

# Board of Supervisors



City Hall  
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## Legislation Introduced

**Tuesday, September 6, 2011**

### **LEGISLATION INTRODUCED AT ROLL CALL**

#### **Introduced by a Supervisor or the Mayor**

#### **Ordinances**

**110966 [Park Code - Long Term Management Agreement with the National Park Service for Sharp Park]**

**Sponsor:** Avalos

Ordinance amending the San Francisco Park Code Section 3.20 to: 1) require the Recreation and Park Department to develop a plan; 2) schedule and budget for developing a long term management agreement with the National Park Service for certain property under the jurisdiction of the Recreation and Park Commission located in San Mateo County that is within the Golden Gate National Recreation Area's legislative boundary (Sharp Park); and 3) make environmental and other findings. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.

**110967 [Police Code - Regulating Public Nudity in Restaurants and Public Seating Areas]**

**Sponsor:** Wiener

Ordinance amending the San Francisco Police Code Section 1071.1 to: 1) prohibit public nudity in restaurants; and 2) prohibit sitting on public benches or public seating areas without clothing or some other separate material between the person's genitals, buttocks, or anal region and the seating surface. ASSIGNED UNDER 30 DAY RULE to Public Safety Committee.

#### **Resolutions**

**110957 [Accept and Expend Grant - Airport Canine Explosives Detection Team Program - \$600,500]**

**Sponsor:** Chu

Resolution authorizing the Airport Commission to accept and expend funding in the amount of \$600,500 from the Transportation Security Administration for the Airport Canine (K-9) Explosives Detection Team Program. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 110968 [Changing the Street Name of a Portion of La Playa to Great Highway]**  
**Sponsor:** Chu  
Resolution authorizing a street name change on a portion of La Playa Street between Lawton Street and Kirkham Street to "Great Highway" to correct a discrepancy in dual street names and eliminate confusion in delivering public services. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 110969 [Agreement - Owners' Association - Administration/Management of Civic Center Community Benefit District]**  
**Sponsor:** Kim  
Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based Community Benefit District known as the "Civic Center Community Benefit District," pursuant to Section 36651 of the California Streets and Highways Code. RECEIVED AND ASSIGNED to Rules Committee.
- 110970 [Annual Reports - Central Market Community Benefit District]**  
**Sponsor:** Kim  
Resolution regarding Central Market Community Benefit District annual reports to the City by receiving and approving the District's Annual Reports for calendar years 2007, 2008, 2009, and 2010, 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 Rules Committee.
- 110971 [Assessment Ballots for City Parcels to Form the Proposed West Portal Community Benefit District]**  
**Sponsor:** Elsbernd  
Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City and County of San Francisco as owner of two 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 West Portal Community Benefit District. RECEIVED AND ASSIGNED to Rules Committee.
- 110972 [Contract - San Francisco Community Health Authority - Provider Payment Services for the Healthy San Francisco Program]**  
**Sponsor:** Mayor  
Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to retroactively contract with the San Francisco Community Health Authority for provider payment services for the Healthy San Francisco Program for the term of July 1, 2011, through June 30, 2012. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 110973 [Commendation of the Stern Grove Festival Association]**  
**Sponsors:** Elsbernd; Chiu  
Resolution commending the Stern Grove Festival Association for a successful season of high quality performances. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110974 [Multifamily Housing Revenue Bonds - 1180 Fourth Street Family Housing - Not to Exceed \$50,000,000]**

**Sponsor:** Kim

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Housing Development Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$50,000,000 for 1180 Fourth Street Family Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$50,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110975 [Multifamily Housing Revenue Bonds - Natoma Family Apartments - Not to Exceed \$20,000,000]**

**Sponsor:** Kim

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Housing Development Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$20,000,000 for Natoma Family Apartments; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$20,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing**

**110976 [Hearing - Youth Violence Prevention Initiative: Local Action Plan Report]**

**Sponsor:** Mirkarimi

Hearing on the "Youth Violence Prevention Initiative: Local Action Plan" Report by the Department of Children, Youth, and Their Families. RECEIVED AND ASSIGNED to Public Safety Committee.

