

# Board of Supervisors



City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689  
Tel. No. 554-5184  
TDD No. 554-5227

## Legislation Introduced at Roll Call

Tuesday, January 8, 2013

### Introduced by a Supervisor or the Mayor

*Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

### Ordinances

#### **120900 [Planning Code - Car Share Parking Spaces]**

**Sponsor:** Wiener

Ordinance amending the San Francisco Planning Code, Section 166, to authorize owners of projects with residential units to elect to provide additional parking spaces for car-share use which will not count against any parking maximums, allow the car-share spaces to be used for other permitted uses other than parking a motorized vehicle if a car-share organization chooses not to use the space; and 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. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

#### **130015 [Appropriating \$507,880,000 of Certificate of Participation Proceeds - Moscone Center Expansion Project - FY2012-2013]**

**Sponsors:** Mayor; Kim

Ordinance appropriating \$507,880,000 of Certificate of Participation (COPs) proceeds to fund the Moscone Center Expansion Project in the General Services Agency, Office of the City Administrator, for FY2012-2013 and placing these funds on Controller's reserve pending issuance of the COPs or associated commercial paper used for cash flow purposes in FY2012-2013. ASSIGNED to Budget and Finance Committee.

- 130016 [Authorizing Certificates of Participation and Assessment Notes - Moscone Expansion Project - Not to Exceed \$507,880,000]**  
**Sponsors:** Mayor; Kim  
Ordinance authorizing the execution and delivery of Certificates of Participation evidencing and representing an aggregate principal amount of not to exceed \$507,880,000 to finance the costs of additions and improvements to the George R. Moscone Convention Center; approving the form of Trust Agreement between the City and County of San Francisco and the Trustee (including certain indemnities contained therein); authorizing the selection of the Trustee by the Director of Public Finance; approving respective forms of a Property Lease and a Project Lease, each between the City and the Trustee for the lease and lease back of all or a portion of the Moscone Center, including the Moscone Expansion Project, to be constructed thereon; authorizing the execution and delivery of Assessment Notes payable from Moscone Expansion District assessments to further secure principal, premium, if any, and interest evidenced and represented by the Certificates; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the Certificates and the Assessment Notes; approving modifications to documents and agreements; and ratifying previous actions taken in connection therewith. ASSIGNED to Budget and Finance Committee.
- 130017 [Appropriating \$8,969,695 for the Department of Juvenile Probation, the Department of Public Health, the Human Services Agency, the Art Commission and the Children and Families Commission - FY2012-2013]**  
**Sponsor:** Mayor  
Ordinance appropriating \$7,169,695 of State revenue loss reserve and \$1,800,000 of prior year designated reserves of the Children and Families Commission to fund the de-appropriation of State revenue of \$534,406 at the Department of Public Health, and \$580,300 at the Human Services Agency, and appropriating uses of \$50,000 to the Department of Juvenile Probation, \$2,424,528 to the Department of Public Health, \$3,180,461 to the Human Services Agency, \$400,000 to the Art Commission, and \$1,800,000 to the Children and Families Commission in FY2012-2013. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 130018 [Planning Code - Deleting the Sunset Provision of the Excelsior Alcohol Restricted Use District]**  
**Sponsor:** Avalos  
Ordinance amending the San Francisco Planning Code, Section 785, to delete the sunset provision of the Excelsior Alcohol Restricted Use District; and making findings, including environmental 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.
- 130019 [Planning Code, Zoning Map - Central Subway Project - Pagoda Palace and Tunnel Boring Machine Extraction Site Special Use Districts]**  
**Sponsor:** Chiu  
Ordinance amending the San Francisco Planning Code, by adding Section 249.70, to create the Pagoda Palace Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street; to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and to allow the construction of a previously approved mixed-use residential/retail building; amending San Francisco Sectional Zoning Maps ZN 01, HT 01, and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; and adopting findings, including environmental findings and findings of consistency with the General Plan. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

