

# Board of Supervisors



City Hall  
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## Legislation Introduced

Tuesday, June 29, 2010

### LEGISLATION INTRODUCED AT ROLL CALL

#### Introduced by a Supervisor or the Mayor

#### Ordinances

- 100879 [Increasing Penalties for Certain Crimes Committed on Municipal Transportation Agency Vehicles, Platforms or in Bus Zones]**  
**Sponsors:** Chu; Chiu  
Ordinance amending the San Francisco Police Code by amending Article 2, Section 123, and Article 17, Section 1291, to increase from \$500 to \$1,000 the maximum allowable fine for the crimes of aggressive pursuit and of loitering while carrying a concealed weapon, where the violation occurs on vehicles, platforms, or bus zones of the Municipal Transportation Agency. ASSIGNED UNDER 30 DAY RULE to Public Safety Committee.
- 100880 [Landmark Tree Designation of Redwood Tree Located at 46 Stillings Avenue]**  
**Sponsor:** Dufty  
Ordinance designating the redwood tree (*sequoia sempervirens*) located at 46 Stillings Avenue (Assessor's Block No. 6734, Lot No. 023) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 100881 [Zoning Map Amendment - 1717-17th Street to Conform with Lot Line Adjustment]**  
**Sponsor:** Maxwell  
Ordinance amending the San Francisco Zoning Map by amending the lot reference applicable to 1717-17th Street, and an adjacent property, referred to as 495 DeHaro Street, so that the height district applicable to each lot in its entirety is 48-X and 45-X, respectively, in conformance with a lot line adjustment between the subject properties; and making various findings, including environmental findings, and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

**100882 [Waiver of Street Encroachment Permit Fee for Golden Gate Transportation District]**

**Sponsor:** Elsbernd

Ordinance waiving the street encroachment permit processing fee in Public Works Code Section 2.1.1(j) for signs related to bus service for the Golden Gate Bridge, Highway, and Transportation District. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100883 [Agreement Regarding the Exchange of Fire Station No. 1 Located at 676 Howard Street and Portions of Hunt Street for 935 Folsom Street and a Replacement Fire Station]**

**Sponsor:** Mayor

Ordinance authorizing the Director of Property to execute a conditional land disposition and acquisition agreement with the San Francisco Museum of Modern Art and its affiliate (collectively, Museum) for the proposed future conveyance by the City and County of San Francisco (City) to Museum of real property located at 676 Howard Street, San Francisco (Fire Station No. 1) and all of that portion of Hunt Street within Block No. 3722, collectively, in exchange for conveyance by Museum to City of a parcel of real property located at 935 Folsom Street, a new fire station to be constructed by or on behalf of Museum on such parcel, and an easement for parking purposes adjacent to such parcel; exempting from the competitive bidding and contract requirements of Chapter 6 of City's Administrative Code all contracts to be entered into by Museum for the design and construction of the new fire station and the improvement of such parcel and parking easement; and making findings, including findings of consistency with the General Plan and Planning Code Section 101.1(b). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081089 [Torch Applied Roofing Ban]**

**Sponsor:** Mirkarimi

Ordinance amending Chapter 26 of the San Francisco Fire Code by adding Section 2611 to prohibit the installation of torch-applied roof systems on combustible roofs in San Francisco; adopting environmental findings and findings required by California Health and Safety Code Section 17958.7; and directing the Clerk of the Board to forward San Francisco's amendment and findings to the California Building Standards Commission and the Office of the State Fire Marshal. REACTIVATED PURSUANT TO RULE 5.23 to Land Use and Economic Development Committee.

**Resolutions**

**100884 [Accept and Expend Grant - Local Juvenile Justice Accountability Measures - \$119,034]**

**Sponsor:** Campos

Resolution authorizing the San Francisco Public Defender's Office to accept and expend a grant in the amount of \$119,034 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant. RECEIVED AND ASSIGNED to Public Safety Committee.

**100885 [Accept and Expend Grant - Pedestrian and Bicycle Projects - \$685,000]**

**Sponsor:** Chu

Resolution authorizing the San Francisco Municipal Transportation Agency and the Department of Public Works to accept and expend state Transportation Development Act Article 3 funds totaling \$685,000 which consists of \$310,000 to the Department of Public Works and \$375,000 to the San Francisco Municipal Transportation Agency, for various pedestrian and bicycle projects in the City and County of San Francisco in FY2010-2011. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 100886 [Approving the Issuance of Bonds for National Center for International Schools by the California Enterprise Development Authority - Not to Exceed \$26,500,000]**  
**Sponsor:** Daly  
 Resolution approving the issuance, by the California Enterprise Development Authority, of its revenue obligations bonds for the benefit of National Center for International Schools, a nonprofit public benefit corporation, and/or a related entity in an aggregate principal amount not to exceed \$26,500,000 for the purpose of financing and refinancing the cost of the acquisition, construction, rehabilitation, equipping and furnishing of certain property, providing the terms and conditions for such obligations and other matters relating thereto. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100887 [Support Assembly Bill 1652 Regarding the Ski Resort Safety Act]**  
**Sponsor:** Alioto-Pier  
 Resolution supporting Assembly Bill 1652 regarding the Ski Resort Safety Act. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100888 [Approving Associate Membership in the California Enterprise Development Authority]**  
**Sponsor:** Daly  
 Resolution approving associate membership by the City and County of San Francisco in the California Enterprise Development Authority, a joint exercise of powers authority, and authorizing, and directing the execution of an Associate Membership Agreement relating to associate membership of the City in the Authority. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Motion**

