer-Tax Collector). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

191016 [Planning Code - 100% Affordable Housing and Educator Housing Streamlining Program]

Sponsors: Fewer; Mar, Peskin, Haney and Safai

Ordinance amending the Planning Code to require at least half of residential units in Educator Housing projects to have two or more bedrooms, to eliminate the requirement that Educator Housing projects have a minimum amount of three-bedroom units, conditioned on the passage of Proposition E in the November 5, 2019, Municipal Consolidated Election; 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. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

- 190974 [Green Building Code - Energy Performance in Newly Constructed Buildings]**
Sponsor: Mandelman
Ordinance amending the Green Building Code to establish energy performance requirements for certain new building construction; adopting environmental findings, and findings of local conditions under the California Health and Safety Code and the California Public Resources Code; and directing the Clerk of the Board of Supervisors to forward the Ordinance to state agencies as required by state law. SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.
- 191017 [Housing Code - Heat Requirements in Residential Rental Units]**
Sponsor: Peskin
Ordinance amending the Housing Code to revise the requirements for heating in residential rental units; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED to Land Use and Transportation Committee.
- 191018 [Planning Code - Landmark Designation - 770 Woolsey Street (aka University Mound Nursery)]**
Sponsor: Ronen
Ordinance amending the Planning Code to designate 770 Woolsey Street (aka University Mound Nursery), Assessor's Parcel Block No. 6055, Lot No. 001, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and 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.
- 191033 [Administrative, Public Works, Police Codes - Establishing Office of Emerging Technology - Requiring Permits for Using Emerging Technology Devices on Public Right-of-Ways]**
Sponsors: Yee; Fewer
Ordinance amending the Administrative Code to create an Office of Emerging Technology within the Department of Public Works; amending the Public Works Code to require a permit to obstruct the public right-of-way within Public Works' jurisdiction; amending the Administrative Code to codify the Public Works Director's authority to take official actions, as defined herein, including adopting regulations for the pilot operation of emerging technology devices; amending the Public Works Code and Police Code to provide for administrative, civil, and criminal penalties for unlawful obstruction of the public right-of-way, including operation of emerging technology devices without a required permit; 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

