

# Board of Supervisors



City Hall  
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## Legislation Introduced

Tuesday, May 10, 2011

### LEGISLATION INTRODUCED AT ROLL CALL

#### Introduced by a Supervisor or the Mayor

#### Ordinances

- 110594 [Administrative Code - Enforcement of Minimum Wage Laws by the Office of Labor Standards]**  
**Sponsors:** Campos; Mar, Avalos, Chiu, Mirkarimi and Kim  
Ordinance amending the San Francisco Administrative Code Sections 12R.5, 12R.7, 12R.16, 12R.17, 12R.18, and 12R.25 to: 1) enhance Office of Labor Standards enforcement of the City's minimum wage laws by clarifying agency access to places of employment; 2) require enforcement actions to be completed within one year, raising the penalty for employer retaliation; 3) impose a penalty for failure to post minimum wage rates; 4) provide for posting notice to employees upon commencement of an investigation and public posting of employer non-compliance with penalties; 5) provide authority to immediately issue an administrative citation upon sufficient evidence of certain violations; and 6) require industry-focused outreach materials for employees. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.
- 110595 [Campaign and Governmental Conduct Code - Convening the Redistricting Task Force and Amending the City's Conflict of Interest Code]**  
**Sponsors:** Chiu; Kim  
Ordinance convening the Redistricting Task Force, pursuant to Charter Section 13.110(d), and amending the San Francisco Campaign and Governmental Conduct Code by adding Section 3.1-397 to include the Redistricting Task Force in the City's Conflict of Interest Code. ASSIGNED to Rules Committee.

- 110116 [Planning Code - Zoning Map - Presidio-Sutter Special Use District - 800 Presidio Avenue]**  
**Sponsor:** Farrell  
Ordinance amending the San Francisco Planning Code by adding Section 259.53 to: 1) establish the Presidio-Sutter Special Use District for property located at 800 Presidio Avenue (Assessor's Block No. 1073, Lot No. 13); 2) amend Sheet HT03 of the Zoning Map to change the Height and Bulk District from 40-X to 45-X; and 3) amend 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. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.
- 110507 [Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Shortfalls for FY2010-2011 - \$31,055,000]**  
**Sponsor:** Mayor  
Ordinance recognizing state revenue losses of \$18,484,060 at San Francisco General Hospital and 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. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

