

# Board of Supervisors



City Hall  
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## Legislation Introduced

Tuesday, April 26, 2011

### LEGISLATION INTRODUCED AT ROLL CALL

#### Introduced by a Supervisor or the Mayor

#### Ordinances

**110501 [Park Code - Japanese Tea Garden Fees]**

**Sponsor:** Avalos

Ordinance amending the San Francisco Park Code, Article 12, Section 12.05, to eliminate the admission fees for San Francisco residents and making environmental findings. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

**110502 [Administrative Code - Timeline for Capital Expenditure Plan]**

**Sponsor:** Chiu

Ordinance amending the San Francisco Administrative Code, Sections 3.20 and 3.21, to provide that the ten-year capital expenditure plan to be prepared thereunder shall be submitted to the Mayor and the Board of Supervisors on a biennial basis and that the Mayor and the Board of Supervisors shall review, update, amend, and adopt such plan by resolution on a biennial basis. RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110503 [Administrative Code - Regulating Overtime Available for City Employees]**

**Sponsor:** Chiu

Ordinance amending the San Francisco Administrative Code, Section 18.13.1, to limit the overtime worked in any fiscal year by any employee to 20% of regularly scheduled hours and requiring monthly written reports regarding critical staffing shortages. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 110506 [Planning Code, Police Code, Business and Tax Regulations Code - Limited Live Performance Permits]**  
**Sponsor:** Mirkarimi  
Ordinance amending Sections 2.26, 2.27, 1060, 1060.1, 1060.1-1, 1060.7.1, 1060.9, 1060.18, 1060.19, 1060.20.4, 1060.24, and 1060.35 of the San Francisco Police Code; adding Sections 1060.2.1, 1060.3.1, 1060.5.1, 1060.38, and 1060.38.1 to the Police Code; amending Sections 102.17, 703.2, 790.38, 803.2, 803.3, and 890.37 of the San Francisco Planning Code; and amending Section 8 of the San Francisco Business and Tax Regulations Code, to create a Limited Live Performance Permit for indoor locales whose primary function is not presentation of live performances, said permit to include noise and hours restrictions but not necessarily security plan requirements; specifying application and license fees and hearing requirements for said permit; and making findings, including environmental findings, Planning Code 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 City Operations and Neighborhood Services Committee.
- 110507 [Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Cost Overruns for FY2010-2011 - \$31,055,000]**  
**Sponsor:** Mayor  
Ordinance appropriating \$31,055,000, including \$8,104,000 of General Fund Reserve, \$14,851,000 of surplus Laguna Honda Hospital revenues, \$1,925,000 of Surplus San Francisco General Hospital revenues, de-appropriating \$6,175,000 of non-hospital operations expenditures at San Francisco General Hospital to fund cost overruns in the Department of Public Health including \$20,334,000 at San Francisco General Hospital and \$10,721,000 at Laguna Honda Hospital for FY2010-2011. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 110023 [Campaign and Governmental Conduct Code - Allowing Former Appointed Mayor to Obtain City Employment]**  
**Sponsors:** Chiu; Elsbernd, Mar, Chu, Cohen, Kim, Wiener and Farrell  
Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 3.234 to allow an appointed former Mayor to obtain full-time City employment within one year after leaving office. SUBSTITUTED AND ASSIGNED to Rules Committee.
- 110336 [Appropriating General Fund for Loans Supporting Women's and LGBT Health Services in FY2010-2011 - \$150,000]**  
**Sponsors:** Mirkarimi; Campos and Wiener  
Ordinance appropriating \$150,000 from General Fund Reserve to the Department of Public Health for loans to support Women's and LGBT Health Services in FY2010-2011. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.
- 110462 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Stock-Based Compensation]**  
**Sponsor:** Farrell  
Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, by adding Section 906.5 to establish a payroll expense tax exclusion for stock-based compensation and amending Section 902.1 to exclude stock options from the definition of Payroll Expense. SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

