Board of Supervisors



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Legislation Introduced

Tuesday, November 23, 2010

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Charter Amendment

101493 [Charter - Compensation of Board of Education Members]

Sponsors: Dufty; Campos, Mar, Avalos and Chiu

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 8.100, 12.202, and A8.502, to increase the compensation for members of the Board of Education from a monthly stipend of \$500 to \$50,000 per year, allow members to participate in the City's employee health and pension systems, establish training and professional development requirements, and require the City annually to appropriate to the Unified School District an amount sufficient to pay the salaries and benefits of the members of the Board of Education. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

Ordinances

101410 [Airport Promotion and Event Fund]

Sponsor: Mayor

Ordinance establishing a special fund to receive donations and authorizing expenditures for the purpose of holding events to promote the opening of the newly renovated Terminal 2 of the San Francisco International Airport; and deleting obsolete provisions. RECEIVED AND ASSIGNED to Budget and Finance Committee.

101419 [Environment Code - Cell Phones; Retailers' Duty to Disclose Specific Absorption Rate Values]

Sponsor: Mar

Ordinance amending the San Francisco Environment Code by amending Sections 1103 and 1105, to require cell phone retailers to provide customers upon request with factsheets regarding Specific Absorption Rate values for cell phones and the use of cell phones, and to delay the enforcement date for certain provisions of the Chapter 11, the "Cell Phone Right-to-Know Ordinance," and making environmental findings. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101422 [Transportation Code, Police Code - Motor Vehicles for Hire and Enforcing Parking Laws]

Sponsor: Chiu

Ordinance amending Article 3 of Division I of the San Francisco Transportation Code to allow certain Municipal Transportation Agency employees to enforce specified parking laws and order removal of vehicles, and amending Article 7 of Division I of the Transportation Code to make it a misdemeanor to operate a taxi, a dispatch service, or a color scheme, or to drive a motor vehicle for hire, without a permit, to solicit or accept payment for referral of passengers to a motor vehicle for hire, to solicit or accept payment for motor vehicle for hire shifts, assignments or dispatch calls, to knowingly make false or misleading representations in connection with application for, renewal of, possible revocation of, or operation of a vehicle pursuant to a permit issued under Article 1100 of the San Francisco Transportation Code, to refuse to pay the legal fare to a driver of a motor vehicle for hire, and to charge excessive rates for transport in a motor vehicle for hire; and amending the San Francisco Police Code by deleting Sections 1078, 1089, 1105, 1110, 1132, 1135, and 1145. ASSIGNED UNDER 30 DAY RULE to Public Safety Committee.

101478 [Park Code - Single Entrance Fee for Visitors to Enter Multiple Recreation and Park Sites]

Sponsor: Mirkarimi

Ordinance amending San Francisco Park Code, Article 12, by adding Section 12.49 to: 1) establish entrance fees for multiple park facilities; 2) require Commission approval of contracts and grants for the collection of fees; and making environmental findings. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.

101480 [Administrative Code - Reentry Council; Composition of Membership, Powers and Duties, and Sunset Date]

Sponsor: Mirkarimi

Ordinance amending San Francisco Administrative Code Sections 5.1-1, 5.1-3, 5.1-4, and 5.1-6 to amend the membership, powers and duties, and sunset date of the Reentry Council. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

101311 [Administrative Code - San Francisco Local Hiring Policy for Construction] Sponsor: Avalos

Ordinance amending the San Francico Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Subsection 6.22(G) to: 1) establish a local hiring policy for City public work or improvement projects requiring contractors and their subcontractors to perform certain percentages of project work hours using San Francisco residents and disadvantaged San Francisco residents; 2) making findings in support of the policy; 3) authorizing incentives for contractors and subcontractors who exceed local hiring requirements; 4) mandating assessment of liquidated damages against contractors and subcontractors who fail to meet minimum local hiring requirements; and 5) establishing monitoring, enforcement, and administrative procedures in support of the policy. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

101105 [Environment Code - Existing Commercial Buildings Energy Performance] Sponsors: Mayor: Dufty

Ordinance amending the San Francisco Environment Code by adding Chapter 20, Sections 2000 through 2009, to adopt the San Francisco Existing Commercial Buildings Energy Performance Ordinance, requiring owners of nonresidential buildings to conduct Energy Efficiency Audits of their properties and file Annual Energy Benchmark Summaries for their buildings, and making environmental findings. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

101091 [Planning Code - Conditional Use Authorization for "Other Entertainment Uses" in the Van Ness Avenue Special Use District and Commercial Establishment Use Controls in RC Districts]

Sponsor: Alioto-Pier

Ordinance amending the San Francisco Planning Code by amending Sections 243 and 209.8 to require conditional use authorization for "Other Entertainment Uses" in the Van Ness Avenue Special Use District and that the Commercial Establishment use controls of the nearest C-2 District apply in RC Districts; adopting findings, including findings under Section 302 of the Planning Code, environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

101413 [Accept and Expend Grant - Congestion Management Agency Block Grant - \$11,553,000]

Sponsor: Mayor

Resolution authorizing the Department of Public Works to accept and expend \$11,553,000 in federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement funds awarded through the Metropolitan Transportation Commission's Congestion Management Agency Block Grant Program. RECEIVED AND ASSIGNED to Budget and Finance Committee.

