

# Board of Supervisors



City Hall  
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## Legislation Introduced

Tuesday, June 15, 2010

### LEGISLATION INTRODUCED AT ROLL CALL

#### Introduced by Supervisor or Mayor

#### Ordinances

- 100808 [Memorandum of Understanding, Amendment No. 2 - Municipal Executives' Association Police]**  
**Sponsor:** Mayor  
Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 100809 [Memorandum of Understanding, Amendment No. 3 - San Francisco Firefighters, Local 798, (Unit 1)]**  
**Sponsor:** Mayor  
Ordinance adopting and implementing Amendment No. 3 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 1, by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 100810 [Memorandum of Understanding, Amendment No. 3 - San Francisco Firefighters, Local 798, (Unit 2)]**  
**Sponsor:** Mayor  
Ordinance adopting and implementing Amendment No. 3 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 2, by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 100811 [Memorandum of Understanding, Amendment No. 2 - San Francisco Police Officers' Association (Units P-1 & P-2A)]**  
**Sponsor:** Mayor  
Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 & P-2A), by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 100812 [Memorandum of Understanding, Amendment No. 2 - San Francisco Police Officers' Association (Unit P-2B)]**  
**Sponsor:** Mayor  
Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B), by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **Resolutions**

- 100763 [Supporting the California Jobs Budget]**  
**Sponsor:** Chiu  
Resolution supporting the Assembly's Democratic budget proposal, also known as the California Jobs Budget. REFERRED to Budget and Finance Committee.
- 100765 [Urging Support for the Enforcement of the Preservation and Restoration of Sacred Heart Church]**  
**Sponsor:** Mirkarimi  
Resolution urging the Department of Building Inspection to diligently monitor the status and the condition of the Historic Sacred Heart Church, documenting the understanding between the Megan Furth Academy and its neighbors, seeking re-installation of the exterior stained glass windows and requesting the City Attorney to open an investigation for the purpose of enforcing possible violation of the Building and Planning Codes. REFERRED to Land Use and Economic Development Committee.
- 100767 [Freedom Flotilla and Gaza Blockade]**  
**Sponsors:** Avalos; Maxwell  
Resolution joining the global community, including international human rights organizations, The Elders, over 50 nations, and thousands of Bay Area residents in condemning the Israeli Defense Forces' military attack on the Freedom Flotilla on May 31, 2010, that resulted in the death of at least nine people, including a United States citizen; and urging President Barack Obama and Congress to continue their work addressing the humanitarian crisis in Gaza, actively seek an end to the blockade, and work towards genuine peace and security for all peoples in the region. REFERRED to City Operations and Neighborhood Services Committee.

- 100796 [Agreement for Vehicle Towing, Storage and Disposal Services with TEGSCO, LLC, dba San Francisco Auto Return]**  
**Sponsor:** Elsbernd  
 Resolution approving the amended and restated service agreement and property use license for towing, storage and disposal of abandoned and illegally parked vehicles by and between the San Francisco Municipal Transportation Agency and TEGSCO, LLC, d.b.a. San Francisco Auto Return. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 100804 [Interim Zoning - Requiring Conditional Use Authorization for Change in Use or Reduction of Child Care Facilities]**  
**Sponsors:** Alioto-Pier; Dufty and Daly  
 Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any child care facility that serves more than 13 children, for an 18 month period and making a determination of consistency with the priority policies of Planning Code Section 101.1. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 100805 [Memorandum of Understanding - ClipperSM Program Operations and Maintenance]**  
**Sponsor:** Dufty  
 Resolution approving the Memorandum of Understanding with the Metropolitan Transportation Commission, and other Bay Area transit agencies, for the future operation and maintenance of the Clipper Program. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 100806 [Accept and Expend Grant - California Colon Cancer Control Health Program - \$320,367]**  
**Sponsor:** Dufty  
 Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Public Health in the amount of \$320,367 to fund the California Colon Cancer Control Health Program for the period May 1, 2010, through June 30, 2013. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 100807 [Accept and Expend Grant - President's Emergency Plan for Aid - \$200,331]**  
**Sponsor:** Dufty  
 Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$200,331 from the University of California San Francisco to assist with a project entitled "President's Emergency Plan for Aid" for the period April 1, 2010, through March 31, 2011. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 100813 [Agreement with the San Francisco County Transportation Authority Relating to Yerba Buena Island Ramps - Not to Exceed \$18,830,000]**  
**Sponsor:** Mayor  
 Resolution approving a Third Amendment to the Memorandum of Agreement between the Treasure Island Development Authority and the San Francisco County Transportation Authority for project management services and consultant services for the preparation of a project report and environmental document for the Yerba Buena Island Ramps to amend the scope of work and increase the not to exceed budget to \$18,830,000. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 100814 [Amendment to Treasure Island Development Authority Contract with AMEC Geomatrix, Inc. - Not to Exceed \$1,799,000]**  
**Sponsor:** Mayor  
Resolution approving an amendment to the contract between the Treasure Island Development Authority and AMEC Geomatrix, Inc. to extend the term through June 30, 2011, and to increase the contract by an amount not to exceed \$180,000 for a new total amount not to exceed \$1,799,000 for environmental consulting services. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100815 [Confirming the Reappointment of James W. Haas to the City Hall Preservation Advisory Commission]**  
**Sponsor:** Mayor  
Resolution confirming the reappointment of James W. Haas to the City Hall Preservation Advisory Commission. RECEIVED AND ASSIGNED to Rules Committee.
- 100817 [Supporting the Designation as a Preserve America Community]**  
**Sponsor:** Chiu  
Resolution supporting the designation of the City and County of San Francisco as a Preserve America Community by the United States Department of the Interior. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100818 [Recurring Grant Funds to the Department of Public Health - FY2010-2011]**  
**Sponsor:** Chu  
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2010-2011. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100819 [Honoring Gigi Guevarra]**  
**Sponsor:** Dufty  
Resolution honoring Gigi Guevarra on the occasion of her retirement from 23 years of service to the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100820 [Requesting that the Prohibition on Gay Men Donating Blood be Revised]**  
**Sponsors:** Dufty; Campos  
Resolution calling upon the United States Food and Drug Administration to revise their longstanding prohibition on gay men donating blood. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100821 [Urging the Rejection of Assembly Bill 746 regarding Conflict of Interest]**  
**Sponsors:** Chiu; Campos and Avalos  
Resolution urging the California State Legislature to reject the passage of Assembly Bill 746 regarding conflicts of interest. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100822 [Excluding Tobacco Products from the Trans-Pacific Partnership Trade Negotiations and all Future Trade Agreements]**  
**Sponsor:** Mar  
Resolution Calling on U.S. Trade Negotiators to Exclude lethal tobacco and tobacco products from the Trans-Pacific Partnership and other trade agreements negotiated by the United States, and urging the appointment of public health representatives to advise U.S. Trade Negotiators to protect public health. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100823 [Supporting Soda Free Summer]**

