



Legislation Introduced
Tuesday, October 26, 2010

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

101349 [Administrative Code - DNA Testing in Sexual Assault Cases]

Sponsor: Alioto-Pier

Ordinance implementing the California "Sexual Assault Victims' Bill of Rights" by amending the San Francisco Administrative Code to: (1) add Section 2A.89 to require the Police Department to develop and implement procedures to collect and test DNA samples in sexual assault cases and provide information and notices to victims, require the Controller to evaluate DNA testing in sexual assault cases annually as part of the budget process, and make it the policy of the City and County of San Francisco to appropriate sufficient funds each fiscal year to ensure timely testing of DNA evidence in sexual assault cases; and (2) add Section 10.100-172 to establish the Police DNA Testing in Sexual Assault Cases Fund. ASSIGNED UNDER 30 DAY RULE to Public Safety Committee.

101350 [Planning Code - Zoning - Parking in South of Market and Mission Bay]

Sponsor: Daly

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 155, 161, 249.1, 249.23, and Part VII of Article 9 (1) to remove minimum parking requirements and establish maximum parking limits in M-1, C-M, and South of Market districts and the Folsom and Main Residential/Commercial and Fourth and Freelon Streets Special Use Districts to make them consistent with those of neighboring districts, (2) to require that non-residential and non-hotel parking in C-3 in the South of Market Mixed Use districts adjacent to Downtown maintain a fee structure which discourages long-term commuter parking, (3) to make parking controls in the Mission Bay Districts that are subject to the Planning Code consistent with requirements of neighboring districts; and (4) adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

- 101351 [Planning Code - Zoning - Temporary Uses and Mobile Food Facilities]**
Sponsor: Dufty
Ordinance amending the San Francisco Planning Code by adding Section 102.31 to define a Mobile Food Facility, amending Section 205 and adding Section 205.4 to establish a new category of temporary uses, and amending Sections 212, 790.91, 790.93 and 890.90 to clarify that Mobile Food Facilities need not be conducted within enclosed buildings; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 101352 [Various Codes - Mobile Food Facilities - Department of Public Works Permitting Authority]**
Sponsor: Dufty
Ordinance amending the San Francisco Police Code and San Francisco Public Works Code by repealing Articles 17.2 (Regulations for Mobile Caterers; Permit and License Provisions) and 17.3 (Permit Regulations for Pushcart Peddlers), transferring the regulations to a new Article 5.8 of the Public Works Code commencing with Section 184.80, redefining Mobile Caterers and Pushcart Peddlers as Mobile Food Facilities; making other amendments to implement the transfer, including new fee and penalty provisions and new notice and hearing procedures; amending Sections 440 and 451 of the San Francisco Health Code and repealing Section 249, amending Section 249.1, and adding Section 249.23 to the San Francisco Business and Tax Regulations Code to update definitions and add annual fees and plan check fees for Mobile Food Facilities; and adopting environmental findings. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 101098 [Administrative Code - Electronic Distribution of Multi-Page Documents]**
Sponsor: Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Sections 1.56 and 8.12.4, adding Section 8.12.5, and re-numbering Section 8.12-1 as 8.13, to provide for the electronic distribution of documents more than 10 pages long prepared by City departments. SUBSTITUTED AND ASSIGNED to Rules Committee.

