

Board of Supervisors



City Hall
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Legislation Introduced

Tuesday, July 19, 2011

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

110546 [Administrative Code - Health Care Security Ordinance]

Sponsors: Campos; Mar, Avalos, Mirkarimi, Cohen, Chiu and Kim

Ordinance amending the San Francisco Administrative Code by amending Sections 14.1, 14.3, and 14.4 of the Health Care Security Ordinance to provide that only amounts actually paid or irrevocably committed to pay for providing employee health care services shall satisfy the employer expenditure requirements of the Ordinance, add an employee notification requirement, and to modify penalty provisions. CALLED FROM COMMITTEE to Board of Supervisors on 7/26/11.

110845 [Zoning Map - Rezoning of 312 Connecticut Street]

Sponsor: Cohen

Ordinance amending Sheet No. ZN08 of the Zoning Map of the City and County of San Francisco to: 1) rezone Block No. 4035, Lot No. 003 (312 Connecticut Street) from RH-2 to NC-2; and 2) making 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 Land Use and Economic Development Committee.

110846 [Administrative Code - Postrelease Community Supervision Program]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Article XXII, Sections 2A.300 and 2A.301, Chapter 2A to: 1) designate the Adult Probation Department as the county agency responsible for providing postrelease community supervision to eligible inmates released from state prison, as required under California Penal Code section 3451; and 2) authorize the Adult Probation Department to develop a Home Detention and Electronic Monitoring Program that can be used as a supervision tool and sanction for persons who violate conditions of their Postrelease Community Supervision Program. ASSIGNED UNDER 30 DAY RULE to Public Safety Committee.

- 110847 [Memorandum of Understanding, Amendment No. 5 - San Francisco Firefighters, Local 798 (Unit 2)]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 5 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Firefighters, Local 798 (Unit 2), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 110848 [Memorandum of Understanding, Amendment No. 5 - San Francisco Firefighters, Local 798 (Unit 1)]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 5 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Firefighters, Local 798 (Unit 1), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 110849 [Memorandum of Understanding, Amendment No. 4 - San Francisco Police Officers' Association (Units P-1 & P-2A)]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 & P-2A), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 110850 [Memorandum of Understanding, Amendment No. 4 - Municipal Executives' Association, Fire]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the Municipal Executives' Association, Fire, by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 110851 [Memorandum of Understanding, Amendment No. 4 - San Francisco Police Officers' Association (Unit P-2B)]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 110852 [Memorandum of Understanding, Amendment No. 4 - Municipal Executives' Association, Police]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, Police, by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014 and 2014-2015. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 110853 [Planning, Administrative Codes - Public Art Fee and Public Artwork Trust Fund]**
Sponsors: Mayor; Chiu
Ordinance: 1) amending the San Francisco Planning Code, Section 429, to provide that developers currently required to spend 1% of construction costs for public artwork on any development project over 25,000 square feet located in a C-3 district have an option to contribute all or a portion of that Fee to a City fund dedicated to support public art; 2) amending the San Francisco Administrative Code by adding Section 10.200-29 to establish a Public Artwork Trust Fund, funded through contributions and Public Art Fees, for the creation, installation, exhibition, conservation, preservation, and restoration of temporary and permanent public art and capital improvements to nonprofit art facilities within the C-3 district to be administered and expended by the Arts Commission; and 3) making 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 Land Use and Economic Development Committee.
- 110854 [Environment Code - Green Building Requirements for City Buildings]**
Sponsors: Mayor; Mar
Ordinance amending the San Francisco Environment Code, Chapter 7, Sections 700 through 713, to update the green building requirements for the design, construction, and operation of City buildings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 110857 [Street Vacation Order and Jurisdictional Transfer - Mandan Avenue and a Portion of Cayuga Avenue]**
Sponsors: Mayor; Avalos
Ordinance: 1) ordering the vacation of an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; 2) approving the jurisdictional transfer of such portion of public right-of-way from the Department of Public Works to the Recreation and Park Department; 3) approving the jurisdictional transfer of Mandan Avenue and portion of Cayuga Avenue, previously vacated by Board of Supervisors Resolution No. 5468, from the Department of Public Works to the Recreation and Park Department; 4) adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

110855 [Street Vacation - Resolution of Intention - Portion of Cayuga Avenue]

Sponsors: Mayor; Avalos

Resolution declaring the intention of the Board of Supervisors to vacate an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; and setting the hearing date for all persons interested in the proposed vacation of said public right-of-way. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110858 [Endorsing 2011 Annual Language Access Ordinance Compliance Report]

Sponsor: Chiu

Resolution endorsing "Language Matters: Language Access Ordinance Annual Compliance Summary Report, July 2011," issued by the Office of Civic Engagement & Immigrant Affairs. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110859 [Approval of a 90 Day Extension for Planning Commission Review]