**Sponsor:** Mar

Resolution supporting Soda Free Summer. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100824 [Opposing the Safe, Clean, and Reliable Drinking Water Supply Act of 2010]**

**Sponsor:** Mar

Resolution opposing the Safe, Clean, and Reliable Drinking Water Supply Act of 2010. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100825 [Opposing the Reduction in Minimum Standards for Basic Telephone Service]**

**Sponsor:** Maxwell

Resolution opposing a proposal of the California Public Utilities Commission to reduce the minimum standards for basic telephone service in California. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100827 [Political Campaign Spending by Pacific Gas and Electric Co.]**

**Sponsor:** Mirkarimi

Resolution demanding refund of shareholder and ratepayer money used to finance Prop 16, urging the San Francisco Employees' Retirement System Board to reform its proxy investment policies with regard to its holdings with Pacific Gas and Electric Co. (PG&E), requesting the California Public Utilities Commission to closely scrutinize PG&E's current rate request, and requesting PG&E CEO Peter Darbee to discuss San Francisco's renewable energy needs. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100828 [Honoring Officer Waldemar L. Jentsch]**

**Sponsor:** Dufty

Resolution recognizing Officer Waldemar L. Jentsch of the San Francisco Police Department. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Motions**

**100770 [Committee of the Whole - Hearing on the Report of Assessment Costs for Sidewalk and Curb Repairs]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 29, 2010, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100773 [Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]**  
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 29, 2010, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

**100798 [Clarifying Who is Responsible for Collecting and Remitting Third-Party Taxes; Consolidating Definitions and Amending the Definition of "Permanent Resident"]**  
**Sponsor:** Mayor  
Hearing to consider the proposed initiative ordinance to be submitted by the Mayor to the voters at the November 2, 2010, election entitled "Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 6.2-13 of Article 6 - Common Administrative Provisions, Section 501 of Article 7 - Tax on Transient Occupancy of Hotel Rooms, and Section 601 of Article 9 - Tax on Occupancy of Parking Space in Parking Stations, to amend and consolidate the definition of "Operator" and to clarify who is responsible for collecting and remitting third-party taxes; and amending Section 501 of Article 7 - Tax on Transient Occupancy of Hotel Rooms, to specify that a "Permanent Resident" is an individual." RECEIVED AND ASSIGNED to Rules Committee.

**100802 [Civil Sidewalks]**  
**Sponsor:** Mayor  
Hearing to consider the proposed initiative ordinance to be submitted by the Mayor to the voters at the November 2, 2010, election entitled "Ordinance amending the San Francisco Police Code by adding Section 168 to promote civil sidewalks." RECEIVED AND ASSIGNED to Rules Committee.