## **Resolutions**

- 110508 [Accept and Expend Grant - Homeland Security Grant Program - \$2,094,667]**  
**Sponsor:** Chiu  
Resolution authorizing the Department of Emergency Management to retroactively accept and expend a Homeland Security Grant Program Grant in the amount of \$2,094,667 from the United States Department of Homeland Security, through the California Emergency Management Agency, for disaster planning. RECEIVED AND ASSIGNED to Public Safety Committee.
- 110509 [Accept and Expend Grant - Medical Examiner Accreditation Support - \$116,589]**  
**Sponsor:** Chu  
Resolution authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of \$116,589 from the Paul Coverdell Forensic Science Improvement Grants Program of the California Emergency Management Association for accreditation support. RECEIVED AND ASSIGNED to Public Safety Committee.
- 110512 [Purchase and Sale Agreement - Redevelopment Agency for the Revitalization of the Alice Griffith Public Housing Site - East Side of Arelious Walker Drive at Gilman Avenue]**  
**Sponsor:** Cohen  
Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to sell land on the east side of Arelious Walker Drive, at Gilman Avenue, adjacent to the Alice Griffith Public Housing Site, Assessor's Block No. 4884, Lot No. 27, to McCormack Baron Salazar, Inc., a Missouri corporation, for the sole purpose of performing predevelopment and development work at the property for the revitalization of the Alice Griffith Public Housing Site, a HOPE SF development program that will provide one-for-one replacement of all Alice Griffith public housing units within a larger mixed-income community. ASSIGNED to Board of Supervisors on 5/17/11.
- 110513 [Ground Lease - Redevelopment Agency - Carroll Street Senior Community - 5800 Third Street]**  
**Sponsor:** Cohen  
Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 5800 Third Street, Lot No. 3, northwest corner of the larger 5800 Third Street site, Assessor's Block No. 5431A, Lot No. 042 with Bayview Supportive Housing, LLC, a California limited liability company, for a term of 55 years for the purpose of developing housing for very low-income senior households. ASSIGNED to Board of Supervisors on 5/17/11.
- 110516 [Ground Lease - Redevelopment Agency Land - 6600 Third Street]**  
**Sponsor:** Cohen  
Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 1075 Le Conte Avenue, Assessor's Block No. 009, Lot No. 5476, commonly known as 6600 Third Street with Third and LeConte Associates, LP, a California limited partnership, for a term of 70 years for the purpose of developing housing for formerly homeless individuals and families. ASSIGNED to Board of Supervisors on 5/17/11.
- 110517 [Treasure Island Transportation Implementation Plan]**  
**Sponsor:** Mayor  
Resolution approving the Treasure Island Transportation Implementation Plan. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 110518 [Accept and Expend Grant - Cesar Chavez Sewer System Improvement - \$669,000]**  
**Sponsor:** Cohen  
Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a U.S. Environmental Protection Agency administered grant in the amount of \$669,000 for the Cesar Chavez Sewer System Improvement Project. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 110519 [Accept and Expend Grant - Brown Grease Recovery and Biofuel Demonstration Project - \$951,500]**  
**Sponsor:** Mar  
Resolution authorizing the San Francisco Public Utilities Commission to retroactively accept and expend a U.S. Department of Energy administered grant in the amount of \$951,500 to conduct a brown grease recovery and biofuel demonstration project. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 110520 [Accept and Expend Grant - Electric Vehicle Infrastructure - \$100,000]**  
**Sponsor:** Mayor  
Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant of \$100,000 from the Bay Area Air Quality Management District to contribute to the cost of installing 60 publicly available electric vehicle chargers. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 110521 [Perinatal Depression Awareness Month - May]**  
**Sponsor:** Chu  
Resolution declaring every May as Perinatal Depression Awareness Month in the City and County of San Francisco and encouraging improvements in the screening and treatment of perinatal depression. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **Motions**

