

Board of Supervisors



City Hall
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Legislation Introduced

Tuesday, July 27, 2010

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

101005 [Exceptions to Seismic Safety Loan Program Requirements to Allow for a \$15,000,000 Loan to Arlington Residence - 480 Ellis Street]

Sponsors: Chu; Alioto-Pier

Ordinance approving exceptions to requirements of the Seismic Safety Loan Program pursuant to San Francisco Administrative Code Sections 66 and 66A and the Program Regulations, dated May 2006, adopted by the Board of Supervisors through Ordinance No. 122-06, to allow for a \$15,000,000 Seismic Safety Loan Program loan for an existing affordable housing project at the Arlington Residence, 480 Ellis Street, San Francisco, California. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

101006 [Revisions to Local Business Enterprise Ordinance]

Sponsors: Chu; Chiu

Ordinance amending Administrative Code Chapter 14B to set a separate minimum competitive amount applicable to general services contracts; to clarify ownership requirements for certification of local businesses with no single majority owner; to limit the SBA-LBE program to construction and construction-related contracting; to clarify requirements for setting aside contracts under the mandatory Micro-LBE Set-Aside program; to revise subcontracting goals for professional services contracts to apply to contracts that exceed the minimum competitive amount; to revise good faith efforts outreach and documentation requirements to apply to contracts that exceed the threshold amount or minimum competitive amount; to simplify reporting requirements; and to make technical corrections. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

- 101007 [Revising Requirements for Purchasing Goods and Services]**
Sponsors: Chu; Chiu
 Ordinance amending Administrative Code Chapters 21 and 21C to conform Purchasing requirements to Administrative Code Chapter 14B by defining minimum competitive amounts of \$100,000 for professional services and commodities contracts and \$400,000 for general services contracts, clarify "bid-splitting," and make miscellaneous changes to City procurement requirements; to clarify information technology purchases; to update and conform references to Administrative Code Chapter 14B; to rescind the Sealer of Weights and Measures' authority under Section 21.32 to donate food purchases; to rescind the local tax adjustment set forth in Administrative Code Chapter 21C; to enact a new Section 21.32 to adjust bids likely to result in local sales tax revenue; to reenact and renumber Administrative Code Sections 21.25, 21.25-1, 21.25-2, 21.25-3, 21.25-4, and 21.25-x regarding prevailing wage requirements as Chapter 21C; and to make certain technical corrections. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 101008 [Centralized and Publicly Accessible Online Database of Appointments to Advisory Bodies]**
Sponsors: Chiu; Chu
 Ordinance amending the San Francisco Administrative Code by adding Sections 1.57-1 through 1.57-5, to provide for the establishment and maintenance of a centralized and publicly accessible online database of information concerning appointments made by Appointing Authorities to City and County of San Francisco advisory bodies. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 101009 [Healthy Air and Clean Transportation Program]**
Sponsor: Mayor
 Ordinance (1) amending the San Francisco Environment Code by repealing current Sections 400 through 409, and adopting new Sections 400 through 424; (2) amending the San Francisco Environment Code by amending current Sections 410, 411, and 421 and re-numbering them as Sections 425, 426, and 427 respectively; and (3) amending the San Francisco Administrative Code by amending Section 4.10-1, all to establish and implement a new Healthy Air and Clean Transportation Program, providing for the gradual conversion of the City's vehicle fleet to clean air vehicles and the gradual reduction of the overall number of passenger vehicles and light duty trucks in the City's vehicle fleet by 20 percent; and making environmental findings. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.
- 101010 [Accept and Expend Grant - American Recovery and Re-Investment Act and Amendment to the Annual Salary Ordinance, FY2010-2011 - \$1,670,000]**
Sponsor: Mayor
 Ordinance to retroactively accept and expect a grant in the amount of \$1,670,000 from the U.S. Department of Energy through the County of Los Angeles and the Association of Bay Area Governments, and amending the Annual Salary Ordinance FY2010-2011 to reflect the addition of three positions in the Department of the Environment. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100046 [Planning Code, Administrative Code - Amending Inclusionary Housing Ordinance]
Sponsors: Mayor; Chiu
Ordinance amending the Planning Code and Administrative Code by amending the Residential Inclusionary Affordable Housing Program, Planning Code Section 415 et seq. (formerly Code Section 315, et seq.) (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 Sections 416 and 417 to make conforming amendments to the Affordable Housing Program; amending Section 827 to delete the requirement that 50% of on- or off-site affordable housing units provided under Section 415 et seq. in the Rincon Hill Area Plan be provided as rental; amending the Administrative Code by amending Chapter 56 related to Development Agreements to create certain exceptions from its requirements for rental housing developments with on-site inclusionary units; and making findings including findings under the California Environmental Quality Act. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