101416 [Management Agreement/Lease - Stow Lake Boathouse, LLC, for the Operation of the Stow Lake Boathouse Concession Management of the Harding Park Golf Course]

Sponsor: Mar

Resolution authorizing the Recreation and Park Department General Manager to enter into a lease with Stow Lake Boathouse, LLC, for the operation of the Stow Lake Boathouse Concession in Golden Gate Park. RECEIVED AND ASSIGNED to Budget and Finance Committee.

101425 [Protecting and Preserving the Palace of Fine Arts Swans]

Sponsor: Alioto-Pier

Resolution endorsing the presence of swans at the Palace of Fine Arts lagoon, and urging the Recreation and Park Department, Animal Care and Control, and the San Francisco Police Department to develop a plan for the protection and preservation of swans in the Palace of Fine Arts lagoon. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101428 [Grant Agreements - Bicycle Projects - \$166,200]

Sponsor: Mar

Resolution approving three Bicycle Facility Program Grant Agreements with the Bay Area Air Quality Management District with contract terms of more than 10 years. RECEIVED AND ASSIGNED to Budget and Finance Committee.

101431 [Lease - Portsmouth Plaza Parking Corporation for Operation of the Portsmouth Square Garage]

Sponsor: Chiu

Resolution authorizing the Recreation and Park Department General Manager to enter into a lease with Portsmouth Plaza Parking Corporation for the operation of the Portsmouth Square Garage. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

101437 [Ground Lease - Redevelopment Agency Land at 701 Golden Gate Avenue to Mary Helen Rogers Senior Community, LP]

Sponsor: Daly

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block No. 768, Lot No. 13, commonly known as 701 Golden Gate Avenue, southwest corner of Golden Gate Avenue and Franklin Street, San Francisco, California in San Francisco's Western Addition neighborhood, to Mary Helen Rogers Senior Community, LP, a California limited liability corporation, for 70 years for the purpose of developing housing for very low-income senior households. RECEIVED AND ASSIGNED to Board of Supervisors on December 14, 2010.

101453 [Professional Services Agreement - Howard, Needles, Tammen & Bergendoff - \$11,704,955]

Sponsor: Mayor

Resolution approving the Professional Services Agreement, Airport Contract 9015.1 Master Architect for Replacement Air Traffic Control Tower/Terminal 1 Complex Redevelopment Program between Howard, Needles, Tammen & Bergendoff, and the City and County of San Francisco, acting by and through its Airport Commission, in the lump sum amount of \$11,704,955, and a contingency budget of \$1,626,412 for Airport and FAA requested changes, pursuant to San Francisco Charter Section 9.118(b). RECEIVED AND ASSIGNED to Budget and Finance Committee.

101482 [Annual Reports - Castro/Upper Market Community Benefit District]

Sponsor: Dufty

Resolution regarding Castro/Upper Market Community Benefit District annual reports to the City: receiving and approving the District's 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 District's management contract with the City. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101484 [Accept and Expend Grant - Bayview Hunters Point Healthy Homes Project - \$249,555]

Sponsor: Maxwell

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$249,555 from the United States Department of Health and Human Services, Centers for Disease Control and Prevention to support the Bayview Hunters Point Healthy Homes Project by developing policies and services to improve indoor air quality in public housing. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101485 [Southeast Digester Task Force - Biosolids Digester Facility Project]

Sponsor: Maxwell

Resolution urging the Public Utilities Commission to incorporate the Southeast Digester Task Force recommendations into the Biosolids Digester Facility Project, to select the preferred site and expedite implementation. RECEIVED AND ASSIGNED to Rules Committee.

101486 [Commending the Community Benefits Program]

Sponsor: Maxwell

Resolution commending the San Francisco Public Utilities Commission's Community Benefits Program. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101487 [Single Room Occupancy Task Force]

Sponsors: Dufty; Campos

Resolution amending the Single Room Occupancy Task Force to accurately reflect the administration of the program and to alter the membership of the task force to accurately reflect this change. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101488 [Assessment Ballots for City Parcels to Form the Proposed Civic Center Community Benefit District]

Sponsor: Mayor

Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City and County of San Francisco as owner of 11 parcels of real property over which the Board of Supervisors has jurisdiction, where those parcels would be subject to assessment in the proposed property and business improvement district to be named the Civic Center Community Benefit District. RECEIVED AND ASSIGNED to Budget and Finance Committee.