Sponsor: Chiu

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 and 607.4 and amending various other Code sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; 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. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110860 [Approval of a 90 Day Extension for Planning Commission Review]

Sponsor: Chiu

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; adopting 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. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 110861 [City Agency Coordination to Resolve the Problem of Waterfront Parking Lot Scam Crimes]**
Sponsor: Mirkarimi
Resolution urging the Mayor's Office to promptly coordinate with the District Attorney's Office, the San Francisco Police Department, and the Port of San Francisco to stop chronic parking lot scam crimes on the waterfront and adjacent neighborhoods. RECEIVED AND ASSIGNED to Public Safety Committee.
- 110862 [TIDA Contract Amendment - AMEC Geomatrix, Inc. - Retroactively Extending Term through June 30, 2012]**
Sponsor: Mayor
Resolution approving an amendment to the contract between the Treasure Island Development Authority and AMEC Geomatrix, Inc., to retroactively extend the term through June 30, 2012. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 110863 [Extending Time to Consider Continuing Redevelopment Activities]**
Sponsors: Mayor; Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Mirkarimi and Wiener
Resolution expressing the non-binding intent of the City and County of San Francisco to comply with Part 1.9 of the California Health and Safety Code, recently added by Assembly Bill 27, for the purpose of providing the Board of Supervisors with up to an additional month, until November 1, 2011, to consider adopting an ordinance allowing the City and County of San Francisco to continue to undertake state-authorized redevelopment activities by agreeing to make ongoing annual payments for the benefit of other taxing entities, including the San Francisco Unified School District and City College of San Francisco; and adopting findings that the resolution is not a project under the California Environmental Quality Act. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 110864 [Application Approval - Comprehensive HIV Prevention Programs - \$8,085,800]**
Sponsor: Mayor
Resolution authorizing the Department of Public Health to submit a one-year application for calendar year 2012 to continue to receive funding for the "Comprehensive HIV Prevention Programs" grant from the Centers for Disease Control and Prevention, requesting \$8,085,000 in HIV prevention funding for San Francisco; from January 1, 2012, through December 31, 2012. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 110865 [Pedicab Fare Schedule - Cabrio Taxi]**
Sponsor: Chiu
Resolution approving the pedicab fare schedule for Cabrio Taxi. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110866 [Commending the 50th Anniversary of Save the Bay]**
Sponsor: Chiu
Resolution commending Save the Bay on its 50th Anniversary in 2011. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110867 [Accept and Expend Grant - Criminal Restitution Compact - \$85,658.40]**
Sponsor: Cohen
Resolution authorizing the Department of the District Attorney to retroactively contract for, accept, and expend up to \$85,658.40 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2011, through June 30, 2012. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

110689 [Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]

Motion directing the Board of Supervisors to hold a public hearing on August 2, 2011, at 3:00 p.m. with the Board sitting as a Committee of the Whole, to consider adopting a resolution confirming Report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110868 [Closed Session - Potential Litigation - Health Care Security Ordinance]

Sponsor: Campos

Motion that the Board of Supervisors convene in closed session on July 26, 2011, to consult with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation against the City involving amendments to the Health Care Security Ordinance. Government Code Section 54956.9(b) and San Francisco Administrative Code Section 67.10(d) (2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation. RECEIVED AND ASSIGNED to Board of Supervisors on 7/26/11.

110869 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 8, 2011, Consolidated General Municipal Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 8, 2011, Consolidated General Municipal Election. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

110690 [Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]

Hearing of persons interested in or objecting to proposed Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and Fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3 Section 108A, Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. SCHEDULED FOR PUBLIC HEARING to Board of Supervisors on 8/2/11.

110856 [Hearing - Street Vacation Order and Jurisdictional Transfer - Mandan Avenue and a Portion of Cayuga Avenue]

Hearing of persons interested in or objecting to the proposed Ordinance: 1) ordering the vacation of an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; 2) approving the jurisdictional transfer of such portion of public right-of-way from the Department of Public Works to the Recreation and Park Department; 3) approving the jurisdictional transfer of Mandan Avenue and portion of Cayuga Avenue, previously vacated by Board of Supervisors Resolution No. 5468, from the Department of Public Works to the Recreation and Park Department; 4) adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance. (Clerk of the Board). RECEIVED AND ASSIGNED to Board of Supervisors on 9/6/11.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

110694 [Settlement of Lawsuit - Jorei Enterprises, LLC - \$125,000]

Ordinance authorizing settlement of the lawsuit filed by Jorei Enterprises, LLC, against the City and County of San Francisco for \$125,000; the lawsuit was filed on December 21, 2010, in San Francisco Superior Court, Case No. CGC-10-506527; entitled Jorei Enterprises, LLC v. City and County of San Francisco; other material terms of said settlement are mutual releases of liability in connection with the conveyance of 351 California Street, San Francisco. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

110714 [Settlement of Lawsuit - Arash Ghanadan - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Arash Ghanadan against the City and County of San Francisco for \$50,000; the lawsuit was filed on December 18, 2009, in San Francisco Superior Court, Case No. CGC-09-495308; entitled Arash Ghanadan, et al. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

110713 [Settlement of Unlitigated Claim - Ned Bresnahan - \$265,000]

Resolution approving the settlement of the unlitigated claim filed by Ned Bresnahan against San Francisco for \$265,000; claim was filed on March 28, 2011. RECEIVED AND ASSIGNED to Rules Committee.

