

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

January 5, 2010

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinances

- 100008 [Permit and License Fee Elimination]**
Sponsor: Chiu
Ordinance amending San Francisco Business and Tax Regulations Code Sections 248 and 249.1, amending San Francisco Police Code Sections 2.26 and 2.27, and repealing San Francisco Police Code Sections 2.28 and 2.29, all to eliminate certain permit and license fees and revenue fees, while retaining any underlying permitting, licensing, and other substantive regulatory requirements. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 100009 [Acceptance of Streets and Roadway Structures for Maintenance and Liability Purposes]**
Sponsor: Dufty
Ordinance accepting for maintenance and liability purposes the streets and roadway structures listed herein, subject to specified limitations and conditions, pursuant to California Streets and Highways Code Section 1806 and San Francisco Administrative Code Sections 1.51 et seq.; and approving Department of Public Works Order No. 178,355. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 100022 [Accept and Expend Grant - Reentry Council and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$50,000]**
Sponsor: Maxwell
Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$50,000 from the San Francisco Foundation, to support the development of data collection tools and service standards for the new Reentry Council, and amending Ordinance No. 183-09 (Annual Salary Ordinance FY 2009-2010), to reflect the addition of temporary salaries to fund one (1) temporary (.50 FTE) grant-funded 8173 Legal Assistant position in the Office of the Public Defender. RECEIVED AND ASSIGNED to Budget and Finance Committee.

100023 [Requiring the Census Workers be Allowed Access to Residential Hotels to Engage in Census Activities]
Sponsor: Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Section 41D.4, to add a new goal to the Uniform Visitor Policy and any Supplemental Visitor Policies to ensure that census workers engaged in census activities are allowed access to Residential Hotels, and requesting the Rent Board to amend the Uniform Visitor Policy to incorporate this addition. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

091458 [Earthquake Safety and Emergency Response General Obligation Bond Election - \$652,070,000]
Sponsors: Mayor; Chiu, Avalos, Campos, Dufty, Mirkarimi and Mar
Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 8, 2010, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$652,070,000 to finance the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building and a Forensic Sciences Center, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act ("CEQA") and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the bond; finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code. ASSIGNED to Budget and Finance Committee.

Resolutions

100007 [Approving Central Subway Final Design Contract Package No. 2 - Stations - Not to Exceed \$39,949,948]
Sponsor: Chu
Resolution approving Municipal Transportation Agency Contract No. CS-149, Program Management and Construction Management Services for the Central Subway Project with, a Joint Venture of Parsons Brinkerhoff, Inc., in an amount not to exceed \$39,949,948 for a term not to exceed ten years with an option to extend the term an additional two years. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 100010 [Local Streets and Roads Needs Assessment]**
Sponsor: Dufty
 Resolution supporting the findings of the California Statewide Local Streets and Roads Needs Assessment. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 100011 [Accept and Expend Grant - HIV Prevention Programs - \$512,960]**
Sponsor: Dufty
 Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$512,960 from the California Department of Public Health Office of AIDS to assist with a project entitled "HIV Prevention Programs;" for the period of July 1, 2009, through June 30, 2010. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 100012 [Supporting the Youth PROMISE Act]**
Sponsor: Avalos
 Resolution supporting HR 1064 and SB 435, the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100013 [International Human Trafficking Day and Human Trafficking Awareness Month]**
Sponsors: Chu; Chiu
 Resolution supporting the San Francisco Collaborative Against Human Trafficking, International Human Trafficking Awareness Day and the month-long campaign to bring awareness to issue of human trafficking. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100014 [Accept and Expend Grant - National Endowment for the Arts Grant - \$50,000]**
Sponsor: Mayor
 Resolution authorizing the San Francisco Arts Commission to accept and expend a grant in the amount of \$50,000 from the National Endowment for the Arts for WritersCorps' contracted teacher positions from the NEA's ARRA funds. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100015 [Accept and Expend Grant - CDC Kenya-Monitoring and Evaluation - \$48,837]**
Sponsor: Dufty
 Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$48,837 from the Regents of the University of California, to assist with a project entitled "CDC Kenya-Monitoring and Evaluation;" for the period of November 1, 2009, through August 31, 2010. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100016 [Body Armor Prohibition]**
Sponsor: Chiu
 Resolution urging the Supreme Court to review Lower Court's Ruling Overturning Ban on Felons Owning or Wearing Body Armor. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100017 [Declaring January 10, 2010, Lee Mallory Day in San Francisco]**
Sponsor: Chiu
 Resolution Declaring January 10, 2010, Lee Mallory Day in San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 100018 [Extending the Term of Service for the Biodiesel Access Taskforce to December 31, 2010]**
Sponsor: Mirkarimi
Resolution extending the term of service for the Biodiesel Access Taskforce to December 31, 2010. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100019 [Accept and Expend Grant - Health Impact Assessment of Congestion Pricing Policy - \$96,415]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant from the Robert Wood Johnson Foundation in the amount of \$96,415 to assist with a project entitled Health Impact Assessment of Congestion Pricing Policy for the period of January 15, 2010, through January 14, 2011. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100020 [Penalties for Assaulting or Battering a Patrol Special Officer]**
Sponsor: Dufty
Resolution encouraging the Chief of the San Francisco Police Department to consider imposition of increased potential penalties for individuals who commit assault or battery on a patrol special police officer. RECEIVED AND ASSIGNED to Public Safety Committee.
- 100021 [Acceptance of Real Property - Dearborn Street]**
Sponsor: Dufty
Resolution authorizing an agreement under which the San Francisco League of Urban Gardeners will transfer title to real property located on Dearborn Street (Lots 040 and 073, Block 3577), the use of which is restricted to a community garden; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, accept the deeds to property and take certain actions in furtherance of this Resolution. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 100024 [Bond Sale of San Francisco General Hospital Improvement Bonds - Not to Exceed \$305,000,000]**
Sponsor: Mayor
Resolution authorizing and directing the sale of not to exceed \$305,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008), Series 2010A, and City and County of San Francisco General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008), Series 2010C (Federally Taxable Build America Bonds); prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds. RECEIVED AND ASSIGNED to Budget and Finance Committee.