101489 [Authorizing Use of General Fund Dollars as Matching Funds for Federal Medicaid Funding]

Sponsor: Mayor

Resolution authorizing the Department of Public Health to use General Fund dollars as matching funds to receive federal Medicaid funding for services provided through the Community-Living Support Benefit Waiver (AB 2968). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Motion

101434 [Committee of the Whole - Public Hearing on Ground Lease of Redevelopment Agency Land at 701 Golden Gate Avenue to Mary Helen Rogers Senior Community, LP]

Sponsor: Daly

Motion scheduling the Board to sit as a Committee of the Whole on December 14, 2010, at 3:00 p.m., to hold a public hearing on the Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block No. 768, Lot No. 14, commonly known as 701 Golden Gate Avenue, southwest corner of Golden Gate Avenue and Franklin Street, San Francisco, California in San Francisco's Western Addition neighborhood, to Mary Helen Rogers Senior Community, LP, a California limited liability corporation, for 70 years for the purpose of developing housing for very low-income senior households. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

101490 [Hearing - Short-Turning of Light Rail Vehicles]

Sponsor: Chu

Hearing on the policy of short-turning or early turn-arounds of the Municipal Transportation Agency's LRV's, the reasons for and frequency of this practice, and the communication plan to inform the affected riders. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101491 [Hearing - Haight Ashbury Neighborhood Council's Recycling Center and Plant Nursery]

Sponsor: Mirkarimi

Hearing to review the status of the Haight Ashbury Neighborhood Council's Recycling Center and Plant Nursery, and the role of recycling centers in reaching the City's goal of producing zero waste by 2020. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101492 [Hearing - Public Utilities Commission Energy Resources Plan]

Sponsor: Maxwell

Hearing on the status of the Public Utilities Commission's work to update the Energy Resources Plan. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

101463 [Settlement of Lawsuit - Lexington Insurance - City to Receive \$2,750,000; Appropriating Settlement Proceeds]

Ordinance authorizing settlement of the lawsuit entitled City and County of San Francisco v. Lexington Insurance Company, San Francisco County Superior Court Case No: CGC-10-498967 (Action), removed to United States District Court, N.D. Cal., Case No: 3:10-CV1-02188-SI, arising from an insurance coverage dispute involving a claims-made Designers and Construction (i.e., professional liability) Project Specific Professional Liability and Pollution Liability Policy issued by Lexington Insurance Company (Lexington) to the San Francisco Public Utilities Commission for the period February 1, 2002, to February 1, 2006, policy number 1152114 (Lexington Policy), calling for payment of \$2,750,000 from Lexington to the City and County of San Francisco and including other material terms of said settlement: (1) Lexington will have no further obligations under the Lexington Policy and said policy shall be considered null and void and of no further force and effect; (2) San Francisco will defend and hold harmless and indemnify Lexington from and against any demand against Lexington made under the Lexington Policy; (3) all parties will execute a mutual release; (4) San Francisco will execute and file a dismissal of all claims with prejudice; (5) the City and Lexington each shall bear its own legal costs and fees arising from this action; and appropriating the full proceeds from the settlement to fund the San Francisco Public Utilities Commission's attorney fees and legal expenses related to certain pending litigation matters. (City Attorney). RECEIVED AND ASSIGNED to Budget and Finance Committee.

101464 [Planning Code - Zoning - Amendment of Upper Market Neighborhood Commercial District; Extension of Market and Octavia Community Infrastructure Fee Area]

Ordinance amending the San Francisco Planning Code by amending Sections 134, 145.4, 151.1, 155, 207.7, 207.8, 263.20, 401, 416, 416.3, 416.5, 421.1, 421.3, 421.5, 721, and 721.1 to amend the Upper Market Street Neighborhood Commercial District and to extend the Market and Octavia Community Infrastructure Fee area to include the portion of the Upper Market Street Neighborhood Commercial District lying outside the Market and Octavia Plan area; 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. (Planning Commission). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

101460 [Airport Concession Lease - Melshire DFW, L.P.]