110715 [Settlement of Unlitigated Claims - Pearl Howell - \$80,000]

Resolution approving the settlement of unlitigated claims (DFEH No. E201011M0352 and EEOC Charge No. 550-2010-01808) filed by Pearl Howell against the City and County of San Francisco for \$80,000; claims were filed on September 15 and 16, 2010. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – July 19, 2011

Board Minutes for June 7, 2011 and June 14, 2011 approved.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Municipal Transportation Agency

To: Chief, Police Department

To: City Attorney

To: Senator Mark Leno

To: Senator Leland Yee

To: Assemblymember Fiona Ma

To: Assemblymember Tom Ammiano

Requesting/Inquiring: Requesting the Municipal Transportation Agency, The San Francisco Police Department, City Attorney, and San Francisco's State Legislative Delegation to report on the following in the wake of a tragic shuttle bus crash at Octavia and Oak Streets on Thursday, July 14th:

- Traffic light and signage modifications at intersections along Octavia Boulevard and nearby streets to slow traffic and alert drivers to the particular challenges navigating in the area
- Possible speed bumps, speed bump enhancements, and other traffic controls on the streets and alleyways that flow into Octavia Boulevard (Linden Avenue, for example)
- Increased police enforcement of speed and other traffic laws in the area
- A rail and/or guard to buffer the children's playground at Patricia's Green from nearby traffic on Octavia Boulevard and Fell Street
- Potential state law requiring seat belts in shuttle buses

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 at the following locations:

Utility Boxes

Northwest corner of Fulton and Webster

Approximately 390 Webster

Northwest corner of Golden Gate and Webster

Approximately 1155 McAllister

940 Fillmore

Northeast corner of Hayes and Fillmore

Southeast corner of Oak and Octavia

Southwest corner of Octavia and Lily

Southeast corner of Page and Octavia

Parking and Traffic Signs

810 Fulton
110 Webster

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 private property locations:

Residential and Commercial Buildings

539 Gough
1104 Stanyan
2 Medical Center Way, on East side
Southwest corner of 7th Avenue and Judah
330 Judah
1398 9th Avenue
1224 9th Avenue
1335 9th Avenue, on south side
1329 9th Avenue
Opposite 1722 Irving, on fence
Approximately 1271 19th Avenue
1707 Lincoln
1201 8th Avenue
1201 6th Avenue, on West side
597 Lincoln
1708 and 1770 Haight Street
1606, 1636, 1638, 1644 and 1652 Haight Street
Southeast corner of Haight and Clayton
Southwest corner of 9th Avenue and Judah
1540 Haight Street
1553 and 1555 Haight Street

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 corner of Hayes and Fillmore

San Francisco Chronicle

Southeast corner of Haight and Fillmore
Southeast corner of Divisadero and Haight
Southwest corner of 9th Avenue and Judah

San Francisco Examiner

Northwest corner of Fillmore and Hayes
1401 Haight
Southwest corner of 9th Avenue and Judah
Northwest corner of Geary and Fillmore

SF Weekly

Southeast corner of Post and Webster
Northeast corner of Scott and Haight
1825B Post

Advertiser

Northwest corner of Geary and Fillmore

Jobs and Careers

Northwest corner of Geary and Fillmore
1825B Post

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

4979 17th Street
1180 Stanyan
Approximately 1406 5th Avenue
Northwest corner of 5th Avenue and Parnassus
Northwest corner of Grove and Webster
Northeast corner of McAllister and Webster
Approximately 1116 McAllister
Northeast corner of Eddy and Laguna
Northeast corner of Hayes and Fillmore
724 Fillmore

Wood Poles

Approximately 175 Rose

Concrete Poles

760 Webster
Northwest corner of Willow and Laguna

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

Approximately 1191 McAllister
Northeast corner of Grove and Fillmore
Northeast corner of Grove and Fillmore

Mailboxes

Southwest corner of Hayes and Fillmore
Northwest corner of Haight and Octavia

Curbstones and ADA Curb Ramps

Southeast corner of Page and Fillmore

Fire Hydrant

Southeast corner of Grove and Fillmore
Northeast corner of Golden Gate and Webster
Southeast corner of Haight and Webster

In Memoriams

Aoife Marie McConn – Supervisors Carmen Chu and Sean Elsbernd
Sean Wilson – Supervisor Ross Mirkarimi