Board of Supervisors



City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689 Tel. No. 554-5184 TDD No. 554-5227

Legislation Introduced

Tuesday, November 9, 2010

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

101120 [Police Code - Discharge of Firearms; Fireworks] Sponsor: Mayor

Ordinance amending the San Francisco Police Code by amending Section 1290 and adding Section 1290.1, to add exceptions to the general prohibition on the discharge of firearms within the City. ASSIGNED UNDER 30 DAY RULE to Public Safety Committee.

101121 [Accept and Expend Grant - FY2010 Regional Catastrophic Preparedness Grant Program and Amend Annual Salary Ordinance, FY2010-2011 - \$3,570,000] Sponsors: Mayor; Alioto-Pier

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, serving as the primary grantee for the Regional Catastrophic Preparedness Grant Program Bay Area Site and as fiscal agent for the Urban Area Security Initiative Approval Authority, to retroactively accept and expend Regional Catastrophic Preparedness Grant Program grant funds in the amount of \$3,570,000 from the United States Department of Homeland Security, through the California Emergency Management Agency, and to provide \$181,478 as San Francisco's portion of required matching funds; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one grant-funded position (.75 FTE) in Class 5293 Planner IV in the Department of Emergency Management. RECEIVED AND ASSIGNED to Budget and Finance Committee.

101122 [Accept and Expend Grant - FY2010 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY2010-2011 - \$34,262,1311

Sponsors: Mayor: Alioto-Pier

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative grant in the amount of \$34,262,131 from the United States Department of Homeland Security, through the California Emergency Management Agency; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of two grant-funded positions in the Department of Emergency Management, as follows: one position (.75 FTE) in Class 1823 Senior Administrative Analyst and one position (.75 FTE) in Class 1824 Principal Administrative Analyst. RECEIVED AND ASSIGNED to Budget and Finance Committee

101124 [Appropriating \$477,732 of Certificate of Participation Proceeds for Disability Access Improvement Projects in the Mayor's Office on Disability for FY2010-2011]

Sponsor: Mayor

Ordinance appropriating \$477,732 of Certificate of Participation Series 2011A proceeds to fund disability access improvements in the Board of Supervisors chambers for the Mayor's Office on Disability in the General Services Agency, Administrative Services, for FY2010-2011 and placing these funds on Controller's reserve pending issuance of the Certificate of Participation. RECEIVED AND ASSIGNED to Budget and Finance Committee.

101147 [Public Works Code - Establishment of Regulatory Controls for the Discharge of Fats, Oils, and Grease Into Sewers]

Sponsor: Mar

Ordinance amending Article 4.1 of the San Francisco Public Works Code by adding Sections 140 - 140.7 to provide prohibitions, limitations, and requirements for the discharge of fats, oils, and grease into the City's sewerage system by food service establishments. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.

101148 [Appropriating \$2,385,068 of Visitacion Valley Infrastructure Fee Revenue in the Public Library and Department of Public Works for FY2010-2011 Sponsor: Maxwell

Ordinance appropriating \$2,385,068 of Visitacion Valley Infrastructure Fee revenue from the Visitacion Valley Infrastructure Fund, including \$2,169,200 in the Public Library for the Visitacion Valley Branch Library Project and \$215.868 in the Department of Public Works, for the planning and design of utility undergrounding on Leland Avenue for FY2010-2011, and placing \$1,156,304 on Controller's reserve in the Public Library pending receipt of Visitacion Valley Infrastructure Fee revenue. RECEIVED AND ASSIGNED to Budget and Finance Committee.

101190 [Police Code - Registration and Other Requirements for Event Promoters] Sponsors: Chiu; Maxwell

Ordinance adding Article 15.7 to the San Francisco Police Code, requiring event promoters to register with the Entertainment Commission; prohibiting holders of certain entertainment-related permits, and registered promoters, from retaining an unregistered promoter to hold an event; and authorizing under certain circumstances for certain promoters reporting requirements, increased security plan requirements for events they promote, general liability insurance requirements, a criminal background check requirement, and other requirements. SUBSTITUTED AND ASSIGNED to Public Safety Committee.

Resolutions

100896 [Declaring November 9, 2010, as Clinic by the Bay Day]

Sponsors: Avalos; Dufty, Alioto-Pier, Campos and Mirkarimi Resolution declaring November 9, 2010, as Clinic by the Bay Day in the City and County of San Francisco. ADOPTED.

101125 [Golden Gate Park Music Concourse Garage Refinance]

Sponsor: Mar

Resolution concurring in the recommendation of the Controller and the Director of the Office of Public Finance that the issuance of \$30,000,000 tax-exempt bank qualified bonds with First Republic Bank for and on behalf of the Music Concourse Community Partnership, a California nonprofit public benefit corporation, is reasonably prudent; and directing the Controller and the Director of the Office of Public Finance to do everything necessary and desirable to provide for the issuance of such bonds. RECEIVED AND ASSIGNED to Budget and Finance Committee.

