

Board of Supervisors



City Hall
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Legislation Introduced

January 12, 2010

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinances

- 100041 [Personal Wireless Service Facility Site Permits and Associated Fees]**
Sponsors: Avalos; Campos
Ordinance amending the San Francisco Public Works Code by adding Article 25, Sections 1500 through 1526, to establish new requirements for Personal Wireless Service Facility Site Permits and to increase certain fees for obtaining such permits, amending the San Francisco Administrative Code by amending Chapter 11, Article 1, Section 11.9 to eliminate obsolete provisions related to such permits, making the provisions of the ordinance retroactive, and making environmental findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 100044 [Repealing Various Municipal Transportation Authority Special Funds]**
Sponsor: Chiu
Ordinance amending Chapter 8 and Chapter 10, Article XIII, of the Administrative Code by repealing Sections 8.29 (Municipal Railway Video Production Fund), 10.100-155 (Municipal Transportation Capital Reserve Fund), 10.100-157 (Municipal Transportation Improvement Fund), 10.100-159 (Municipal Transportation Information Fund), 10.100-162 (Municipal Transportation Operators Lounge Facilities Fund), and 10.100-164 (Municipal Transportation Para Transit Fund). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 100045 [Increasing Real Estate Recordation Fee]**
Sponsor: Chiu
Ordinance amending Article XIII, Section 8.24-5, San Francisco Administrative Code to increase the recordation fee to \$3.00 from \$2.00 at the time of recording real estate instruments to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 100046 [Planning Code - Amending Inclusionary Affordable Housing Ordinance]**
Sponsors: Mayor; Chiu
Ordinance amending the Planning Code by amending the Residential Inclusionary Affordable Housing Program, Section 315 et seq. (the "Program") to change the name of the Program to the Affordable Housing Program and to require all project applicants to pay the Affordable Housing fee unless they are eligible for an alternative; making other amendments to the Program including expanding the uses of the Citywide Affordable Housing Fund, deleting provisions relating to certain requirements for off-site units, and deleting provisions requiring a refund of fees after issuance of certificate of occupancy; amending Section 827 to delete the requirement that 50% of on- or off-site affordable housing units provided under Section 315 et seq. in the Rincon Hill Area Plan be provided as rental; and making findings including findings under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 100048 [Amendment to Solar Energy Incentive Program]**
Sponsors: Daly; Mirkarimi
Ordinance amending the San Francisco Environment Code by amending Sections 18.2, 18.4, 18.7-2, and 18.7-4, to: (1) require that all systems receiving City incentives be installed by individuals trained under the City workforce development program, and (2) eliminate increased incentives for residential properties in the case of systems installed by individuals trained under the City workforce development program. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 100049 [Accept and Expend Grant - Protocol for ENERGYSTAR and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$80,000]**
Sponsor: Dufty
Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$80,000 from the US Environmental Protection Agency-Region 9 to research and develop a new protocol for ENERGYSTAR in Multifamily High-rise residential and mixed-use buildings and amending Ordinance Number 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100052 [Appropriating \$410,000 of Anticipated PGA Tour Revenue for the Harding Park Golf Course in the Department of Recreation and Parks for FY2009-2010]**
Sponsor: Elsbernd
Ordinance appropriating \$410,000 of anticipated PGA Tour revenue to fund preparation of the Harding Park Golf Course for the 2010 Schwab Cup Tournament in the Department of Recreation and Parks for FY2009-2010. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100054 [Workforce Development - Public Service Academies]**
Sponsor: Mirkarimi
Ordinance amending the San Francisco Administrative Code by adding Sections 30.30 through 30.35, to establish public safety and public health training programs for San Francisco Unified School District high school students. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

- 100058 [Requiring Just Cause for Eviction from Residential Properties Owned by Specified Lenders After Foreclosure]**
Sponsors: Mayor; Duffy
Ordinance adding Administrative Code Chapter 37B "Eviction of Residential Tenants by Foreclosing Lender," to provide just cause eviction protections for existing residential tenants after foreclosure, and require that notice of this Chapter be given to residential tenants of the property. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 100059 [Appropriating \$3,257,575 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for FY2009-2010]**
Sponsor: Mayor
Ordinance appropriating \$3,257,575 of General Fund Reserve to fund indigent defense expenses associated with increased felony caseloads in the Superior Court for FY2009-2010, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100065 [Appropriation Ordinance to Reflect Mayor's Budget Balancing Plan for FY2009-2010]**
Sponsor: Mayor
Ordinance appropriating \$9,499,120 of sources and \$3,343,411 of uses and de-appropriating \$1,465,360 of sources and \$29,419,679 of uses in various departments consistent with the Mayor's Proposed Budget Balancing Plan for FY2009-2010 to balance the projected shortfall for FY2009-2010. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