## **Resolutions**

- 110597 [Accept and Expend Grant - Transportation Development Act, Article 3 - \$696,000]**  
**Sponsor:** Chiu  
Resolution authorizing the Municipal Transportation Agency to accept and expend a grant from the State Transportation Development Act Article 3 funds totaling \$696,000 including \$341,000 for the Department of Public Works and \$355,000 for various pedestrian and bicycle projects in San Francisco in FY2011-2012. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 110598 [Accept and Expend Grant - Non-Structural Seismic Retrofit - \$999,999]**  
**Sponsor:** Cohen  
Resolution authorizing the Department of Public Health and San Francisco General Hospital to retroactively accept and expend a federal pass-through state grant in the amount of \$999,999 from the California Emergency Management Agency (CalEMA), to support San Francisco General Hospital's non-structural retrofit activities for the period February 15, 2011, through February 14, 2014, and waiving indirect costs. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 110599 [Grant Easement to, and Acceptance of Easement Purchase and Sale Agreement and Delivery Truck Easement Agreement - Avalon Ocean Avenue, L.P. - Phelan Bus Loop]**  
**Sponsor:** Elsbernd  
Resolution approving the execution of an Easement Purchase and Sale Agreement, together with a Delivery Truck Easement Agreement, by and between the City and County of San Francisco, acting by and through the Municipal Transportation Agency, and Avalon Ocean Avenue, L.P., a Delaware Limited Partnership for the Phelan Bus Loop. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 110600 [Fillmore Jazz Community Benefit District Expansion and Renaming to Fillmore Community Benefit District]**  
**Sponsor:** Mirkarimi  
 Resolution (1) declaring the intention of the Board of Supervisors to renew the property based Fillmore Jazz Community Benefit District, to be expanded and renamed the "Fillmore Community Benefit District," and to levy a multi-year assessment on identified parcels in the district; (2) approving the management district plan and engineer's report and proposed boundaries map for the district; 3) ordering and setting a time and place for a public hearing thereon; (4) approving the form of the Notice of Public Hearing and Assessment Ballots; and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 110601 [Supporting Filipino Veterans Fairness Act]**  
**Sponsor:** Chiu  
 Resolution supporting the Filipino Veterans Fairness Act of 2011, House of Representative Bill 210. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110602 [Public Works Week - May 15-21, 2011]**  
**Sponsor:** Chiu  
 Resolution proclaiming May 15 through May 21, 2011, as Public Works Week in the City and County of San Francisco, commending the women and men of the Department of Public Works, and calling upon all of its residents, businesses, and neighborhood and merchant organizations to work in collaboration with the department as it enhances the quality of life in San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110603 [Memorandum of Understanding Second Amendment - Urban Areas Security Initiative Grant Funds]**  
**Sponsor:** Chu  
 Resolution approving a Second Amendment to the Memorandum of Understanding (MOU) between the City and County of San Francisco, the City of Oakland, the City of San Jose, the County of Alameda, and the County of Santa Clara, that establishes a governance structure and procedures for application, allocation, and distribution of federal Urban Areas Security Initiative grant funds to the Bay Area Urban Area, to extend the term of the MOU to December 31, 2011, and authorizing the Executive Director of the Department of Emergency Management to execute that Second Amendment on behalf of the City and County of San Francisco. ASSIGNED to Government Audit and Oversight Committee.
- 110604 [Apply for Grant - Installation of Rubber Sidewalks - Not to Exceed \$12,600]**  
**Sponsor:** Cohen  
 Resolution authorizing the City and County of San Francisco to apply for grant funds in the amount up to, but not to exceed, \$12,600 from the California Department of Resources Recycling and Recovery, Tire-Derived Product Grant Program for the purpose of installing rubber sidewalks and preserving mature trees. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110605 [National Safe Boating Week - May 20-29, 2011]**  
**Sponsor:** Elsbernd  
 Resolution proclaiming May 20-29, 2011, as "National Safe Boating Week" in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 110606 [Accept and Expend Grant - Pesticide Use Reporting - \$2,528]**  
**Sponsor:** Mar  
Resolution authorizing the Department of Public Health to accept and expend a grant (Agreements #11-C0035) in the amount of \$2,528 from the California Department of Pesticide Regulation to fund the program entitled "Pesticide Use Reporting" for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110607 [Accept and Expend Grant - Weed Management - \$16,757]**  
**Sponsor:** Mar  
Resolution authorizing the Department of Public Health to retroactively accept and expend a state grant (Agreement #10-0794) in the amount of \$16,757 from the California Department of Food and Agriculture to fund the program entitled "Weed Management" for the period of January 1, 2011, through December 31, 2011, and waiving indirect costs. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110608 [Accept and Expend Grant - Petroleum Products Compliances and Weighmaster Enforcement Program - \$8,250]**  
**Sponsor:** Mar  
Resolution authorizing the Department of Public Health to accept and expend a grant (Agreements #11-0036-SA) in the amount of \$8,250 from the California Department of Food and Agriculture to fund the program entitled "Petroleum Products Compliances and Weighmaster Enforcement Program" for the period of July 1, 2011, through June 30, 2012, waiving indirect costs. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110609 [St. Paul's Centennial Celebration Day - May 29, 2011]**  
**Sponsor:** Wiener  
Resolution honoring the centennial of St. Paul's Catholic Church and proclaiming May 29, 2011, to be "St. Paul's Centennial Celebration Day" in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110610 [Department of Children, Youth, and Their Families Community Needs Assessment]**  
**Sponsor:** Mayor  
Resolution approving the Community Needs Assessment developed by the Department of Children, Youth, and Their Families in accordance with Section 16.108 of the San Francisco Charter. ASSIGNED to City Operations and Neighborhood Services Committee.
- 110238 [Establishing a Biofuels Citizen's Advisory Committee]**  
**Sponsor:** Mirkarimi  
Resolution establishing a Biofuels Citizen's Advisory Committee (CAC), establishing its sunset date, establishing the number of voting members of the CAC, appointing certain members of the former Biodiesel Access Taskforce to the CAC, and directing the CAC to establish biofuels sustainability standards. SUBSTITUTED AND ASSIGNED to Rules Committee.