- 110522 [Closed Session - Parkmerced Development Project]**  
**Sponsor:** Elsbernd  
Motion that Board of Supervisors convene in closed session on May 3, 2011, with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding threatened litigation, potentially arising out of the proposed Parkmerced Development Project, where City may be either defendant or plaintiff in at least one case in either instance.
- This closed session is permitted by Government Code Section 54956.9(b), and Administrative Code Section 67.10(d)(2). RECEIVED AND ASSIGNED to Board of Supervisors on 5/3/11.
- 110523 [Adding Board Rule 5.9 to Create a Joint City and City College of San Francisco Select Committee]**  
**Sponsor:** Mirkarimi  
Motion amending the Rules of Order of the Board of Supervisors to add Rule 5.9, which creates a Joint City and City College of San Francisco Select Committee. RECEIVED AND ASSIGNED to Rules Committee.

- 110422 [Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]**  
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 10, 2011, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

- 110504 [Hearing - Relocation for Board Meetings and Legislative Chamber Connectivity]**  
Hearing to determine relocation of the Board of Supervisors meetings during the Legislative Chamber modification and the Chamber computer connectivity for Board Members. (Clerk of the Board). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 110524 [Hearing - Performance Audit of Advertising Policies]**  
**Sponsor:** Campos  
Hearing on the Performance Audit of the City's advertising policies and practices conducted by the Budget and Legislative Analyst. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 110525 [Hearing - Crisis of Wage Theft]**  
**Sponsors:** Campos; Mar  
Hearing on how the City and County of San Francisco is working to address the crisis of wage theft. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 110526 [Hearing - Audit Work Plan for 2011]**  
**Sponsor:** Campos  
Hearing on the Budget and Legislative Analyst's Audit Work Plan for 2011. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 110527 [Hearing - A-G Course Requirements for High Schools]**  
**Sponsor:** Chu  
Hearing on the implementaion of A-G course requirements in San Francisco Unified School District high schools. RECEIVED AND ASSIGNED to City and School District Select Committee.

## **Introduced by the President at the Request of a Department**

### **PROPOSED ORDINANCE**

**110481 [Settlement of Lawsuit - Da Ren Kuang, et al. - \$1,556,000]**

Ordinance authorizing settlement of the lawsuit filed by Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate Of Xiu Fang Huang against the City and County of San Francisco for \$1,556,000; the lawsuit was filed on July 30, 2010, in San Francisco Superior Court, Case No. CGC 10-502052; entitled Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate Of Xiu Fang Huang v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

### **PROPOSED RESOLUTIONS**

**110478 [Approval of Expenditure Plan for the Human Services Care Fund for FY2011-2012]**

Resolution approving the FY2011-2012 Expenditure Plan for the Human Services Care Fund. (Human Services Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110479 [Approval of Modification No. 1 of Lease and Use Agreement - Emirates at San Francisco International Airport]**

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L-10-0084 with Emirates for lounge space in the International Terminal, Boarding Area A, of San Francisco International Airport. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**110480 [Settlement of Unlitigated Claim - Alain Jimenez - \$105,000]**

Resolution approving the settlement of the unlitigated claim filed by Alain Jimenez against the City and County of San Francisco for \$105,000; claim was filed on June 11, 2010. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

## **Clerk to Act – April 26, 2011**

Board Minutes for March 22, 2011 approved.

### **Requests Granted**

From: Supervisor Chiu

To: Director, Department of Technology

To: Director, Planning Department

Requesting/Inquiring: Requesting the Department of Technology and the Planning Department to provide analysis of possible revenue from leasing radio towers, siren poles and other City and County sites to private telecommunications carriers.

From: Supervisor Chiu

To: Director, Department of Technology

Requesting/Inquiring: Requesting the Department of Technology to provide analysis of possible revenue from leasing unused City and County fiber-optic network capacity.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of resolving problems with the conditions of street surfaces or sidewalks at the following locations:

### **Potholes**

1639 Fulton

Northern crosswalk at intersection of Masonic and Fulton

1704 Broderick

1742 Broderick

1760 Broderick

Northbound 1200 and 1300 blocks of 19th Ave.

1379 10th Ave.

1362 3rd Ave.