- 100042 [Accept and Expend Grant - Supporting HIV Health Services - \$3,533,612]**
Sponsor: Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$3,533,612 from the California Department of Public Health Office of AIDS, to assist with a project entitled "Single Allocation Model" for the period of July 1, 2009, through June 30, 2010. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 100043 [Potential Health Impacts of Wireless Facilities]**
Sponsors: Campos; Avalos and Chu
Resolution urging the U.S. Environmental Protection Agency to study the health impacts of wireless facilities and, if appropriate, to establish a safe level of exposure to radiofrequency radiation emissions; urging the Federal Communications Commission to update its existing standards; and urging the California Congressional Delegation to introduce federal legislation to repeal limitations on state and local authority imposed by the Telecommunications Act of 1996. RECEIVED AND ASSIGNED to Public Safety Committee.

- 100047 [Planning Code - Interim Controls Related to Affordable Housing Requirements]**
Sponsors: Mayor; Chiu
 Resolution approving interim controls providing that the alternatives provided to project applicants of residential development under Planning Code Section 315 et seq. shall, except for certain eligible projects, be suspended and replaced by an interim affordable housing fee that is equivalent to the current in lieu fee and amending the housing requirements for residential projects in the Rincon Hill Area Plan for 18 months or until a permanent ordinance amending Planning Code Section 315 et seq. is adopted; and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 100051 [Confirming Report of Delinquent Transfer Taxes]**
Sponsor: Dufty
 Resolution confirming report of delinquent transfer taxes submitted by the County Recorder, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. ASSIGNED to Board of Supervisors.
- 100053 [Accepting a Gift to the Recreation and Park Department of Synthetic Turf Athletic Fields Valued at Approximately \$5,000,000 from the City Fields Foundation]**
Sponsors: Mar; Campos, Chu, Chiu, Elsbernd, Alioto-Pier and Dufty
 Resolution authorizing the Recreation and Park Department to accept a gift of synthetic turf athletic fields at Mission Playground and the Beach Chalet Soccer Fields, valued at approximately \$5,000,000 from the City Fields Foundation. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100060 [Accept and Expend Grant - HIV Technical Guide - \$14,500]**
Sponsor: Dufty
 Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the World Health Organization in the amount of \$14,500 to develop a technical guide for HIV care and prevention programs for men who have sex with men (MSM) and transgendered individuals; for the period of December 15, 2009, through December 31, 2009. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100061 [Opposing Shading of Public Parks and Open Space]**
Sponsors: Chiu; Avalos, Campos, Daly, Mar, Maxwell and Mirkarimi
 Resolution opposing changes to the Park Shadow Ban that would increase shading of public parks and open space. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100062 [Urging President Obama to Issue an Executive Order Creating a National Ocean Policy]**
Sponsor: Mirkarimi
 Resolution urging President Obama to issue an Executive Order to create a National Ocean Policy based on the recommendations of the Ocean Policy Task Force. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100063 [Angel Island Immigration Station Day - January 21, 2010]**
Sponsors: Mar; Avalos, Campos, Chiu and Chu
 Resolution declaring January 21, 2010, as Angel Island Immigration Station Day, and Commemorating the 100th Anniversary of the Immigration Station. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 100064 [Bernal Heights Branch Library Re-opening]**
Sponsor: Campos
 Resolution recognizing the grand re-opening of the Bernal Heights Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100066 [Accept and Expend Grant - Transportation Development Act, Article 3 - \$1,089,413]**
Sponsor: Mayor
 Resolution authorizing the San Francisco Municipal Transportation Agency to accept and expend a grant in the amount of \$1,089,413 from the Metropolitan Transportation Commission for various bicycle projects in the City and County of San Francisco in FY2009-2010. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests for Hearing

- 100036 [Committee of the Whole – Beilenson Hearing]**
Sponsor: Avalos
 Hearing to consider the Department of Public Health's budget eliminating or reducing health care medical services. SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.
- 100040 [Governor's Proposed Budget for FY2010-2011]**
Sponsor: Avalos
 Hearing to consider the Governor's proposed budget for FY2010-2011. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100050 [Committee of the Whole - Confirming Report of Delinquent Transfer Taxes]**
 Hearing of persons interested in or objecting to a report of delinquent transfer taxes submitted by the County Recorder, as modified to the date of adoption of this Resolution, and creating special assessments and liens based thereon pursuant to Section 1115.1 of the Real Property Transfer Tax Ordinance (under San Francisco Business and Tax Regulations Code Article 12-C). (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Motions

- 100035 [Committee of the Whole - Health Services Reductions (Beilenson Hearing) January 26, 2010, at 3:00 p.m.]**
Sponsor: Avalos
 Motion scheduling the Board to sit as a Committee of the Whole to consider health services reductions (Beilenson Hearing), to be held on January 26, 2010, at 3:00 p.m. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100055 [Budget Line Item for Police Department Dignitary Security]**
Sponsor: Mirkarimi
 Motion ordering submitted to the voters an ordinance requiring the City's annual budget to include an appropriation for the Police Department's expenditures on security for City officials and dignitaries at an election to be held on June 8, 2010. RECEIVED AND ASSIGNED to Rules Committee.