**100816 [Transfer of Function of Departments]**  
**Sponsor:** Avalos  
Hearing regarding the Mayor's Notice of Transfer of Function of Departments letter dated June 1, 2010, in relation to the FY2010-2011 budget pursuant to Charter Section 4.132. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100826 [Promoting Good Government by Prohibiting Dual Office Holding in a City Elective Office and an Elected Board of a Political Party County Central Committee]**  
**Sponsor:** Mayor  
Hearing to consider the proposed initiative ordinance to be submitted by the Mayor to the voters at the November 2, 2010, election entitled "Ordinance amending Chapter 2 of Article III of the San Francisco Campaign and Governmental Conduct Code by adding Section 3.221 to prohibit dual office holding in a City elective office and an elected board of a political party county central committee." RECEIVED AND ASSIGNED to Rules Committee.

## Introduced by President at Request of Department

### PROPOSED ORDINANCE

- 100467 [Zoning Map Amendment for One Capitol Avenue]**  
Ordinance amending Section Maps ZN12 of the Zoning Maps of the City and County of San Francisco for the real property at One Capitol Avenue (Assessor's Block 7148/Lot 040), to reclassify the property from a P (Public) Zoning District to an RH-1 (Residential, House, One-Family) Zoning District; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

### PROPOSED RESOLUTIONS

- 100694 [Contract Amendment to the Fuel Contract to Increase the Not to Exceed Amount from \$25,000,000 to \$50,000,000]**  
Resolution approving the Third Amendment to the Agreement between the City and Western States Oil (Contractor) increasing the total not to exceed amount of the contract from \$25,000,000 to \$50,000,000 and extending the term for one year, pursuant to Charter Section 9.118(b). (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 100772 [Report of Assessment Costs for Sidewalk and Curb Repairs]**  
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department). ASSIGNED to Board of Supervisors on 6/29/10.
- 100775 [Report of Assessment Costs for Blighted Properties]**  
Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Public Works Department). ASSIGNED to Board of Supervisors on 6/29/10.
- 100780 [Amendment to Treasure Island South Waterfront Master Lease]**  
Resolution approving the Twenty-Sixth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 100781 [Amendment to Treasure Island Land and Structures Master Lease]**  
Resolution approving the Thirty Fourth Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

- 100782 [Amendment to Treasure Island Marina Master Lease]**  
Resolution approving the Fourteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 100783 [Amendment to Treasure Island Childcare Master Lease]**  
Resolution approving the Sixth Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 100784 [Amendment to Treasure Island Event Venues Master Lease]**  
Resolution approving the Twenty-Second Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 100785 [Approving Modification to the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy]**  
Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification to the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2010, to September 30, 2011. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.



## **Clerk to Act – June 15, 2010**

Board Minutes for May 11, 2010 approved.

### **Requests Granted**

From: Supervisor Avalos

To: City Attorney

Requesting/Inquiring: Requesting legislation establishing a First Responder Fee for the private ambulances operating within the City and County of San Francisco.

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

9<sup>th</sup> Avenue and Judah (near bus stops)

7<sup>th</sup> 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 9<sup>th</sup> Avenue

Irvine and 7<sup>th</sup> 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

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 removing graffiti from the following private property locations:

Garbage Cans

Southwest corner of Hayes and Fillmore

Northeast corner of Clayton and Haight

Southeast corner of Oak and Broderick

Northwest corner of Fillmore and Hayes

Southwest corner of Fell and Fillmore

Southeast and Southwest corners of Cole and Haight

Northeast corner of Lyon and Haight

Southwest corner of Buena Vista East and Haight

Mailboxes

Northeast corner of Clayton and Fulton

Southwest corner of Masonic and Haight

Northeast corner of Divisadero and 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 at the following private property locations:

100 Broderick

798 Haight

160 Pierce

500 Fillmore

1355 Fulton

1310 Fulton

208 Scott

672 Haight

674 Haight

901 Haight

904 Haight

959 Haight

115 Haight

1552 Haight

1369 Haight

1371 Haight

1035 Haight

1051 Haight

633 Cole

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:

Metal Pole

In front of 1214 Haight  
In front of 937 Haight  
Across the street from 1150 Haight  
Northwest corner of Fillmore and Hermann  
Southwest corner of Clayton and Frederick  
Southeast corner of Buena Vista West and 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

Northeast corner of Hickory and Buchanan  
Northeast corner of Scott and Waller

Bus Shelters

Southwest corner of Fillmore and Oak  
Southwest corner of Pierce and Haight  
Northeast corner of Fillmore and Oak  
Northwest corner of Stanyan and Haight  
Southwest corner of Pierce and Haight  
Southeast corner of Buena Vista East and Haight  
Southwest corner of Buena Vista East and Haight  
Fillmore and Haight, all 4 bus stops, graffiti and grime

Fire Hydrant

Northeast corner of Lyon and Haight

Emergency Boxes

Northeast corner of Haight and Scott  
Northeast corner of Fell and Divisadero

**In Memoriams**

John Wooden – Supervisor Alioto-Pier  
Eleanor Jean Mirabella – Supervisor Chu  
Jesse Mason – Supervisor Maxwell  
John King Sr. – Supervisor Maxwell