- 191019 [Certificates of Participation - Construction of a Homeless Services Center - 1064-1068 Mission Street - Not to Exceed \$7,250,000]**
Sponsor: Mayor
Resolution authorizing the Controller to cause the execution and delivery of taxable or tax-exempt Certificates of Participation evidencing and representing an aggregate principal amount not to exceed \$7,250,000 to finance the costs of the construction of a Homeless Services Center at 1064-1068 Mission Street; authorizing the Controller to cause the issuance from time to time of the City's commercial paper notes in anticipation of the execution and delivery of said Certificates of Participation; and authorizing the Director of Public Finance to execute such documents and take necessary actions in furtherance of this Resolution, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 191020 [Accept and Expend Grant - Retroactive - Department of Homeland Security - 2018 Port Security Grant Program - Alternate Disaster Operations Center - \$105,000]**
Sponsor: Mayor
Resolution retroactively authorizing the Port of San Francisco to accept and expend a grant award in the amount of \$105,000 from the Department of Homeland Security's 2018 Port Security Grant Program to fund the buildout of an alternative Disaster Operations Center (DOC) at Pier 50 as a backup to the Port's primary DOC at Pier 1 for the period of September 1, 2018, through August 31, 2021. (Port). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 191021 [Accept and Expend Grant - Retroactive - California Board of State and Community Corrections - Youth Reinvestment Grant - \$734,216]**
Sponsor: Mayor
Resolution retroactively authorizing the Juvenile Probation Department to accept and expend a grant in the amount of \$734,216 from the California Board of State and Community Corrections Youth Reinvestment Program to augment San Francisco's existing diversion programs with a non-law enforcement mobile crisis response service for the period of July 1, 2019, through February 28, 2023. (Juvenile Probation Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 191022 [Contract Agreement - ConvergeOne, Inc. - Cisco Products and Services - Not to Exceed \$70,000,000]**
Sponsor: Fewer
Resolution authorizing the Department of Technology to enter into a contract between the City and County of San Francisco and ConvergeOne, Inc., for the purchase of Cisco products and services, with a not to exceed amount of \$70,000,000 for the term ending November 1, 2022, to commence following Board approval, with two two-year options to extend at the sole and absolute discretion of the City. (Department of Technology). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 191023 [Grant Agreement Amendment - The Regents of the University of California - Community Assessment and Services Center - Not to Exceed \$18,007,010]**
Sponsor: Fewer
 Resolution approving a first amendment to the grant agreement between the Adult Probation Department and The Regents of the University of California, on behalf of its San Francisco Campus, for the operation of the Community Assessment and Services Center, to increase the grant funding by \$12,207,010 for a total amount of \$18,007,010 and extend the performance period for three years for a total term of November 17, 2017, through October 31, 2022. (Adult Probation). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 191024 [Resolution of Intention - Renewal - Noe Valley Community Benefit District]**
Sponsor: Mandelman
 Resolution declaring the intention of the Board of Supervisors to renew a property-based business improvement district known as the “Noe Valley Community Benefit District” and levy a multi-year assessment on all parcels in the district; approving the management district plan, engineer’s report, and proposed boundaries map for the district; ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole, on January 28, 2020, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting, as required by law. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 191028 [Supporting the “All In” Campaign]**
Sponsors: Mandelman; Brown, Stefani, Fewer, Mar and Yee
 Resolution supporting the “All In” campaign to contribute to the City’s efforts to reduce homelessness by welcoming homes and services in every District. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 191029 [Declaring a State of Urgency - Expanding the City’s Emergency Firefighting Water System]**
Sponsors: Mar; Fewer, Yee and Safai
 Resolution declaring a state of urgency to rapidly expand the City’s Emergency Firefighting Water System (EFWS) to protect all neighborhoods in the event of a major earthquake and fire, and calling for a comprehensive EFWS action plan to expand the City’s EFWS to cover all unprotected neighborhoods by 2034; to expand the Fire Department’s firefighting apparatus such as portable hose tenders to provide interim protection to neighborhoods not currently covered by the EFWS; and to require an annual report to the Board of Supervisors on the state of the City’s EFWS preparedness for a major earthquake and fire. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
- 191030 [Initiating Landmark Designation - 770 Woolsey Street (aka University Mound Nursery)]**
Sponsor: Ronen
 Resolution initiating a landmark designation under Article 10 of the Planning Code of 770 Woolsey Street (aka University Mound Nursery), Assessor’s Parcel Block No. 6055, Lot No. 001. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

MOTION

191034 [Mayoral Appointment, Planning Commission - Susan Diamond]

Motion approving/rejecting the Mayoral nomination for the appointment of Susan Diamond to the Planning Commission, for the unexpired portion of a term ending June 30, 2020. RECEIVED AND ASSIGNED to Rules Committee.

REQUEST FOR HEARING

191031 [Hearing - Sexual Orientation and Gender Identity Data - FY2018-2019]

Sponsor: Mandelman

Hearing on the City's collection and analysis of Sexual Orientation and Gender Identity (SOGI) data for FY2018-2019; and requesting the Department of Public Health, Mayor's Office of Housing and Community Development, Human Services Agency, Department of Aging and Adult Services, Department of Children, Youth and Their Families, and Department of Homelessness and Supportive Housing to report. RECEIVED AND ASSIGNED to Government Audit and Oversight 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

190993 [Settlement of Lawsuit - Lu Xia Tan Chen - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Lu Xia Tan Chen against the City and County of San Francisco for \$50,000; the lawsuit was filed on April 19, 2018, in San Francisco Superior Court, Case No. CGC-18-565891; entitled Lu Xia Tan Chen v. City and County of San Francisco; the lawsuit involves alleged injuries when plaintiff was struck in a crosswalk. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

190994 [Settlement of Lawsuit - Riana Buffin and Crystal Patterson - City to Comply with New Pretrial Detention Policies and Provide Funding for Pretrial Diversion Project]