## Resolutions

- 130020 [Contract Modification - Children's Council of San Francisco Management of Preschool Subsidies - Not to Exceed \$40,730,000]**  
**Sponsor:** Mayor  
Resolution approving the contract modification with the Children's Council of San Francisco to manage preschool subsidies to eligible children of the City for the period of July 1, 2012, to June 30, 2015, for an amount not to exceed \$40,730,000. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130021 [Approval of 90 Day Extension - Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]**  
**Sponsor:** Breed  
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code, by adding Section 744.1, to establish the Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush and Fulton Streets; amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes; amending Sheets ZN02 and ZN07 of the San Francisco Zoning Maps to rezone specified properties to the Fillmore Street Neighborhood Commercial District; and adopting 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.
- 130022 [Apply for, Accept, and Expend - Local Priority Development Area Planning and Implementation Efforts - \$2,380,000]**  
**Sponsor:** Wiener  
Resolution authorizing the Planning Department to apply for, accept, and expend funds in the amount of \$2,380,000 from the Metropolitan Transportation Commission for local Priority Development Area Planning and Implementation efforts spanning FYs 2012-2013 through FYs 2015-2016. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130023 [Apply for, Accept, and Expend Grant - Urban Forestry Programs - Not to Exceed \$99,000]**  
**Sponsor:** Wiener  
Resolution authorizing the Planning Department to apply for, accept, and expend funding from the State of California Urban Forestry Grant Program entitled "Leading Edge," as provided through Proposition 40 and/or Proposition 84, in an amount not to exceed \$99,000. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 130024 [Accept and Expend Grant - Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B - \$300,000]**  
**Sponsor:** Wiener  
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$300,000 from Centers for Disease Control and Prevention to participate in a program entitled "Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B in San Francisco" for the period of September 30, 2012, through September 29, 2013. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 130025 [Accept and Expend Grant - Active, Enhanced Surveillance for Viral Hepatitis - \$519,945]**  
**Sponsor:** Wiener  
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$519,945 from Centers for Disease Control and Prevention to participate in a program entitled "Active, Enhanced Surveillance for Viral Hepatitis in San Francisco, California" for the period of November 1, 2012, through October 31, 2013. RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **Requests for Hearing**

- 130026 [Hearing - Review Juvenile Probation Department's Field Safety Policies]**  
**Sponsor:** Avalos  
Hearing to review the Juvenile Probation Department's field safety policies, the possibility of arming Juvenile Probation Department's Officers with firearms, and how Juvenile Probation Department's officers participate in operations with the San Francisco Police Department. RECEIVED AND ASSIGNED to Public Safety Committee.
- 130027 [Hearing - Technology Jobs Training, Skill Development, and Job Placement of Disadvantaged Workers]**  
**Sponsors:** Kim; Breed  
Hearing regarding the training, skill development, and job placement of disadvantaged workers in the City's growing technology sector, including presentations from the various City agencies including the Office of Economic and Workforce Development on City initiatives, such as TechSF, that aim to build the skills and training needed to prepare workers to participate in the technology sector, including a summary of the number and demographics of participants in technology specific job training programs and an analysis of job placement. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

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

*Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced.*

### **PROPOSED ORDINANCES**

- 121190 [Settlement of Lawsuit - Bryan Vestal - \$420,000]**  
Ordinance authorizing settlement of the lawsuit filed by Bryan Vestal against the City and County of San Francisco for \$420,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507921; entitled Bryan Vestal v. City and County of San Francisco, et al.; another material term of said settlement is the waiver of the San Francisco General Hospital medical lien in the amount of \$110,098.30. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