- 100890 [San Francisco County Exhibit in the 2010 State Fair]**  
**Sponsor:** Chiu  
 Motion appointing the City Administrator as the official representative of the City and County of San Francisco for the purpose of entering a county exhibit in the 2010 California State Fair and authorizing a county exhibit on San Francisco's behalf. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Charter Amendment**

- 100636 [Establishment of Rent Board in Charter; Appointment and Removal of Members and Alternate Members]**  
**Sponsors:** Campos; Avalos, Daly, Mar, Maxwell, Mirkarimi and Chiu  
 Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 4.136, and amending Section 15.105. Section 4.136 would be added to: establish the Residential Rent Stabilization and Arbitration Board (Rent Board) in the Charter; authorize the Board of Supervisors to appoint three members and three alternate members, authorize the Mayor to appoint three members and three alternate members, and authorize the Board of Supervisors President and the Mayor to jointly appoint one member and one alternate member; and provide that the Rent Board will consist of three tenants, two landlords, and two neutral members, with an alternate for each member. Charter Section 15.105, which enumerates commissions whose members are subject to removal only for official misconduct, would be amended to include Rent Board members and alternate members. SUBSTITUTED AND ASSIGNED to Rules Committee.

**Introduced by the President at the Request of the Department**

**PROPOSED ORDINANCES**

- 100851 [Planning Code - Rehabilitation and Maintenance of Transfer Lots After Sale of Transferable Development Rights; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]**  
Ordinance amending Section 128 of the San Francisco Planning Code to require that proceeds from the sale of Transferable Development Rights (TDR) be spent on rehabilitation and maintenance of the Transfer Lot property, to establish reporting procedures regarding the rehabilitation and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department). ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 100852 [Mission Bay South - Park P17 Improvements]**  
Ordinance dedicating a portion of State Trust Parcel 5, known as Park P17, lying along Mission Bay Boulevard North, Mission Bay Boulevard South and Terry A. Francois Boulevard for public use and naming the new park "Commons Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,716 and authorizing official acts in connection with this Ordinance. (Planning Department). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 100853 [Mission Bay South - Park P18 Improvements]**  
Ordinance dedicating a portion of State Trust Parcel 5, known as Park P18, lying along Terry A. Francois Boulevard between Mission Bay Boulevard North and China Basin Street for public use and naming the new park "Bayfront Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,715 and authorizing official acts in connection with this Ordinance. (Public Works Department). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 100856 [Settlement of Lawsuit - Jeffrey Bitton, Sandra Bitton and Micha Bitton - \$48,500]**  
Ordinance authorizing settlement of the lawsuit filed by Jeffrey Bitton, Sandra Bitton and Micha Bitton against the City and County of San Francisco for \$48,500; the lawsuit was filed on December 15, 2008, in the United States District Court, Northern District of California, Case No. C08-5585; entitled Jeffrey Bitton, et al. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

- 100857 [Settlement of Attorney's Fees/Costs Claim in Lawsuit - A.N.S.W.E.R. Coalition - \$90,000]**  
Ordinance authorizing settlement of the claim for attorney's fees and costs incurred by A.N.S.W.E.R. Coalition - San Francisco in litigation against the City and County of San Francisco for \$90,000.00; the lawsuit was filed on June 16, 2006, in San Francisco Superior Court, Case No. CPF-06-506438; entitled A.N.S.W.E.R. Coalition - San Francisco v. City and County of San Francisco. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

### **PROPOSED RESOLUTIONS**

- 100837 [Authorizing the Acquisition of Fee Simple Interest By Eminent Domain for Central Subway/Third Street Light Rail Extension - 266-286-4th Street]**  
Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 266-286-4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency). ASSIGNED to Board of Supervisors.
- 100840 [Authorizing the Acquisition of Subsurface Real Property Easement By Eminent Domain for Central Subway/Third Street Light Rail Extension - 790 Market Street]**  
Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency). ASSIGNED to Board of Supervisors.
- 100843 [Authorizing the Acquisition of Subsurface Real Property Easement By Eminent Domain for Central Subway/Third Street Light Rail Extension - 801 Market Street]**  
Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency). ASSIGNED to Board of Supervisors.
- 100846 [Authorizing the Acquisition of Fee Simple Interest By Eminent Domain for Central Subway/Third Street Light Rail Extension - 933-949 Stockton Street]**  
Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency). ASSIGNED to Board of Supervisors.