100025 [Bond Sale of Clean and Safe Neighborhood Parks General Obligation Bonds - Not to Exceed \$65,000,000]

Sponsor: Mayor

Resolution authorizing and directing the sale of not to exceed \$65,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks Bonds, 2008), Series 2010B, and City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks Bonds, 2008), Series 2010D (Federally Taxable Build America Bonds); prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds. RECEIVED AND ASSIGNED to Budget and Finance Committee.

091457 [Earthquake Safety and Emergency Response General Obligation Bonds - \$652,070,000]

Sponsors: Mayor; Chiu, Avalos, Campos, Dufty, Mirkarimi and Mar

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building and a Forensic Sciences Center, and other critical infrastructure and facilities for earthquake safety and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$652,070,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act ("CEQA") and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34. ASSIGNED to Budget and Finance Committee.

Request for Hearing

100026 [Hearing - Annulling the Privilege to Occupy Certain Subsurface Encroachments Along the Central Subway Alignment]

Hearing of persons interested in or objecting to proposed resolution annulling the privilege to occupy certain subsidewalk basement encroachments along 4th, Ellis, Geary, Market, O'Farrell, and Stockton streets to accommodate the construction of the Central Subway project. (Clerk of the Board). ASSIGNED to Board of Supervisors.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

091475 [General Plan Amendment - Market and Octavia Area Plan]

Ordinance amending the Market and Octavia Area Plan of the General Plan (an Area generally described as approximately one square mile surrounding the Market Street and Octavia Boulevard intersection) to amend the historic resource provisions of the Plan to integrate the results of the Historic Resource Survey by removing language calling for the Area Plan Level Survey, calling out new historic districts, replacing interim procedures for the review of projects that may affect historic resources with permanent review procedures for projects in historic districts; and adding a new design principle; amending the provisions related to alleys to include terminology consistent with other Area Plans; and making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department). ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091476 [Zoning Map Amendments - Market and Octavia Area Plan Historic Resource Survey Integration]

Ordinance amending the Zoning Map Sheets 7 and 7H of the City and County of San Francisco Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan to increase the heights of certain parcels and retain the current heights on other parcels, consistent with the findings of the Market and Octavia Area Plan Historic Resources Survey, specifically increasing heights on some parcels in the Upper Market Street Historic District (an area generally described as Market Street between Church and Noe Streets); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department). ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

091477 [Zoning Map Amendments - 1415 Mission Street Project at Mission and Tenth Streets]

Ordinance amending the Zoning Map of the City and County of San Francisco by amending Sectional Map 7 to change the use classification of the property located at 1415 Mission Street (Assessor's Block No. 3510, Lot No. 001) from C-M (Heavy Commercial) to C-3-G (Downtown General Commercial) and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