101259 [Finding of Fiscal Feasibility; 34th America's Cup Host City Agreement]

Sponsors: Mayor; Chiu, Mirkarimi, Alioto-Pier, Chu, Dufty and Maxwell Resolution approving a Host City and Venue Agreement among the City, the America's Cup Event Authority and the San Francisco America's Cup Organizing Committee; authorizing the Mayor, or his designee, and the Port to execute the Host City and Venue Agreement; authorizing and urging the Mayor, Office of Economic and Workforce Development, Port, and such other City Officials as appropriate, to take such steps and execute such additional agreements as are consistent with the Host City and Venue Agreement and this Resolution to bring the 34th America's Cup to the San Francisco Bay; and finding that the proposed event is fiscally feasible as set forth in Administrative Code Chapter 29. RECEIVED AND ASSIGNED to Budget and Finance Committee.

101265 [Accept and Expend Grant - CalHome - Not to Exceed \$1,500,000] Sponsor: Mayor

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the California Department of Housing and Community Development in a total amount not to exceed \$1,500,000 to assist low-income first time homebuyers and low-income homeowners. RECEIVED AND ASSIGNED to Budget and Finance Committee.

101299 [Accept and Expend Grant - Installation of Art at the Civic Center Plaza -\$70,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$70,000 from the National Endowment for the Arts for the installation of Zhang Huan's Three Heads, Six Arms at the Civic Center Plaza. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101398 [Accept and Expend Grant - Project ITRIP - \$42,384]

Sponsor: Chu

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$42,384 from the University of California, San Francisco (UCSF), to fund the project ITRIP Follow Up; for the period of September 1, 2010, through February 28, 2011, waiving indirect costs. (Public Health Department). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101399 [Accept and Expend Grant - WritersCorps Program - \$10,200] Sponsor: Chu

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$10,200 from the California Arts Council's Artists in Schools Program to help support the cost of a WritersCorps contracted teaching artist at Mission High School in San Francisco. (Arts Commission). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101400 [Accept and Expend Grant - Arts Commission's Art Education Program -\$15,000]

Sponsor: Chu

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$15,000 from the California Art Council to help support the Arts Commission's Arts Education Program. (Arts Commission). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101401 [Supporting the Promotion and Deployment of Broadband Internet Access in California and San Francisco]

Sponsor: Chiu

Resolution joining with 31 California counties in supporting the work of the California Emerging Technology Fund's Get Connected! public awareness program; embracing the California Emerging Technology Fund's goal to achieve broadband Internet access at home for 80% of all Californians by 2015; embracing a goal to achieve broadband Internet access for 90% of San Franciscans by 2015, with a focus on connecting seniors and low income households; requesting that the Department of Technology report back on strategic actions planned that will remove barriers and promote the deployment and adoption of broadband. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101402 [Declaring November 18, 2010, as Bay Area Young Positives Day]

Sponsors: Dufty; Campos

Resolution declaring November 18, 2010, as Bay Area Young Positives Day to recognize 20 years of providing peer-based, specialized, culturally competent services to the San Francisco Bay Area's HIV positive youth. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101403 [Declaring December 9, 2010, as CHEER SF Day in San Francisco]

Sponsors: Dufty; Campos

Resolution declaring December 9, 2010, as CHEER SF Day in San Francisco to commemorate the 30th Anniversary of the world's first LGBT-identified cheerleading team that raises funds for local, national, and international service agencies. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

<u>Motions</u>

101139 [Process for Nominating and Selecting a Successor Mayor]

Sponsor: Chiu

Notion directing the Clerk of the Board of Supervisors to propose a process for nominating and selecting a successor to the Mayor. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101404 [Committee of the Whole - Public Hearing to Consider the Appointment of a Successor Mayor]

Sponsor: Avalos

Motion that the Board convene as a Committee of the Whole on November 16, 2010, to consider the appointment of successor Mayor for the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101406 [Appointing a Successor Mayor] Sponsors: Avalos; Campos and Daly Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor. ASSIGNED to Board of Supervisors.

<u>Hearings</u>

100908 [San Francisco International Airport - Operational Procedures of Shared-Ride Ground Transportation Industry]

Sponsor: Mar

Hearing on the operational procedures of the shared-ride ground transportation industry at San Francisco International Airport. RECEIVED AND ASSIGNED to Budget and Finance Committee.

101052 [Implementation of Justice Tracking Information System Project to Consolidate the City's Criminal Justice Data]

Sponsor: Chiu

Hearing on the status of the implementation of JUSTIS, a project to consolidate the City's criminal justice data. RECEIVED AND ASSIGNED to Public Safety Committee.

101389 [Utility Infrastructure Safety Review] Sponsors: Maxwell; Chu, Mar and Dufty Hearing on the intitial report regarding the Utility Infrastructure Safety Review per Resolution No. 442-10, on file with the Clerk of the Board of Supervisors in Board File No. 101168. RECEIVED AND ASSIGNED to Public Safety Committee.