- 100849 [Authorizing the Acquisition of Subsurface Real Property Easement By Eminent Domain for Central Subway/Third Street Light Rail Extension - 1455 Stockton Street]**  
 Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency). ASSIGNED to Board of Supervisors.
- 100850 [San Francisco County Exhibit in the 2010 State Fair]**  
 Resolution appointing the City Administrator as the official representative of the City and County of San Francisco for the purpose of entering a county exhibit in the 2010 California State Fair and authorizing a county exhibit on San Francisco's behalf. (City Administrator). RECEIVED AND ASSIGNED to Rules Committee. Withdrawn by Sponsor and FILED on 6/30/10.
- 100854 [Approval of the San Francisco Child and Family Services Review - System Improvement Plan for the San Francisco Human Services Agency and Juvenile Probation Departments]**  
 Resolution approving San Francisco's Child and Family Services Review - System Improvement Plan, a strategic plan that: 1) outlines how San Francisco will improve prioritized outcomes for children, youth, and families; 2) serves as the operational agreement between the county and state; and 3) includes plans for utilizing Child Abuse Prevention, Intervention, and Treatment; Community Based Child Abuse Prevention; and Promoting Safe and Stable Families revenues to prevent child maltreatment. (Human Services Department). RECEIVED AND ASSIGNED to Public Safety Committee.
- 100855 [Approve San Francisco Public Utilities Commission Calaveras Dam Replacement Construction Management Contract - Not to Exceed \$38,000,000]**  
 Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-911R, Calaveras Dam Replacement Construction Management Services, with Black and Veatch, for an amount not to exceed \$38,000,000 with a term of up to five years and six months, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 100858 [Settlement of Unlitigated Claim - Barbara Whittenburg - \$60,000]**  
 Resolution approving the settlement of the unlitigated claim filed by Barbara Whittenburg against the City and County of San Francisco for \$60,000; claim was filed on November 12, 2009. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 100859 [Settlement of Unlitigated Claim - Lance Gentile - \$105,000]**  
 Resolution approving the settlement of the unlitigated claim filed by Lance Gentile against the City and County of San Francisco for \$105,000; claim was filed on September 28, 2009. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

**100860 [Amendment to Maintenance and Management Agreement between the San Francisco Port Commission and the San Francisco Redevelopment Agency for Rincon Park]**

Resolution authorizing and directing the Port Executive Director to execute the Third Amendment to the Maintenance and Management Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco for the maintenance and management of Rincon Park by the Port, extending the term of the Agreement from June 30, 2010, to June 30, 2013. (Port). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## **Clerk to Act – June 29, 2010**

Board Minutes for May 25, 2010 approved.

### **Requests Granted**

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 locations:



Garbage Can

Southeast corner of Buena Vista West and Haight  
Northwest corner of Baker and Haight

Mailbox

Northwest corner of McAllister and Steiner  
Northeast corner of Baker 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:

533 Haight  
208 Scott  
798 Haight  
585 Haight  
350 Steiner  
625 Steiner  
559 Fillmore  
480 Fillmore  
588 Fillmore, on side of building  
301 Divisadero  
623 Divisadero  
771 Divisadero  
959 Haight  
698 Haight  
160 Pierce  
445 Waller  
955 Haight  
920 Haight  
900 Haight  
904 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 utility poles at the following locations:

Wood Pole

Infront of 11 Wilmot

Metal Pole

Northeast corner of McAllister and Steiner  
Southwest corner of Grove and Fillmore

On Haight, south side of street, between Buchanan and Laguna  
Northeast corner of Webster and Haight  
In front of 112 Haight  
In front of 107 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

Southeast corner of Fell and Steiner  
Southeast corner of Fillmore and Fell

Bus Shelters

Southwest corner of Fillmore and Oak  
Southwest corner of Pierce and Haight  
Northwest corner of Divisadero and Haight  
Southeast corner of Haight and Divisadero  
Southeast corner of Buena Vista West and Haight  
Southwest corner of Buena Vista East and Haight  
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Northeast corner of Scott 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 repairing potholes at the following locations:

Potholes and Sidewalk Issues

On Fillmore and Waller, South of Waller before crosswalk; sink hole/asphalt cracking

**In Memoriams**

Jillian Costello - Supervisor Elsbernd & Supervisor Alioto-Pier  
Kevin Pimentel - Supervisor Avalos  
Rene Cazenave - Entire Board  
Walter Shoreinstein - Entire Board  
John Beckett – Supervisor Alioto-Pier