- 101011 [Accept and Expend Grant - Diesel Emissions Reduction Act - Pier 27 Shoreside Power - \$1,000,000]**
Sponsors: Alioto-Pier; Chiu
Resolution authorizing the San Francisco Port Commission to accept and expend a grant from the U.S. Environmental Protection Agency in the amount of \$1,000,000 under the Diesel Emissions Reduction Act, to assist in the installation of a shoreside power facility for cruise ships at Pier 27. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 101012 [Approving the Fare Schedule for Golden Gate Pedicab]**
Sponsor: Chiu
Resolution approving the fare schedule for Golden Gate Pedicab. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 101013 [Accept and Expend Grant - The STOP Study - \$166,666]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Centers for Disease Control and Prevention in the amount of \$166,666 to fund the STOP Study for the period June 15, 2010, through June 14, 2011. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101014 [Accept and Expend Grant - San Francisco Pedestrian Safety Project - \$200,000]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant from the California Office of Traffic Safety in the amount of \$200,000 to fund the San Francisco Pedestrian Safety Project for the period of October 1, 2010, through September 30, 2011. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 101015 [Sewer Line Relocation Agreement with San Francisco State University]**
Sponsor: Elsbernd
Resolution approving and authorizing the Sewer line Relocation Agreement between the San Francisco Public Utilities Commission, on behalf of the City and County of San Francisco, and San Francisco State University to relocate an existing sanitary sewer and storm drain easement on Assessor's Block no. 7304-001 (part of the University campus) and portions of Font Boulevard and Lake Merced Boulevard in San Francisco; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Relocation Agreement 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. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 101016 [Planning Code - Revised Interim Controls Related to Affordable Housing Requirements]**
Sponsors: Mayor; Chiu
Resolution approving revised interim controls providing that the alternatives provided to project applicants of residential development under Planning Code Section 415, 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 415 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.
- 101017 [Supporting the Golden Gate Warriors Return to San Francisco]**
Sponsors: Alioto-Pier; Elsbernd, Dufty, Maxwell, Mirkarimi and Chiu
Resolution supporting the Golden Gate Warriors return to San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 101018 [Accept and Expend Grant - Ghana MARPS Size Estimation - \$28,465]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$28,465 from the University of California San Francisco (UCSF), to participate in a program entitled "Ghana MARPS Size Estimation" for the period of April 1, 2010, through March 31, 2011. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 101019 [Accept and Expend Grant - OCTAVE Capacity Building Workshop Series - \$47,022]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$47,022 from the Public Health Foundation Enterprises, Inc. (PHFE), to participate in a program entitled "OCTAVE-Capacity Building Workshop Series" for the period of July 1, 2010, through December 31, 2011. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101020 [Accept and Expend Grant - Viral Load Study - \$25,318]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$25,318 from the Public Health Foundation Enterprises, Inc. (PHFE), to participate in a program entitled "Viral Load Study" for the period of April 1, 2010, through March 31, 2011. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101021 [Accept and Expend Grant - Special Work Assignment UNICEF - \$30,965]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$30,965 from the United Nations Childrens Fund to support a project that will further understanding of the prevention of mother-to-child transmission of HIV for the period of June 18, 2010, through October 1, 2010. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101022 [Accept and Expend Grant - Recycling and Lunchroom Composting Programs - \$18,000]

Sponsor: Mar

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$18,000 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101023 [Accept and Expend Grant - GreenStacks Environmental Outreach Collaboration - \$12,000]

Sponsor: Mar

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$12,000 from Altamont Education Advisory Board to support GreenStacks an environmental outreach collaboration between the Department of the Environment and the San Francisco Public Libraries. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101024 [Property Assessed Clean Energy Programs]

Sponsors: Mayor; Mar and Dufty

Resolution supporting Property Assessed Clean Energy (PACE) programs and requesting San Francisco's Congressional representatives to work with the Federal Housing Finance agency to establish standardized underwriting criteria and safeguards to allow for the continuation of PACE. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

101025 [Budget and Legislative Analyst's Audit Schedule]

Sponsor: Mar

Hearing to consider the Budget and Legislative Analyst's schedule for conducting performance audits, special projects, or other studies for the remainder of calendar year 2010 and for calendar year 2011. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

101026 [Academy of Art University]

Sponsor: Maxwell

Hearing on the status of the Academy of Art University's non-compliant standing with the City's Institutional Master Plan requirement, and progress report on the related environmental review. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of the Department

PROPOSED ORDINANCES

100954 [Settlement of Lawsuit - Ricardo Rodriguez - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by Ricardo Rodriguez against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 19, 2009, in Superior, Case No. CGC09-485133; entitled Ricardo Rodriguez v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