## **Requests for Hearing**

### **110611 [Hearing - Nine Month Budget Status Report]**

**Sponsor:** Chu

Hearing to receive an update from the Controller's Office on the Nine Month Budget Status Report. RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **110612 [Hearing - Mayor's FY2011-2012 Proposed Budget Discussion]**

**Sponsor:** Chu

Hearing to receive report from the Controller's Office on their revenue letter, a discussion of the Mayor's FY2011-2012 proposed budget. RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **110613 [Hearing - Family Violence Comprehensive Report 2010]**

**Sponsor:** Mirkarimi

Hearing on the comprehensive report for the San Francisco Family Violence 2010. RECEIVED AND ASSIGNED to Public Safety Committee.

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

### **PROPOSED ORDINANCE**

### **110482 [Planning Code - Miscellaneous Technical Amendments]**

Ordinance amending the San Francisco Planning Code to: 1) correct clerical errors, make language revisions and update Sections 121.2, 134, 136.1, 142, 185, 201, 204.1, 204.2, 205, 205.1, 205.3, 207.2, 209.3, 217, 243, 303, 309, 311, 312, 317, 602.25, 602.26, 607.1, and various Sections and Tables in Articles 7 and 8; and 2) adopting findings, including findings under the California Environmental Quality Act, Planning Code Section 302 findings, and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

### **PROPOSED RESOLUTIONS**

### **110485 [Official Advertising for FY2011-2012]**

Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for all official advertising (Type 1 and Type 2) for FY2011-2012. (Office of Contract Administration). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **110487 [Amendment of Contract - En Pointe Technology Sales Inc. - Not to Exceed \$28,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the First Amendment between the City and En Pointe Technology Sales Inc. ("En Pointe," part of the Technology Store procurement vehicle), in which the amendment shall increase the contract amount from \$24,000,000 to \$28,000,000 and update certain standard contractual clauses. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## **Clerk to Act – May 10, 2011**

Board Minutes for April 5, 2011 and Special Meeting Minutes at the Budget & Finance Committee Meeting (File Nos. 110225 and 110113) of April 6, 2011 approved.

### **Requests Granted**

From: Supervisor Avalos

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft a housing bond that will fund:

1. Affordable housing development including affordable family housing, transit-oriented development to meet the region's Sustainable Communities Strategies goals.
2. Upgrades to single-family homes including seismic safety retrofits, green energy production and energy efficiency measures, and bringing buildings up to code.
3. Down payment assistance for first-time homebuyers and homebuyers wishing to purchase after a foreclosure.
4. Silent loans for homeowners at-risk of default and foreclosure.

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**

Southwest corners of Fillmore and Post

Southeast corner of Stanyan and Parnassus

Southwest corner of Divisadero and Sutter

Northeast corner of 6<sup>th</sup> Avenue and Judah

2821 California

1825 Post

Southwest corner of Hayes and Divisadero

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

Northwest corner of 6<sup>th</sup> Avenue and Irving

Northwest corner of Funston and Irving

**San Francisco Chronicle:**

Northwest corner of Fillmore and Hayes  
Southeast corner of Haight and Fillmore  
Northeast corner of Frederick and Stanyan  
Southwest corner of 5<sup>th</sup> Avenue and Irving  
Southwest corner of Haight and Clayton  
Southeast corner of Divisadero and Hayes  
Approximately 1304 Hayes  
Southwest corner of California and Fillmore  
Southwest corner of California and Divisadero  
Northwest corner of 6<sup>th</sup> Avenue and Irving  
Southeast corner of Haight and Masonic  
Southwest corner of Judah and 9<sup>th</sup> Avenue  
Southeast corner of Cole and Haight  
Southeast corner of Broderick and Oak