Resolutions

- 101355 [Resolution to Establish the Ocean Avenue Community Benefits District]**
Sponsor: Avalos
Resolution establishing a property-based business improvement district to be known as the "Ocean Avenue Community Benefits District," ordering the levy and collection of assessments against property located in that district for fifteen years commencing with FY2010-2011, subject to conditions as specified, and making environmental findings. SCHEDULED FOR PUBLIC HEARING to Board of Supervisors on 11/16/10.
- 101356 [Assessment Ballots for City-Owned Parcels for Proposed Ocean Avenue Community Benefits District]**
Sponsor: Avalos
Resolution authorizing the Mayor to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco as the owner of two parcels and part of a third parcel of real property over which the Board of Supervisors has jurisdiction, where those two parcels and the partial parcel would be subject to assessment in the proposed property and business improvement district to be named the Ocean Avenue Community Benefits District. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 101357 [Settlement of Unlitigated Claims - Skyline Stables Corporation - \$650,000]**
Sponsor: Avalos
 Resolution approving the settlement of the unlitigated claims by and between Skyline Stables Corporation (Skyline) and City and County of San Francisco, related to the lease between Skyline and the San Francisco Public Utilities Commission (SFPUC) of a portion of the SFPUC Harry Tracy Water Treatment Plant (HTWTP) site in San Mateo County, the SFPUC approval of the HTWTP Long Term Improvement Project to improve water service reliability and seismic stability of the HTWTP, the SFPUC termination of Skyline's lease and Skyline's vacation of the lease premises, and SFPUC's offer to acquire the leasehold interest, calling for SFPUC to pay \$650,000 to Skyline, and including other material terms and conditions in a settlement and release agreement. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101358 [Annual Reports - Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District]**
Sponsor: Chiu
 Resolution approving annual reports to the City for Fisherman's Wharf Community Benefit District and for Fisherman's Wharf Portside Community Benefit District, receiving and approving the Districts' Annual Reports for FYs 2006-2007, 2007-2008, and 2008-2009, as submitted pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the Districts' management contracts with the City. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 101359 [Annual Report - Greater Union Square Business Improvement District and Modifying Management District Plan]**
Sponsor: Chiu
 Resolution regarding Greater Union Square Business Improvement District, receiving and approving the District's Annual Report for FY2009-2010 as submitted pursuant to Section 36650 of the Property and Business Improvement District Law of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's Management Agreement with the City, which includes the District's proposed budget for FY2010-2011; modifying the Management District Plan in accordance with the Annual Report; conforming the Management Agreement to changes in the Management District Plan. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 101360 [Accept and Expend Grant - HIV Testing Disproportionately Affected Populations - \$877,273]**
Sponsor: Dufty
 Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$877,273 from the Centers for Disease Control to fund the project Expanded HIV Testing for Disproportionately Affected Populations for the period of September 30, 2010, through September 29, 2011, waiving indirect costs. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 101361 [Annual Reports - Noe Valley Community Benefit District]**
Sponsor: Dufty
 Resolution regarding Noe Valley Community Benefit District annual reports to the City, receiving and approving the District's annual reports for District FYs 2006-2007, 2007-2008, and 2008-2009, as submitted pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's management contract with the City. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 101362 [Accept and Expend Gift - Joseph Lee Recreation Center - \$162,063]**
Sponsor: Maxwell
 Resolution authorizing the Recreation and Park Department to accept and expend a gift from the John and Lisa Pritzker Family Fund for \$54,021 annually for FYs 2010-11, 2011-12, and 2012-13, for a total of \$162,063, for general operating support of Joseph Lee Recreation Center. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 101363 [Accept and Expend Grant - No Violence Alliance One Family Reentry Initiative - \$300,000]**
Sponsor: Mayor
 Resolution authorizing the Sheriff's Department to retroactively apply for, accept, and expend \$300,000 in funds from the Bureau of Justice Assistance, through the Second Chance Act Prisoner Reentry Initiative; the No Violence Alliance One Family Reentry Initiative (NoVA-OFRI) will provide a comprehensive, family-focused continuum from in-custody to post-release for sentenced probationers incarcerated in the San Francisco County Jail with a history of substance abuse and minor children. RECEIVED AND ASSIGNED to Public Safety Committee.
- 101364 [Accept and Expend Grant - FY2010 Forensic DNA Backlog Reduction Program - \$320,274]**
Sponsor: Mayor
 Resolution authorizing the San Francisco Police Department to retroactively accept and expend a grant totaling \$320,274 from the U.S. Department of Justice/ National Institute of Justice for the FY2010 Forensic DNA Backlog Reduction Program. RECEIVED AND ASSIGNED to Public Safety Committee.
- 101365 [Accept and Expend Grant - The Keystone Project - \$599,298]**
Sponsor: Mayor
 Resolution authorizing the Sheriff's Department to retroactively apply for, accept, and expend \$599,298 in funds from the Bureau of Justice Assistance, through the Second Chance Act Prisoner Reentry Initiative; the Keystone Project will strive to increase public safety and reduce recidivism among offenders with co-occurring disorders in the City and County of San Francisco, and waiving any indirect costs. RECEIVED AND ASSIGNED to Public Safety Committee.
- 101366 [Accept and Expend Grant - FY2010 Technology Program Gunshot Location System - \$750,000]**
Sponsor: Mayor
 Resolution authorizing the San Francisco Police Department to retroactively accept and expend a \$750,000 grant from the U.S. Department of Justice/Office of Community Oriented Policing FY2010 Technology Program for a Gunshot Location System. RECEIVED AND ASSIGNED to Public Safety Committee.
- 101367 [Accept and Expend Gift - Gene Friend Recreation Center - \$100,000]**
Sponsor: Daly
 Resolution authorizing the Recreation and Park Department to accept and expend a gift of \$100,000 from the San Francisco Parks Trust, on behalf of the Friend Family Foundation, for the renovation of the Gene Friend Recreation Center. (Recreation and Park Department). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 101368 [Accept and Expend Gift - Music Concourse Trees - \$30,000]**
Sponsor: Mar
Resolution authorizing the Recreation and Park Department to accept and expend a gift of \$30,000 from the San Francisco Parks Trust on behalf of Chase Freedom for the purchase, planting, and care of approximately 40 London Plane trees in Golden Gate Park's Music Concourse. (Recreation and Park Department). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