100955 [Settlement of Lawsuit - Stanislaus Imports - \$245,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Stanislaus Imports against the City and County of San Francisco for \$245,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

100956 [Settlement of Lawsuit - Monte & Joanne Stott and Stott & Associates, Inc. - \$32,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Monte & Joanne Stott and Stott & Associates, Inc. against the City and County of San Francisco for \$32,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

100957 [Settlement of Lawsuit - Yannick Constant - \$32,500]

Ordinance authorizing settlement of the lawsuit filed by Yannick Constant against the City and County of San Francisco for \$32,500; the lawsuit was filed on April 21, 2008, in San Francisco Superior Court, Case No. 474485; entitled Yanick Constant v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

100958 [Settlement of Lawsuit - Icenogle IMR Joint Venture - \$1,330,000]

Ordinance authorizing settlement of the lawsuit filed by Icenogle IMR Joint Venture against the City and County of San Francisco for \$1,330,000; the lawsuit was filed on September 24, 2007, in San Francisco County Superior Court, and subsequently transferred to Alameda County Superior Court, Case No. RG08391219; entitled Icenogle IMR Joint Venture v. City and County of San Francisco, et al.; other material terms of said settlement are: (1) mutual releases except for latent defects, (2) dismissal of all complaints and cross-complaints with prejudice, (3) each side to bear its own attorneys fees and costs, and (4) plaintiff to be responsible for resolving outstanding stop notices. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

- 100959 [Settlement of Lawsuit - Carlos Garcia - \$2,400,000]**
Ordinance authorizing settlement of the lawsuit filed by Carlos Garcia against the City and County of San Francisco for \$2,400,000; the lawsuit was filed on December 5, 2005, in San Francisco Superior Court, Case No. CGC-05-447342; entitled Carlos Garcia, et al. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 100960 [Settlement of Lawsuit - CCSF v. Underground Construction Co., et al. - City to Receive \$29,000]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Underground Construction Co., et al. by accepting the payment of \$29,000 to the City and County of San Francisco; \$23,200 from Underground Construction Co. and \$5,800 from State Farm; the lawsuit was filed on February 24, 2009, in San Francisco Superior Court, Case No. CGC-09-485059; entitled City and County of San Francisco, et al., v. Underground Construction Co., et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – July 27, 2010

Board Minutes for June 22, 2010 approved.

Requests Granted

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft an amendment to the Administrative Code to provide that any city department, division, or agency that produces for distribution outside of the generating agency any report, memo, study or other written document over 10 pages in length be required to distribute copies of such document either electronically or via a digital format. Paper hard copies shall only be available either upon request or individual recipients may opt for regular hard copy distribution of such documents.

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:

Pothole and Sidewalk issues

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

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:

799 Haight

698 Haight

696 Haight

998 Oak

1280 Fulton

501 Fillmore

500 Page, on Fillmore side

378 Fillmore

355 Laguna

585 Hayes, on Laguna side

795 Buchanan, on the Grove 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 utility poles at the following locations:

Wood Poles

Southeast corner of Fell & Fillmore
Northeast corner of Haight & Fillmore

Metal Poles

Northwest corner of Grove & Fillmore
Northwest corner of Page & Fillmore
Northwest corner of McAllister & Gough

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

Northeast corner of Fillmore & Waller
Northeast corner of Haight & Fillmore

Mailbox

Southeast corner of California & Laguna
Southwest corner of Geary & Laguna
Northwest corner of McAllister & Steiner

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

San Francisco Chronicle

Northeast corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

Irving & 9th Ave.
Irving & 7th Ave.
Southwest corner of Haight & Clayton
Southwest corner of Haight & Masonic

Examiner

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

SF Daily

Northwest corner of Hayes & Gough

City Star

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

SF Weekly

Southeast corner of Masonic & Haight
Southeast corner of Haight & 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 public property located at the following locations:

Utility Boxes

Southwest corner of Turk & Scott
Northeast corner of Gough & McAllister
Northwest corner of Laguna & Cleary
Near 842 Webster

Bus Shelter

Southeast corner of Pierce & Haight
Fillmore & Haight (all 4 bus stops, graffiti and grime)

Fire Hydrant

Northeast corner of Fulton & Fillmore
Northwest corner of Laguna & Cleary
Northwest corner of Grove & Gough

Emergency Boxes

Southwest corner of Grove & Fillmore

In Memoriams

Marcia Soine – Supervisor Alioto-Pier
Judge Mary Pajlich – Entire Board
Russell Walton – Supervisor Dufty
Glen Reed Millar – Supervisor Dufty
Gilbert Block – Supervisor Dufty
Robert Polzoni – Supervisor Dufty
Dr. Brian Friedman – Supervisor Dufty
James Hallisy – Supervisor Elsbernd