- 121211 [Administrative Code - Rescinding Sunset in the San Francisco Bonding and Financial Assistance Program]**  
Ordinance amending the San Francisco Administrative Code, Section 14B.16, to rescind the sunset clause in the San Francisco Bonding and Financial Assistance Program, make technical amendments, and make environmental findings and findings of consistency with General Plan. (City Administrator). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 121226 [Settlement of Lawsuit - Sandra Ramos - \$60,000]**  
Ordinance authorizing settlement of the lawsuit filed by Sandra Ramos against the City and County of San Francisco for \$60,000; the lawsuit was filed on October 12, 2011, in the United States District Court for the Northern District of California, Case No. C-11-5033 WHA, entitled Sandra Ramos v. City and County of San Francisco; other material terms of said settlement are reimbursement to Plaintiff of up to \$2,500 for services of an organizational consultant. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 121227 [Settlement of Lawsuit - Health Net - City to Receive \$800,000 and Future Payments]**  
Ordinance authorizing settlement of the lawsuit filed by the San Francisco City Attorney's Office, acting on behalf of the People of the State of California, against (among other Defendants) Health Net of California, Inc., for the payment by Health Net of \$800,000 for under reimbursing San Francisco General Hospital for emergency medical care provided to Health Net's insureds prior to January 1, 2012, and for the payment of an additional amount, to be determined, for such claims rising between January 1, 2012, and June 30, 2014; the lawsuit was filed on May 24, 2011, in the San Francisco Superior Court, Case No. 11-511181; entitled People of the State of California v. Health Net, et al.; other material terms of said settlement are that Health Net and San Francisco will enter into a prompt payment agreement under which Health Net agrees to pay San Francisco General Hospital certain specified rates for treatment provided to its insureds for emergency medical services rendered from January 1, 2012, through at least June 30, 2014. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 121228 [Settlement of Lawsuit - Brendan Cadam - \$42,500]**  
Ordinance authorizing settlement of the lawsuit filed by Brendan Cadam against the City and County of San Francisco for \$42,500; the lawsuit was filed on July 3, 2012, in San Francisco Superior Court, Case No. CGC-12-522047; entitled Brendan Cadam, et al. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 121229 [Settlement of Lawsuit - Maya Vlanin - \$95,000]**  
Ordinance authorizing settlement of the lawsuit filed by Maya Vlanin against the City and County of San Francisco for \$95,000; the lawsuit was filed on June 29, 2010, in San Francisco Superior Court, Case No. CGC-10-501138; entitled Maya Vlanin v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

### **PROPOSED RESOLUTIONS**

- 121161 [Settlement of Claim - Crystal Cheung - \$110,000]**  
Resolution approving the proposed settlement of claim by Crystal Cheung against the City and County of San Francisco for \$110,000; the claim was filed on January 24, 2012, bearing Claim No. 12-01653. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

- 121191 [Airport Concession Lease - Avila Retail Development and Management, LLC]**  
Resolution approving the Boarding Area “F” Specialty Store Lease between Avila Retail Development and Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for the term of approximately seven years commencing on January 13, 2013, and terminating January 1, 2020. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121192 [Airport Concession Lease - Host International, Inc.]**  
Resolution approving the International Terminal and Terminal 3 Newsstands/Café Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for term of approximately ten years commencing on February 1, 2014, and terminating February 1, 2024. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121193 [Contract Amendment - Renewable Energy and Climate Change Professional Services - \$31,400,000]**  
Resolution approving the Fourth Amendment to the contract with ICF Resources, LLC for Renewable Energy and Climate Change Professional Services, to increase the amount of the contract by \$12,400,000 for a total of \$31,400,000 and to extend the term of the contract from July 1, 2014, to December 31, 2016. (Environment). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121210 [Agreement - Fong and Chan Architects, Inc. - San Francisco General Hospital Rebuild Program]**  
Resolution ratifying Modification No. 7 to the Architectural and Engineering Design Services Agreement with Fong & Chan Architects, Inc., for the San Francisco General Hospital Rebuild Program from \$51,507,500 to \$52,521,000 and authorizing the Director of Public Works to execute Modification No. 10 from \$52,710,860 to \$53,376,607 pursuant to Charter Section 9.118(b). (Public Works Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121212 [Agreement - Tides Center to Provide Supportive Housing Property Management Services - \$42,940,312]**  
Resolution approving a Second Amendment to the agreement between the Department of Public Health and the Tides Center to provide Supportive Housing Property Management Services at Direct Access to Housing Sites under the Delivering Innovation in Supportive Housing Program, to extend the term by five years and increase the contract by \$25,568,499 for a total of \$42,940,312. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121225 [Contract Amendment - Xtech - \$90,580,000]**  
Resolution retroactively authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and Xtech (part of the Technology Store procurement vehicle) in which the amendment shall increase the contract amount from \$60,490,000 to \$90,580,000 with a term of three years through December 31, 2011, with possible extensions through December 31, 2013. (Office of Contract Administration). RECEIVED AND ASSIGNED to Budget and Finance Committee.