101405 [Public Hearing - Appointing a Successor Mayor] Sponsors: Avalos; Campos and Daly Hearing to consider the motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor. SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

PROPOSED ORDINANCES

101381 [Settlement of Lawsuit - Allison Ayer - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by Allison Ayer against the City and County of San Francisco for \$30,000; the lawsuit was filed on January 28, 2010, in San Francisco Superior Court, Case No. CGC-10-496373; entitled Allison Ayer v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

101382 [Settlement of Lawsuit - Charles Haynes - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Charles Haynes against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 23, 2009, in the United States District Court, Northern District of California, Case No. C09-00174 PJH; entitled Charles Haynes, et al. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

101383 [Settlement of Lawsuit - Guillermo Chavez - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by Guillermo Chavez against the City and County of San Francisco for \$30,000; the lawsuit was filed on October 2, 2009, in San Francisco Superior Court, Case No. 439-130; entitled Guillermo Chavez v. City and County of San Francisco, et al.; other material terms of said settlement are: 1) \$10,000 to be paid to the San Francisco Tax Collector's Bureau of Delinquent Revenue to satisfy the medical lien for treatment in this case; 2) \$11,555 to be allocated to attorney's fees and litigation costs; 3) the balance of \$8,445 is to be paid to the Bureau of Delinquent Revenue to pay down money owed by plaintiff to the City for medical treatment unrelated to the injuries in the lawsuit. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

101331 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for: (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (City Attorney). RECEIVED AND ASSIGNED to Budget and Finance Committee.

101374 [Purchase Agreement - Subsurface Easements - Bay Division Pipeline Reliability Upgrade Project - Bay Tunnel - \$650]

Resolution approving and authorizing an Agreement for Purchase and Sale of Real Estate to obtain two permanent, exclusive, subsurface easements from Cargill, Inc., for the purpose of constructing the San Francisco Public Utilities (SF PUC) Commission Water System Improvement Program-Funded Project No. CUW36801, Bay Division Pipeline Reliability Upgrade - Bay Tunnel, for a purchase price of \$650; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC 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.

101375 [Construction Management Services Agreement - San Francisco General Hospital Rebuild Program - Not to Exceed \$16,400,000]

Resolution authorizing the Director of Public Works to execute an amendment to a professional construction management services agreement for the San Francisco General Hospital Rebuild Program from \$8,000,000 to \$16,400,000. (Public Works Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

101384 [Settlement of Unlitigated Claim - Motorist Insurance Group and Ellis Brooks Chevrolet - \$48,969.70]

Resolution approving the settlement of the unlitigated claim filed by Motorist Insurance Group and Ellis Brooks Chevrolet against the City and County of San Francisco for \$48,969.70; claim was filed on May 4, 2010. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – November 9, 2010

Board Minutes for October 5, 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

<u>SF Daily</u> Northwest corner of Hayes and Gough

City Star

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

<u>SF Weekly</u>

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:

<u>Utility Boxes</u>

In front of 1697 McAllister Northeast corner of Linden & Buchanan

Bus Shelters

Southwest corner of Buchanan & Haight Southeast corner of Pierce & Hayes Southeast corner of Hayes & Divisadero Fillmore and Haight (all 4 bus stops including canopies – graffiti and grime).

<u>Fire Hydrants</u> Southwest corner of Baker & Oak In front of 1390 Fell Northwest corner of Octavia & Grove

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 Poles

In front of 101 Scott In front of 1146 Haight In front of 522 Haight In front of 357 Haight In front of 1296 Haight In front of 1359 Oak Southwest corner of Oak & Baker In front of 900 Broderick

Wood Pole Northeast corner of Octavia & Grove

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:

686 Waller 888 Waller

542 Haight 546 Haight 75 Buena Vista East 1166 Haight 1230 Haight 1296 Haight 156 Central 1473 Oak 1441 Oak 1427 Oak 1419 Oak 1407 Oak 1369 Oak 1353 Oak 1343 Oak 709 Baker 1980 Golden Gate 1998 Golden Gate 320 Masonic 900 Broderick 1379 Hayes 1359 Hayes 1337 Hayes 1259 Hayes 1245 Hayes 1235 Hayes 1133 Hayes 428 Grove 502 Grove 522 Laguna 350 Laguna 198 Haight (on back of Rose)

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, Lights, and Sidewalk Issues On Webster & Grove, west side of street in the intersection

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 Fell & Fillmore

<u>Mailboxes</u> Southeast corner of Haight near Fillmore Southwest corner of Hayes & Fillmore In front of 579 Hayes On Baker, between Oak &Fell by DMV

<u>Street Wall and Overpass</u> At 1145 Hayes, street-car railing

In Memoriams

Dodie Rosekrans – Supervisor Alioto-Pier Eugene Jules Marty, Jr. – Supervisor Chu Kate Horan – Supervisor Chiu Jelvon Helton – Supervisor Mirkarimi Kum Soon Lee - Supervisor Mirkarimi Frank Ortiz Cercos – Supervisor Dufty Philip Robertson – Supervisor Dufty Joyce Taylor- Supervisors Dufty and Maxwell Michael C. Wolford – Supervisor Dufty Chief Alex Fagen, Sr. – Entire Board Patrick Hugh Cunnie – Entire Board Norma Garcia – Entire Board