- 091472 [Agreement to Purchase a Road Easement Over Portions of APN 011-001-028 Located in Stanislaus County]**
Resolution approving and authorizing an agreement for the purchase of a 0.48 acre permanent road easement over portions of Assessor's Parcel Number 011-001-028 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 (the "Project") for a purchase price of \$500; adopting findings under the California Environmental Quality Act ("CEQA"); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 091473 [Settlement of Department of Fair Employment and Housing Charge - Timothy Jones - \$83,251.89]**
Resolution approving the settlement of the Department of Fair Employment and Housing (DFEH) and Equal Employment Opportunity Commission (EEOC) charges filed by Timothy Jones against the City and County of San Francisco for \$83,251.89; DFEH and EEOC charges were filed on November 13, 2008; DFEH Charge No. E200809A0330-00-pe and EEOC Charge No. 37AA904035 entitled Jones v. CCSF. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 091474 [Settlement of Claim - Devorah Joseph - \$49,000]**
Resolution approving the settlement of the unlitigated claim filed by Devorah Joseph against San Francisco for \$49,000; claim was filed on July 28, 2008; additional material terms of said settlement are a full and final release. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 091478 [CEQA Findings for SFPUC Sunol Valley Water Treatment Plant Project in Alameda County]**
Resolution adopting findings under the California Environmental Quality Act (CEQA) including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Sunol Valley Water Treatment Plant and Treated Water Reservoir Project, Water System Improvement (WSIP)-funded Project No. CUW38101; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission). TRANSFERRED to Budget and Finance Committee.
- 091479 [Annulling the Privilege to Occupy Certain Subsurface Encroachments Along the Central Subway Alignment]**
Resolution annulling the privilege to occupy certain subsidewalk basement encroachments along 4th, Ellis, Geary, Market, O'Farrell, and Stockton Streets to accommodate the construction of the Central Subway Project. (Municipal Transportation Agency). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Clerk to Act – January 5, 2010

Board Minutes for October 27, 2009, November 3, 2009, November 10, 2009, November 17, 2009, November 17, 2009 (Special), November 24, 2009, December 8, 2009, and December 15, 2009 approved.

Requests Granted

From: Supervisor Dufty
To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that exempts any car sharing company from paying parking tax in the City and County of San Francisco for the spots or stalls that are used/reserved by the car sharing company.

The City Attorney's office should work with the Office of the Treasurer on this request.

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following location: Intersection Webster & Grove, North side of street.

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Wood Poles

Northwest corner Oak & Buchanan
Southeast Page & Fell

Metal Poles

Northeast corner Geary & Scott
In front of 943 Haight

In front of 909 Haight
Southeast corner Post & Steiner
Southeast corner Page & Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

1756 Fillmore
600 Oak
447 Fillmore
330 Fillmore
525 Haight
533 Haight
485 Scott
1035 Haight
1055 Haight
573 Haight
699 Haight
499 Haight
800 Haight, on the Scott Street side
601 Haight
542 Haight
55 Laguna, on the Haight Street side
485 Haight
1775 Haight
1631 Haight
1556 Haight
1529 Haight
1301 Haight
955 Haight
799 Haight
587 Haight, on the West side of building
250 Laguna
1002 Scott, backside of building
600 Divisadero
507 Haight
741 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes

Northwest corner Turk & Webster
Northeast corner 7th Avenue & Irving
Southeast corner Laguna & Fell
In front of 848 Webster

Bus Shelters

Southeast corner Geary & Laguna
Southwest corner Buchanan & Haight
Northeast corner Pierce & Hayes
Southwest corner Stanyan & Oak
On Haight near Stanyan, northside of street
Southeast Haight & Divisadero
Southeast corner Geary & Scott
Southeast corner Buena Vista East & Haight
Fillmore & Haight (all 4 bus stops, graffiti and grime)

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Northeast corner Buena Vista West & Haight
Southwest corner Haight & Buena Vista East
Southwest corner Haight & Buchanan
Southwest and Northeast corners Fillmore & Waller
Southwest corner Grove & Gough
Northwest corner Fillmore & Haight

Mailboxes

Northeast corner Fell & Buchanan
Northeast corner McAllister & Scott

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue

Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes and sidewalk issues at the following location:
Intersection Webster & Grove, North side of street

In Memoriams

Jeanette Scola Trapani – Entire Board
Sgt. David H. Gutierrez – Entire Board
John Philbrook – Supervisor Dufty
Elbert Rose – Supervisor Elsbernd
Annabelle Thomas – Supervisor Elsbernd
Robert H. Bodeman – Supervisor Chiu
Joseph Peter Tarantino – Supervisor Dufty
Veronica F. Mahoney – Supervisor Dufty