

Board of Supervisors



City Hall
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Legislation Introduced

Tuesday, February 1, 2011

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

110113 [Appropriating \$80,000 of General Fund Property Transfer Tax and Reducing Botanical Garden Fee Revenue for FY2010-2011]

Sponsors: Avalos; Mirkarimi, Mar, Campos and Kim

Ordinance appropriating \$80,000 of General Fund from new property transfer tax and reducing botanical garden fee revenues, which will be rescinded as of March 17, 2011, in the Department of Recreation and Park for FY2010-2011. RECEIVED AND ASSIGNED to Budget and Finance Committee.

110114 [Environment Code - Yellow Pages Distribution Pilot Program]

Sponsors: Chiu; Mar, Mirkarimi and Wiener

Ordinance adding Chapter 20 to the San Francisco Environment Code to establish a three-year pilot program to reduce waste in the distribution of Yellow Pages Phone Directories to private residences and businesses in San Francisco, and to reduce neighborhood blight, by restricting distribution to circumstances where: (1) there is personal delivery of the directory to a human being; (2) there has been a request for delivery of the directory to the residence or business; or (3) directories are maintained for pick-up at a distribution center or business open to the public; and mandating a public outreach program to educate the public about the environmental harms associated with excessive distribution of Yellow Pages Phone Directories, develop and publicize alternatives to private possession of such directories, and inform the public of the option and means of obtaining such directories; and making environmental findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

- 110115 [Summary Vacation, Jurisdictional Transfer, and Sale of City Property - Ocean Avenue and Phelan Avenue]**
Sponsors: Elsbernd; Avalos
 Ordinance: (1) ordering the summary vacation of an approximately 17,050 square foot portion of City property located near Ocean Avenue and Phelan Avenue pursuant to the California Streets and Highways Code Sections 8330 et seq.; (2) authorizing the jurisdictional transfer of such portion of City property from the Department of Public Works to the Municipal Transportation Agency; (3) authorizing the sale of an approximately 25,772 square foot portion of City property located near Ocean Avenue and Phelan Avenue to the San Francisco Redevelopment Agency for \$4,056,580 and the grant of a pedestrian access easement and an emergency fire apparatus access easement over a portion of adjacent City property; (4) adopting environmental findings and other findings that the actions set forth in this Ordinance are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; (5) adopting findings that Administrative Code Chapter 23A does not apply to the sale of such portion of City property; and (6) authorizing other actions in furtherance of this Ordinance. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 110116 [Planning Code - Zoning - Presidio-Sutter Special Use District - 800 Presidio Avenue]**
Sponsor: Farrell, Mar, Mirkarimi
 Ordinance amending the San Francisco Planning Code by adding Section 259.53 to establish the Presidio-Sutter Special Use District for property located at 800 Presidio Avenue (Assessor's Block No. 1073, Lot No. 13); amending Sheet HT03 of the Zoning Map to change the Height and Bulk District from 40-X to 55-X; and amending Sheet SU-03 of the Zoning Map to reflect the boundaries of the Presidio-Sutter Special Use District; 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.
- 110117 [Administrative Code - Publication Requirements]**
Sponsor: Mirkarimi
 Ordinance amending San Francisco Administrative Code Section 2.97 to define "summary" for purpose of publishing Public Notices. RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