Ordinance authorizing settlement of the lawsuit filed by Riana Buffin and Crystal Patterson against Sheriff Vicki Hennessy in her official capacity as Sheriff; the settlement prohibits the Sheriff from using the existing bail schedule for arrested individuals and from using any similar policy that determines the existence or length of pre-arraignment detention based on an arrestee's ability to pay, requires the Sheriff to release certain arrestees within 18 hours from the time of booking under some circumstances, and is conditioned on the City providing additional funding to the Own Recognizance Project of the San Francisco Pretrial Diversion Project; the lawsuit was filed on October 28, 2015, in U.S. District Court for the Northern District of California, Case No. 15-CV-04959-YGR; entitled Riana Buffin and Crystal Patterson, on behalf of themselves and others similarly situated v. Vicki Hennessy in her official capacity as the San Francisco Sheriff, et al.; the lawsuit involves claims that the Sheriff's use of the San Francisco Superior Court's bail schedule as a basis for pre-arraignment detention or release of arrestees violates the United States Constitution. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

190995 [Agreement Amendment - Alliant Insurance Services, Inc. - Insurance Brokerage Services - Not to Exceed \$74,000,000]

Resolution authorizing the Director of the Risk Management Division of the Office of the City Administrator to enter into a First Amendment for insurance brokerage services with Alliant Insurance Services, to increase the agreement amount by \$39,500,000 for a total amount not to exceed \$74,000,000 pursuant to Charter, Section 9.118, with no change to the term length to expire on June 30, 2020, to commence upon approval by the Board of Supervisors. (City Administrator). RECEIVED AND ASSIGNED to Budget and Finance Committee.

190996 [Agreement Amendment - Sunset Scavenger Company, Golden Gate Disposal & Recycling Company, Recology San Francisco - Refuse Collection - Not To Exceed \$48,000,000]

Resolution approving the First Amendment to the Refuse Collection Agreement between the City and County of San Francisco and Sunset Scavenger Company dba Recology Sunset Scavenger, Golden Gate Disposal & Recycling Company dba Recology Golden Gate, and Recology San Francisco, increasing the total not to exceed amount of the Agreement from \$40,000,000 to \$48,000,000 under Charter, Section 9.118(b), with no change to the term length to expire on November 30, 2020, to commence upon approval by the Board of Supervisors. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.

190997 [Purchase and Sale Agreements - Retroactive - Pacific Gas & Electric Company, Southern California Edison Company - Electricity-Related Products - Not to Exceed \$26,070,118 and \$3,500,000, Respectively]

Resolution retroactively authorizing two agreements for CleanPowerSF to purchase electricity-related products from Pacific Gas & Electric Company for a term of January 1, 2020, through December 31, 2022, for a total cost of \$26,070,118; and retroactively authorizing the sale of electricity-related products to Pacific Gas & Electric Company and Southern California Edison Company for a term of January 1, 2020, through December 31, 2022, in an amount not to exceed \$3,500,000. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

190998 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving Amendment No. 44 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year to commence December 1, 2019, for a total term of November 19, 1998, through November 30, 2020. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – October 8, 2019

Board Meeting Minutes for September 3, 2019 were approved.

Requests Granted

From: Supervisor Haney

To: City Attorney

Requesting/Inquiring: To Create Overdose Prevention Site in San Francisco in light of the 10/2/19 Federal Court ruling finding that overdose prevention sites do not violate federal drug laws.

From: Supervisor Mar

To: City Attorney

Requesting/Inquiring: To prepare a Charter Amendment for placement on the November 2020 ballot to amend Charter, Section 13.101.5(a), to prohibit the Mayor from appointing an individual who is a declared candidate for an elected position to a vacancy for that position within 90 days of that election; and to prohibit individuals appointed to vacant elected positions from running in an election for that position within 90 days of their appointment.

In Memoriam

Tony Orser – Supervisor Peskin

Rafael Palacios – Supervisor Yee