Resolution approving the Terminal 2 Specialty Store Lease between Melshire DFW, L.P. dba Natalie's Candy Jar, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

101461 [Contract Amendment - Sunol Valley Regional Construction Management Services - Water System Improvement Program Projects - Not to Exceed \$19,000,000]

Resolution authorizing an amendment to the San Francisco Public Utilities Commission contract CS- 915R for Sunol Valley Regional Construction Management Services in the amount not to exceed \$ 3,000,000, for a total agreement not to exceed amount of \$19,000,000 to fund Construction Management Services for Bioregional Habitat Restoration actions required for various Water System Improvement Program Projects within the Sunol Valley Region, Alameda County, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

101462 [Contract Amendment - Peninsula Habitat Restoration Construction Management Services - Water System Improvement Program Projects - Not to Exceed \$26.000.0001

Resolution authorizing an amendment to the San Francisco Public Utilities Commission Contract No. CS- 916 for Peninsula Regional Construction Management Services in the amount not to exceed \$4,000,000, for a total agreement not to exceed amount of \$26,000,000 to fund Construction Management Services for Bioregional Habitat Restoration actions required for various Water System Improvement Program Projects within the Peninsula Region, San Mateo County, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – November 23, 2010

Board Minutes for October 19, 2010 approved.

Requests Granted

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting that the City Attorney draft an ordinance establishing a Sea Level Rise Adaptation Policy to be proposed by an intracity task force requiring the City Administrator, in conjunction with DPW, SFO, Planning, DBI, Redevelopment, Port, Recreation and Parks, MTA, SFPUC, Environment Department, Mayor's Office, and other relevant City departments to develop a proposed Sea Level Rise Adaptation Strategy examining potential future flood risks associated with a range of sea level rise over the next century, including engineered and non-engineered adaptive strategies. In developing policy recommendations, the City Administrator should consult with agencies with purview over San Francisco Bay and the waters outside of the Golden Gate, including the Federal Emergency Management Agency, the U.S. Army Corps of Engineers, the National Oceanic and Atmospheric Agency, the San Francisco Bay Conservation and Development Commission and the California Coastal Commission.

The ordinance should also provide that the final recommendation of the task force submitted to the Board of Supervisors shall become the official Sea Level Rise Adaptation Policy of the City and County of San Francisco upon ratification by resolution of the Board of Supervisors.

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 at the following locations:

Garbage Cans

Northwest corner of Golden Gate and Laguna Southeast corner of Scott and Fulton In front of 1855 Haight All three cans on Stanyan and Haight Northeast corner of Divisadero and Golden Gate Northeast corner of Geary and Divisadero

Mailboxes

Southwest corner of Geary and Laguna Northeast corner of Scott and McAllister

Vacant Lots

Northwest corner of Divisadero and Ellis
Parking lot northwest corner of Haight and Stanyan

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

At 1150 Scott 175 Carl 1833 Scott 50 Shrader

530 Scott

Curb repair at northwest corner of Divisadero and Waller Sidewalk at 2611 Pine

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:

1826 Divisadero

1910 Divisadero

1918 DIvisadero

201 Webster

122 Webster

249 Webster

159 Webster

1600 Post

301 1/2 Webster

900 Haight

901 Haight

906 Haight

1299 Haight

401 Divisadero

616 Divisadero

655 Divisadero

848 Divisadero

Across the street from 625 Willow

890 Page

796 Haight

799 Haight

198 Haight

100 Scott

670 Waller

702 Haight

682 Haight

630B Haight

604A Haight

598 Haight

542 Haight

546 Haight

585 Hayes

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 1002 Scott

In front of 1005 Laguna

In front of 1022 Scott

In front of 1030 Shrader

In front of 1108 Divisadero

In front of 1149 Laguna

Southwest corner of Willow and Laguna

Southeast corner of Scott and Haight

In front of 1221 Masonic

Southeast corner of Page and Scott

Wood Poles

Northeast corner of 16th Avenue and Judah In front of 2060 Fillmore Southeast corner of Elm and Scott Southwest corner of Divisadero and Oak In front of 617 and 681 Ivy In front of 21 Shrader

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 public property locations:

Utility Boxes

Southwest corner of Waller and Steiner Northeast corner of Eddy and Divisadero Southeast corner of Stanyan and Oak In front of 1055 Laguna Southeast corner of Webster and Fell Northeast corner of Shrader and Oak Northwest corner of Divisadero and Pine

Bus Shelters

Southwest corner of Buchanan and Haight Southeast corner of Buchanan and Hayes Northwest corner of Pine and Fillmore Northwest corner of Divisadero and Haight Southeast corner of Geary and Scott Northeast corner of Stanyan and Parnassus Southwest corner of Geary and Scott Southwest corner of Stanyan and Parnassus Southwest corner of Pierce and Haight Fillmore and Haight (all 4 bus stops, graffiti and grime on canopies)

Fire Hydrants

Southeast corner of Scott and Fell Northeast corner of Fulton and Fillmore

Emergency Boxes

Southwest corner of Grattan and Stanyan Southwest corner of Belgrave and Shrader Near 2725 California

In Memoriams

Fred Goldhaber – Supervisors Dufty and Campos Jerome A. DeFilippo – Supervisor Dufty James Francis Coleman – Supervisor Dufty