### **Sidewalk Dumping**

1725 Fulton

Approximately 710 Grove

### **Dangerous Sidewalks**

1640 Eddy

1652 Eddy

Approximately 1565 Turk

### **Blight**

1592 Golden Gate

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**

Approximately 1136 Oak

Northwest corner of Grove and Webster

Northwest corner of McAllister and Webster

Southwest corner of Turk and Steiner

Northwest corner of Scott and Ellis

Northeast corner of Post and Broderick

Southeast corner of Bush and Broderick

1639 Fulton

### **Emergency Boxes**

Northeast corner of Steiner and O'Farrell

Southeast corner of Baker and Sutter

### **Parking and Traffic Signs**

2779 Bush

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to reports on the status of removing graffiti at the following private property locations:

### **Residential and Commercial Buildings**

279 Hickory

925 Pierce, on Golden Gate

1511 Golden Gate

1570 Golden Gate

1040 Fillmore

1075 Fillmore

1101 Oak

1594 Golden Gate, on front and on Elm

Approximately 50 Garden



Northwest corner of Post and Broderick  
1550 Steiner  
1689 Fulton, all sides  
1751 Fulton  
649 Central

### **Planter Boxes**

1195 Oak

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 of Patricia's Green  
Approximately 1170 Divisadero

### **Mailboxes**

2299 Post  
2215 Post  
Northeast Corner of Baker and Post  
Southwest Corner of Fillmore and Golden Gate  
Northwest corner of Webster and Fulton

### **Street Walls and Overpasses**

Northeast corner of Hayes and Laguna  
Approximately 1560 Golden Gate  
Approximately 1980 Geary

### **Parking Lots**

Approximately 30 Garden

### **Public Benches**

Picnic table towards rear (Southside) of Bush St. Mini-Park

### **Fire Hydrants**

1350 Fell  
1153 Oak

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**

Northwest and Southwest corners of Fillmore and Post  
Southwest corner of Divisadero and Sutter  
347 Judah  
Southwest corner of Geary and Divisadero  
Northwest corner of Hayes and Laguna  
7<sup>th</sup> Avenue and Irving (near bus stops)  
Northwest corner of Hayes and Fillmore  
Northwest corner of Baker and Fulton  
Southeast corner of Masonic and Fulton  
1750 Fulton  
1377 Fell  
Southeast corner of Fillmore and Haight

**San Francisco Chronicle**

Northwest corner of Fillmore and Hayes  
Southeast corner of Haight and Fillmore  
1195 Oak  
1750 Fulton  
Irving and 7<sup>th</sup> Avenue  
Southeast corner of Geary and Divisadero  
Southeast corner of Masonic and Hayes  
Northwest corner of Hayes and Laguna  
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  
1195 Oak  
1750 Fulton  
1377 Fell  
Southwest corner of Geary and Divisadero

**SF Weekly**

Southeast corner of Masonic and Haight  
Southeast corner of Haight and Fillmore

Southeast corner of Page and Laguna  
Southeast corner of Masonic and Hayes  
1750 Fulton  
1195 Oak

### **Advertiser**

Southwest corner of Geary and Divisadero  
1377 Fell

### **Jobs and Careers**

Southwest corner of Geary and Divisadero  
Southeast corner of Masonic and Fulton

### **Real Estate Times**

Southeast corner of Masonic 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 of Hayes and Ivy  
765 Grove  
887 Webster  
Approximately 1174 McAllister  
Approximately 1565 Turk  
1179 Scott  
1375 Scott  
1415 Scott  
1101 Oak  
Southeast corner of Garden and Broderick  
1701 Broderick  
1704 Broderick  
Approximately 2030 Geary  
Approximately 2040 Geary  
Approximately 1670 Eddy  
Approximately 1110 Divisadero  
1614 Fulton  
649 Central

### **Wood Poles**

Northwest corner of Elm and Pierce  
Approximately 20 Garden  
Approximately 80 Garden

**Concrete Poles**

733 Webster  
1335 Fell

**In Memoriams**

Sandra Rovetti – Supervisor Campos