- * **110118 [Opposing the Metropolitan Transportation Commission's Proposal to Add Voting Members Representing Urban Areas]**
Sponsor: Wiener
 Resolution opposing the Metropolitan Transportation Commission's proposal to add voting members representing urban areas but excluding San Francisco and other large Bay Area cities, and urging the California State Legislature to oppose the proposal. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110119 [Supporting Local 87 Janitors at 1 South Van Ness Avenue]**
Sponsors: Wiener; Kim, Chiu, Avalos and Cohen
 Resolution supporting reinstating the Janitors who have worked at 1 South Van Ness Avenue represented by Local 87. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 110121 [Consolidation of Special Municipal Election with Special Statewide Election Anticipated for June 7, 2011]**
Sponsor: Chiu
Resolution calling a Special Municipal Election for June 7, 2011, and consolidating that election with the Statewide Special Election anticipated to be held on the same date. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110122 [Commending The De Marillac Academy]**
Sponsors: Elsbernd; Kim
Resolution commending The De Marillac Academy on the occasion of its tenth anniversary and commending the Academy on its outstanding educational work. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110123 [Approving a 90-Day Extension for Planning Commission Review of Parking Controls in SoMa and Mission Bay]**
Sponsor: Kim
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend the San Francisco Planning Code Sections 151, 151.1, 155, 161, 249.1, 249.23, and Part VII of Article 9 to: (1) 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) 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; and (3) make parking controls in the Mission Bay Districts that are subject to the Planning Code consistent with requirements of neighboring districts; and making environmental findings, General Plan findings, and other required findings. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110124 [Condemning Rush Limbaugh for Mocking Chinese President Hu Jintao]**
Sponsors: Mar; Avalos, Chu, Campos, Chiu, Kim and Cohen
Resolution condemning Rush Limbaugh for mocking the Chinese language and Chinese President Hu Jintao on his radio show on January 19, 2011. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110125 [Apply for Department of Forestry and Fire Protection Grant for Fruit Bearing Trees]**
Sponsor: Mayor
Resolution authorizing the Department of the Environment for the City and County of San Francisco to apply for funding from the Department of Forestry and Fire Protection (CalFire) as provided through Propositions 40 and 84 for a project to plant fruit bearing trees on appropriate City land. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110126 [Accept and Expend Grant - Implementation of Programs for the Prevention, Care, and Treatment of HIV/AIDS - \$13,001]**
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$13,001 from the University of California San Francisco to participate in a program entitled "Implementation of Programs for the Prevention, Care, and Treatment of HIV/AIDS" for the period of July 1, 2010, through June 30, 2011. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 110127 [Accept and Expend Grant - Western States Node of the National Drug Abuse Treatment Clinical Trials Network - \$16,876]**
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$16,876 from the University of California San Francisco to participate in a program entitled "Western States Node of the National Drug Abuse Treatment Clinical Trials Network" for the period of September 1, 2010, through August 31, 2011. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110128 [Accept and Expend Grant - Integrating I-Tech International AIDS Education and Training Center - \$20,682]**
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$20,682 from the University of California San Francisco to participate in a program entitled "Integrating I-Tech International AIDS Education and Training Center" for the period of April 1, 2010, through March 31, 2011. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110129 [Accept and Expend Grant - Risk Reduction Project - \$27,287]**
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$27,287 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "Risk Reduction Project" for the period of August 1, 2010, through July 14, 2012. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 101564 [Memorandum of Understanding - 34th America's Cup]**
Sponsors: Mayor; Chiu, Mirkarimi, Elsbernd and Chu
Resolution approving a Memorandum of Understanding between the City Controller and the Port Commission regarding the 34th America's Cup under Charter Section B7.320. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Requests for Hearing

- 110130 [Hearing - Controller's Six Month Budget Status Report]**
Sponsor: Chu
Hearing to receive an update from the Controller's Office on the Six Month Budget Status Report. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 110131 [Hearing - Economic Impact Study of Nightlife and Entertainment in San Francisco]**
Sponsor: Wiener
Hearing to receive an economic impact study of nightlife and entertainment in San Francisco; requesting that the Controller, with support from the Entertainment Commission, perform an economic impact study of nightlife and entertainment in San Francisco, including for example, the number of jobs generated by the sector, the amount of taxes paid, the number of visitors drawn to San Francisco as a result of the sector, and to assess its results and to discuss potential legislation to support this sector and to ensure that it remains a contributor to San Francisco's economic and cultural life. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110132 [Hearing - Infrastructure Financing District No. 1 - Rincon Hill Area]

Hearing of persons interested in or objecting to the proposed legislation: (1) creating the Infrastructure Financing District and adopting the Infrastructure Financing Plan for Infrastructure Financing District No. 1 (Rincon Hill Area); (2) calling for a special election and declaring the results for the Infrastructure Financing District No. 1 (Rincon Hill Area); and (3) authorizing the issuance of bonds for the Infrastructure Financing District No. 1 (Rincon Hill Area). (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTIONS

110054 [Emergency Contract - Replacing Sewer on Polk Street from Bush Street to Pine Street - Not to Exceed \$421,071]

Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace the sewer on Polk Street from Bush Street to Pine Street with a contract amount not to exceed \$421,071. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

110056 [Settlement of Anticipated Litigation Against Office Depot - Receipt of \$4,250,000 / Payment of \$48,915.40]

Resolution approving the settlement of anticipated litigation by the City and County of San Francisco against Office Depot for contract overcharge; the material terms of said settlement are: (1) the City to receive the sum of \$3,750,000 in the form of a check; (2) the City to receive from Office Depot credit in the amount of \$500,000 toward future purchases by the City over the next 5 years; and (3) payment to Office Depot of the sum of \$48,915.40 as full and complete satisfaction of all outstanding balances owed by the City under its office supplies contract with Office Depot. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – February 1, 2011

Requests Granted

From: Supervisor Avalos

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to provide a summary of the trash receptacles located in District 11. Specifically, please provide a map detailing trash receptacle locations and types of containers currently in place.

Information on when and where receptacles have been removed and the reason cited for their removal is also requested.

Please also include information on comparative analysis on population density to the concentration of receptacles located in other districts.

Additionally, options of the various types of receptacle containers currently available would be appreciated.

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:

108 Haight
1133 Hayes
1230 Hayes
1304 Hayes
1308 Hayes
1379 Hayes
1480 Grove
170 Lily
224 Haight
267 Hickory
321 Linden
322 Linden
376 Ivy
498 Hayes
502 Grove
573 Hayes
616 Divisadero
Near 135 Rose
Near 140 Rose

940 Grove
501 Fillmore
2001 Grove
207 Gough

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

Intersection of Grove & Broderick, North side of street
Intersection of Fillmore & Waller, south side of Fillmore, street sinking
Near 146 Rose
Near 375 Grove
Near 1851 Hayes
Near 1916 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 the following locations:

Garbage Cans

Southwest corner Broderick & Hayes
Southeast corner Scott & Grove
Opposite 1855 Hayes
Southwest corner Lyon & Hayes
Northeast corner Masonic & Haight
Southwest corner Buchanan & Hayes

Mailboxes

Southwest corner Fulton & Gough
Northeast corner Buchanan & Haight
Near 100 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from 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 and Southeast corner of Haight and Fillmore.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

Southeast corner Octavia and Ivy
Northeast corner Broderick and Hayes
Southwest corner Page and Gough
Southwest corner Hickory and Octavia
Southwest corner Steiner and Waller

Bus Shelters

Southwest corner Buchanan and Haight
Southeast corner Buchanan and Hayes
Northwest corner Fillmore and Hayes
Northeast corner Hayes and Fillmore
Southwest corner Broderick and Hayes
Northeast corner Pierce and Hayes
Northwest corner Laguna and Haight

Northwest corner Steiner and Hayes
Fillmore and Haight (all 4 bus stops, graffiti and grime and canopies are graffiti
also canopies have graffiti).

Fire Hydrant

2 Haight Street
Southeast corner Scott and Grove

Emergency Boxes

Northwest corner Central and Grove
Southwest corner Gough and 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 from utility poles at the following locations:

Metal Poles

Southwest corner Lily and Octavia
Southwest corner Page and Octavia
Southwest corner Hickory and Octavia
Southwest corner Page and Gough
Southeast corner Haight and Buchanan
Northwest corner Haight and Laguna
In front of 1045 Hayes
In front of 112 Haight
In front of 146 Rose
In front of 445 Hayes
In front of 48 Haight
In front of 211 Hickory
In front of 1570 Hayes
In front of 527 Hayes
In front of 1558 Hayes

Wood Poles

Near 140 Rose
In front of 376 Ivy
In front of 1377 Grove
In front of 2144 Hayes
In front of 648 Hayes

In Memoriams

James Howard Pye, Jr. – Supervisor Mirkarimi
Mildred Phyllis Prudhomme – Supervisor Mirkarimi
Marla Denzer – Supervisor Mirkarimi

Feng Ping Ou – Board President Chiu

Qiong Han Chu – Board President Chiu

Donna Stepanek – Supervisors Elsbernd, Campos, and Chu

Stuart Everett Brotman – Supervisor Farrell