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

### **PROPOSED ORDINANCES**

**110139 [Settlement of Lawsuit - Loren Miller Homes - \$317,500]**

Ordinance authorizing settlement of the lawsuit filed by Loren Miller Homes, a California corporation, against the City and County of San Francisco for \$317,500; the lawsuit was filed on July 22, 2010, in San Francisco Superior Court, Case No. CGC-10-501831; entitled Loren Miller Homes v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

**110903 [Administrative Code - Nonprofit Annual Income Statement]**

Ordinance amending the San Francisco Administrative Code Section 10.1 to allow Nonprofits receiving City funding to provide and update information directly to City Departments as an alternative to filing annual income statements with the City Administrator. (City Administrator). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

**110904 [Administrative Code - References to the Bureaus of Architecture, Engineering, and Construction Management]**

Ordinance amending the San Francisco Administrative Code Section 2A.190 to deem each reference to the "Bureau of Architecture," "Bureau of Engineering," and "Bureau of Construction Management" in the San Francisco Municipal Code to be a reference to the "Department of Public Works." (Public Works Department). ASSIGNED to Rules Committee.

**110954 [Settlement of Lawsuit - Julio Calero - \$75,000]**

Ordinance authorizing settlement of the lawsuits filed by Julio Calero against the City and County of San Francisco for \$75,000; the lawsuits were filed on September 18, 2009, and March 19, 2010, in San Francisco Superior Court, Case Nos. CGC-08-479969 and CGC-10-497921; entitled Julio Calero, et al. v. City and County of San Francisco, et al. and Julio Calero, et al. v. Colin Construction Company, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

**110955 [Settlement of Lawsuits - Mitchell Engineering; Authorization of Bonds and Appropriation of Funds - Not to Exceed \$15,750,000]**

Ordinance: 1) authorizing settlement of all claims arising out of nine lawsuits involving Mitchell Engineering and the City and County of San Francisco; 2) declaring the intent of the San Francisco Public Utilities Commission to reimburse certain expenditures for settlement costs from proceeds of future bonded indebtedness for purposes of complying with Section 147(f) of the Internal Revenue Code of 1986, as amended; 3) authorizing the issuance of Settlement Bonds in connection therewith, as well as the associated financing cost to issue; 4) appropriating \$15,750,000, including insurance proceeds in the total amount of \$750,000, project construction funds in the total amount of \$920,207, and proceeds of Settlement Bonds in the amount of \$14,079,793; and 5) authorizing the use of substitute fund balance as a source in lieu of Settlement Bonds if available. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

## **PROPOSED RESOLUTIONS**

**110933 [Contract Amendment - Western States Oil - Not to Exceed \$75,580,000]**

Resolution approving the Fifth Amendment to the Agreement between the City and Western States Oil increasing the total not-to-exceed amount of the contract from \$50,500,000 to \$75,580,000 pursuant to Charter Section 9.118(b). (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110956 [Settlement of Claim - Ernst & Young, LLP - \$158,646.36]**

Resolution approving the settlement of the unlitigated claim filed by Ernst & Young, LLP, against the City and County of San Francisco for refund of payroll taxes for the 2009 tax year in the amount of \$158,646.36; claim was filed on February 25, 2011. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

## **Clerk to Act – September 6, 2011**

Board Minutes for July 12, 2011, July 19, 2011, July 26, 2011 and August 2, 2011 approved.

### **Requests Granted**

From: Supervisor Chiu

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation to require the creation of a searchable, user-friendly online database of all uses of public funds by the City and County of San Francisco.