**Examiner**

Northwest corner of Fillmore and Hayes  
Southeast corner of Haight and Fillmore  
Northwest corner of 5<sup>th</sup> Avenue and Irving  
Southwest corner of McAllister and Divisadero

**SF Weekly**

Southeast corner of Masonic and Haight  
Southeast corner of Broderick and Oak  
Southwest corner of Broderick and Hayes  
Southeast corner of Haight and Fillmore  
Southwest corner of California and Divisadero  
2821 California  
1825 Post  
Southeast corner of Webster and Post  
Southwest corner of Parnassus and Stanyan  
Southwest corner of Fillmore and Sutter  
Southwest corner of Waller and Cole  
Northeast corner of Cole and Haight  
Southwest corner of Judah and 9<sup>th</sup> Avenue

**Advertiser**

Southwest corner of Arguello and Irving  
Southwest corner of California and Divisadero

**Jobs and Careers**

Northwest corner of Judah and 9<sup>th</sup> Avenue  
1825 Post

**WritingClass.com**

2821 California

**USA Today**

Northwest corner of Funston and Irving

**Real Estate Times**

2821 California

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 Broderick and Hayes

Southeast corner of Fell and Scott

Approximately 1440 Fillmore

Southwest corner of McAllister and Divisadero

Opposite of 2570 Pine

Northeast corner of Oak and Buchanan

Southeast corner of Buchanan and Waller

Southwest corner of Fell and Buchanan

**Bus Shelters**

Opposite of 950 Fillmore

Northeast corner of Parnassus and Shrader

Southwest corner of Haight and Buena Vista East

Southwest corner of Haight and Pierce

Southwest corner of Fillmore and Hayes

Southwest corner of Scott and Hayes

Approximately 1304 Hayes

Southeast corner of Divisadero and Hayes

**Emergency Boxes**

Northeast corner of 3<sup>rd</sup> Avenue and Irving

Northeast corner of Frederick and Cole

Southwest corner of Lyon and Oak

Northwest corner of Pierce and Sutter

Southwest corner of Grove 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**

Northeast corner of 2<sup>nd</sup> Avenue and Irving  
639 Frederick  
Northwest corner of Judah and 7<sup>th</sup> Avenue  
Northwest corner of Broderick and Hayes  
Southwest corner of Waller and Fillmore

**Mailboxes**

Southeast corner of Broderick and California  
Southeast corner of Frederick and Stanyan

**Street Walls and Overpasses**

Columns at Willard and Frederick entrance to Kezar Stadium  
Opposite 126 Irving  
South facing wall, Fillmore Mini-Park

**Curbstones**

Southwest corner of 18<sup>th</sup> Avenue and Irving  
Southwest corner of 9<sup>th</sup> Avenue and Irving

**Fire Hydrants**

Southeast corner of Oak and Lyon  
Southeast corner of Fillmore and Grove  
Northeast corner of Parnassus and Shrader

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:

**Sidewalk Dumping**

1485 Oak  
1816 Broderick

**Dangerous Sidewalks**

30 Irving  
2045 Sutter

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 Haight and Buchanan

242 Haight

610 Buchanan

418 Haight

208 Scott

1751 Fulton

546 Haight

542 Haight

867 McAllister

Northeast corner of Laguna and McAllister

785 Fulton

485 Oak

Northwest corner of Hayes and Buchanan

Approximately 705 Buchanan

108 Webster

689 Frederick

960 Stanyan

Approximately 1101 Shrader

Northeast corner of Parnassus and Shrader

1655 Oak

1387 Oak

Approximately 1311 Oak

1359 Hayes

1309 Hayes

1241 Grove

1143 Fell

Approximately 885 Page

579 Waller

505 Waller

2729 Pine

Opposite 950 Fillmore

**Wood Poles**

Northwest corner of Fell and Fillmore

1309 Hayes

1069 Oak

**Concrete Poles**

760 Webster

Approximately 1280 Oak

Approximately 1250 Oak

**In Memoriam**

Omar Ahmad – Entire Board  
James Hudson – Supervisor Mirkarimi