- 101353 [Committee of the Whole - Public Hearing to Establish the Ocean Avenue Community Benefits District]**
Sponsor: Avalos
Motion directing the Board of Supervisors to hold a public hearing on November 16, 2010, with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to Establish the Ocean Avenue Community Benefits District. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 101354 [Public Hearing - Resolution to Establish the Ocean Avenue Community Benefits District]**
Sponsor: Avalos
Hearing of persons interested in or objecting to proposed Resolution establishing a property-based business improvement district to be known as the "Ocean Avenue Community Benefits District," ordering the levy and collection of assessments against property located in that district for fifteen years commencing with FY2010-2011, subject to conditions as specified, and making environmental findings. SCHEDULED FOR PUBLIC HEARING to Board of Supervisors on 11/16/10.
- 101369 [Hearing - Childcare and Early Child Education Audit]**
Sponsor: Alioto-Pier
Hearing to consider the findings of the Budget and Legislative Analyst's audit of the City's childcare and early child education programs. The hearing will address recommendations of the audit, and consider responses from the Department of Children, Youth and Their Families, Human Services Agency, Children and Families First Commission, and Department of Public Health. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 101370 [Hearing - Parking Meter Rates and Penalties]**
Sponsor: Alioto-Pier
Hearing to consider the report of the Budget and Legislative Analyst analyzing the parking meters rates and penalties and exploring whether the San Francisco Municipal Transportation Agency would be willing to reduce or cap these rates and penalties to provide relief to working San Franciscans. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 101371 [Hearing - San Francisco Unified School District's New Student Assignment System]**
Sponsor: Dufty
Hearing to consider the San Francisco Unified School District's: 1) new student assignment system; 2) the potential impact on the transportation system; and 3) how the City and District are collaborating to optimize the transportation options for our children and youth. RECEIVED AND ASSIGNED to City and School District Select Committee.
- 101372 [Hearing - City Services Auditor's Audit on Public Utilities Commission]**
Sponsor: Mar
Hearing on the Controller's Office recent City Services Auditor's audit on the San Francisco Public Utilities Commission. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 101373 [Hearing - City Services Auditor's Audit on Police Department]**
Sponsor: Mar
Hearing on the Controller's Office recent City Services Auditor's audit on the San Francisco Police Department. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTIONS

- 101301 [Approval of Contract - AnsaldoBreda, Inc. - Repair of Damaged LRVs - Not to Exceed \$32,854,622]**
Resolution approving Contract No. CPT 626.02, repair of damaged light rail vehicles, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and AnsaldoBreda, Inc., to rebuild up to seven damaged light rail vehicles, in an amount not to exceed \$32,854,622, and for a term not to exceed six years, with expenditures limited to \$13,000,000 pending certification of additional funding. (Municipal Transportation Agency). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101302 [Harry Tracy Water Treatment Plant Improvements Project Findings]**
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 Harry Tracy Water Treatment Plant Long-Term Improvements Project No. CUW36701, part of the Water System Improvement Program, for the improvements to the regional water supply system and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101304 [Crystal Springs Pipeline Number Two Replacement Project Findings]**
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 Crystal Springs Pipeline Number 2 Replacement Project No. CUW37801, part of the Water System Improvement Program for the improvements to the regional water supply system and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 101305 [Lower Crystal Springs Dam Improvements Project Findings]**
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 Lower Crystal Springs Dam Improvements Project No. CUW35401, including the Mitigation Habitat Actions at ten sites mostly in San Mateo County and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 101306 [Purchase Agreement - Permanent Access Road Easement - Stanislaus County - \$500]**
Resolution approving and authorizing an agreement for the purchase of a permanent access road easement totaling 751 square feet over a portion of Assessor's Parcel Numbers 016-002-011 and 016-002-012 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 Budget and Finance Committee.
- 101307 [Purchase Agreement - Permanent Access Road Easement - Stanislaus County - \$2,500]**
Resolution approving and authorizing an agreement for the purchase of a permanent access road easement totaling 398 square feet over a portion of Assessor's Parcel Number 016-002-048 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 (the Project) for a purchase price of \$2,500; 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 Budget and Finance Committee.

Clerk to Act – October 26, 2010

Board Minutes for September 14, 2010 and September 21, 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

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

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 public property located at the following locations:

Utility Boxes

Northeast corner of Eddy and Fillmore
South of 940 Fillmore
Across the street from 235 Buchanan
Northeast corner of Linden and Buchanan
Southwest corner of Central and Fulton

Bus Shelter

Northeast corner of Eddy and Fillmore
Northeast corner of Hayes and Fulton
Southwest corner of Pierce and Haight
Southeast corner of Buchanan and Haight
Fillmore and Haight (all 4 bus stops, graffiti and grime and canopies are graffiti also canopies have graffiti)

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

Across the street from 226 Haight

Wood Pole

In front of 624 Fulton

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:

1689 Fulton

1056 Divisadero

736 Divisadero

500 Fell, on the Fillmore side

295 Buchanan, on the Haight side

630 Haight

645 Haight

546 Haight

707 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 locations:

Garbage Cans

Northeast corner of Page and Stanyan
Southeast corner of Fell and Fillmore

From: Supervisor Dufty
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Encouraging that the Municipal Transportation Agency make announcements that seats in the front of Muni buses and streetcars also be made available to pregnant women or mothers accompanied by young children. This inquiry was initiated by Nino Parker of San Francisco Pretrial Diversion Project.

In Memoriams

Mauricio Vela – Entire Board
Lucia Di Grande – Supervisor Chiu
Neil Chaitin – Supervisors Chiu, Chu and Dufty
Ellen “Muffie” Meier – Supervisor Dufty