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:**

- Northeast corner Market & Octavia
- Southwest corner Haight & Buchanan
- In front of 136 Haight
- In front of 1647 Haight
- Southwest corner Haight & Scott
- Southwest corner Buchanan & Haight
- In front of 1230 Hayes
- Northwest corner Buchanan & Hayes
- In front of 770 Grove
- In front of 552 Octavia
- Northwest corner Octavia & Grove
- Near 310 Ivy
- In front of 550 Fell
- In front of 488 Fell
- Northwest corner Fell & Gough
- Southeast corner Octavia & Lily
- In front of 200 Page
- In front of 120 Page
- In front of 332 Haight

#### **Wood Pole**

- Southwest corner Webster & Page
- In front of 709 Fillmore
- Near 730 Fillmore

- In front of 315 Buchanan
- Southwest corner Scott & Page
- Southwest corner Octavia & Page

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:

- 616 Divisadero
- 780 Oak
- 299 Steiner
- 1335 Hayes
- Near 1211 Hayes
- 600 Octavia
- 428 Grove, on the East side
- 451 Hayes, on the West side
- 406 Hayes
- 350 Laguna
- 285 Divisadero
- 1067 Oak, on the West side
- 540 Haight
- 587 Haight
- 478 Haight
- 799 Haight, on the Scott street side
- 500 Duboce, also on the Fillmore side
- 712 Haight
- 902 Divisadero
- 1300 Haight
- 295 Buchanan
- 1368 Haight
- 160 Pierce
- 1368 Haight
- 1558 Haight
- 600 Page, on Page & Fillmore Street
- 590 Baker
- 602 Broderick
- 1355 Fulton
- 55 Laguna, on Haight & Buchanan side

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
- 9<sup>th</sup> Avenue and Judah (near bus stops)
- 7<sup>th</sup> 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 9<sup>th</sup> Avenue
- Irvine and 7<sup>th</sup> Ave.
- 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 from the following locations:

**Garbage Can**

- Southeast corner Waller & Fillmore
- Southeast corner Page & Fillmore
- Northwest corner Gough & Fell
- Near 10 Haight
- Southwest corner McAllister & Baker
- Northeast corner Hayes & Fillmore
- Southeast corner Page & Fillmore
- Southeast corner Octavia & Hayes
- Northeast corner Page & Fillmore
- Southwest corner Geary & Steiner

**Mailbox**

- Northeast corner Buchanan & Fell
- Northeast corner Haight & Buchanan
- Northeast corner Scott & Haight
- Near 1 Haight
- Southwest corner Laguna & Hayes
- Northeast corner Fell & 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 the public property located at the following locations:

**Utility Boxes**

- Southeast corner Buchanan & Fell
- Near 1130 Oak
- Near 399 Ivy
- Southwest corner Gough & Page
- Northwest corner Divisadero & Oak
- Northwest corner Webster & Grove
- Southwest corner Steiner & Haight
- Southeast corner Oak & Fillmore
- Northwest corner Fillmore & Hermann

**Bus Shelter**

- Southwest corner Pierce & Hayes
- Southwest corner Buchanan & Haight
- Southeast corner Divisadero & Haight
- Northeast corner Divisadero & McAllister
- Northeast and Southwest corner Hayes & Fillmore
- Southwest corner Haight & Pierce
- Northwest corner McAllister & Fillmore
- In front of 500 Fillmore
- Southwest corner Oak & Fillmore
- Fillmore and Haight (all 4 bus stops have graffiti and grime on the canopies)

**Fire Hydrant**

- Northwest corner Oak & Divisadero
- Northwest corner Octavia & Fell
- Southeast corner Scott & Oak

**Emergency Boxes**

- Southeast corner Medical enter Way & Parnassus
- Northwest corner Pierce & Hayes

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**

- Western crosswalk at Grattan & Shrader

**In Memoriams**

John McEllistram – Supervisor Carmen Chu

Nelda Jarvis – Supervisor Malia Cohen

Debra Manoguerra – Supervisor Mark E. Farrell

William Schoepp – Supervisor Eric Mar

Mary Tissier – Supervisor Sean R. Elsbernd

Donald Casper – Full Board

Eric Quezada – Full Board