100056 [Cannabis Regulation and Control]
Sponsors: Mirkarimi; Campos
Motion ordering submitted to the voters a Statement of Policy regarding the Regulation of the Cultivation and Sale of Cannabis at an election to be held on June 8, 2010. RECEIVED AND ASSIGNED to Rules Committee.

100057 [Requesting the Budget and Legislative Analyst to Conduct an Audit of the City's General Fund Revenues]
Sponsor: Mirkarimi
Motion requesting the Budget and Legislative Analyst to: (1) conduct an audit of the City and County of San Francisco's existing lease, fee, and other General Fund revenues generated by City department activities and of the City's collection of General Fund revenues; and (2) identify new General Fund revenues, enhancement of existing General Fund revenues, and improved collection of General Fund revenues. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

100029 [Acceptance of Sewer Main and Reissuance of Encroachment Permit for Poppy Lane]
Ordinance accepting an irrevocable offer for a sewer main; dedicating said improvements for public use; accepting a sewer main on Poppy Lane for maintenance and liability purposes; rescinding Resolution No. 493-00 in order to modify and reissue the major encroachment permit for 101 Poppy Lane in accordance with this Ordinance; accepting Department of Public Works Order No. 178,477; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the eight priority policies of City Planning Code section 101.1; and authorizing official acts in connection with this Ordinance. (Public Works Department). ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

100027 [Approving the City and County's Triennial Self Assessment and Review of its Child Welfare and Juvenile Probation Placement Services]
Resolution approving San Francisco's Child and Family Services Review - Self Assessment, a review of its Child Welfare and Juvenile Probation Placement Services, including a needs assessment for the Child Abuse Prevention, Intervention, and Treatment; Community Based Child Abuse Prevention; and Promoting Safe and Stable Families programs. (Human Services Department). RECEIVED AND ASSIGNED to Public Safety Committee.

100028 [Approval of the Mental Health Services Act Information Technology Component and Technological Needs Three Year Program and Expenditure Plan]
Resolution approving the Mental Health Services Act Information Technology Component and Technical Needs Three Year Program and Expenditure Plan and authorizing the amendment of the MHS Act Agreement to include this Plan in the agreement. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – January 12, 2010

Requests Granted

From: Supervisor Chiu
To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation amending Administrative Code Chapter 31.17. The text is as follows: The certification of completion and the final EIR shall be transmitted **not less than 14 days before the scheduled hearing** by the Environmental Review Officer to the applicant and the board, commission or department that is to carry out or approve the project, and shall be presented to the body which will decide whether to carry out or approve the project. **It shall be accompanied with all recommendations regarding possible action on the project.**

From: Supervisor Avalos
To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation prohibiting alcohol sales in formula retail prescription drug stores.

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:

500 Grove
633 Central
646 Central
799 Haight
1568 Haight
1456 Haight
478-484 Haight
1173 Hayes
901 Oak
580 Hayes
745 Buchanan
1123 Masonic
1429 Oak
19067 Oak

533 Haight
420 Haight
101 Pierce, on the planter boxes
303 Webster
55 Laguna, on the Buchanan and Haight side

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:

Utility Boxes

Northeast corner Fulton & Broderick
Northeast corner Baker & Hayes
Southeast corner Laguna & Hayes
Across from 295 Buchanan

Garbage Cans

Northeast corner Laguna & Hayes
Southwest corner Broderick & Hayes

Bus Shelters

Southeast corner Divisadero & Haight
Southeast corner Grove & Laguna
Northeast corner Fillmore & Hermann, canopy
Southwest corner Buchanan & Haight
Haight & Fillmore, all bus shelters (graffiti & grime)

Mailboxes

Southwest corner Hayes & Broderick
Northwest corner Steiner & Fulton

Emergency Boxes

In front of 300 Webster

Wood Poles

In front of 341 Waller
Northwest corner Cole & Carl
In front of 509 Webster

In Memoriams

Catherine "Kay" Baxter – Supervisors Alioto-Pier and Dufty

Uta Hirota – Supervisor Mar

George Tsongas – Supervisor Chiu

Joseph Jackson – Supervisor Daly

Nathan "Nate" Cohn – Supervisor Elsbernd

Eleanor Lloyd – Supervisors Elsbernd and Maxwell

Glen John Ghiselli – Supervisor Dufty

AJ Trasvina – Supervisor Avalos