

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, February 26, 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

- 120796 [Planning Code, Zoning Map - Establishing the Divisadero Street Neighborhood Commercial District]**
Sponsor: Breed
Ordinance amending the Planning Code to establish the Divisadero Street Neighborhood Commercial District (NCD) along Divisadero Street between Haight and O'Farrell Streets; repeal the Divisadero Street Alcohol Restricted Use District (RUD); amend various other sections to make conforming and other technical changes; amending the Zoning Map to add the Divisadero Street NCD and delete the Divisadero Street RUD; 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. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.
- 130179 [Agreement - Tom Eliot Fisch/Knapp Architects, JV - Authorizing Waiver of Certain As-Needed Contract Requirements In Order to Complete Design and Engineering of Bayview Opera House - Not to Exceed \$1,275,000]**
Sponsor: Cohen
Ordinance waiving the as-needed contract modification not to exceed amount requirement under Administrative Code Section 6.64, and authorizing the Director of Public Works to amend its as-needed Architectural Services Agreement with Tom Eliot Fisch/Knapp Architects, JV by increasing the not to exceed amount by \$150,000 from \$1,125,000 to \$1,275,000 for the limited purpose of completing the design and engineering for the Bayview Opera House project . ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.
- 130180 [Planning Code - Pre-Application Meetings in Product/Distribution/Repair-1-B Districts]**
Sponsor: Cohen
Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the PDR-1-B Districts; and making environmental, General Plan, and Planning Code, Section 101(b), findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

- 130181 [Administrative Code - Exceptions to Seismic Safety Loan Program Requirements for a \$2,379,464 Loan to Hotel Isabel, 1091 Mission Street]**
Sponsor: Kim
Ordinance approving exceptions to requirements of the Seismic Safety Loan Program (SSLP) under the Administrative Code and the SSLP Program Regulations, regarding a \$2,379,464 loan for an existing affordable housing project at the Hotel Isabel located at 1091 Mission Street. ASSIGNED to Land Use and Economic Development Committee.
- 130182 [Police, Administrative Codes - Entertainment-Related Permits]**
Sponsor: Wiener
Ordinance amending the Police Code to clarify permit requirements and procedures, as well as to expand suspension, citation, and enforcement provisions regarding Entertainment Commission permits, including Place of Entertainment Permits, Limited Live Performance Permits, Temporary Place of Entertainment Permits, Temporary Limited Live Performance Permits, Extended-Hours Premises Permits, and Temporary Extended-Hours Premises Permits, and noise limits and standards; amending the Administrative Code to clarify fee setting and reporting procedures; and making environmental findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 130183 [Accept and Expend Grant - FY2012 Second Chance Act Juvenile Offender Reentry Program and Amendment to the Annual Salary Ordinance, FY2012-2013 - \$461,166]**
Sponsor: Breed
Ordinance authorizing the Juvenile Probation Department (JPD) to retroactively accept and expend a grant in the amount of \$461,166 from the Office of Justice Programs for the United States Department of Justice for funding under the FY2012 Second Chance Act Juvenile Offender Reentry Program (Second Chance grant award); and amending Ordinance No. 165-12 (Annual Salary Ordinance, FY2012-2013 and FY2013-2014) to reflect the addition of one Class 2910 Social Worker grant-funded position (0.4 FTE) at JPD. ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.
- 130185 [Appropriating \$751,312 of General Fund Reserve to the Public Defender for Salary Expenditures - FY2012-2013]**
Sponsors: Campos; Avalos and Mar
Ordinance appropriating \$751,312 from the General Fund Reserve to the Public Defender for salary expenditures in FY2012-2013, pursuant to Charter Section 9.113, this appropriation is subject to a two-thirds affirmative vote of all members of the Board of Supervisors. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 130186 [Environment Code - Repealing Yellow Pages Distribution Pilot Program]**
Sponsor: Chiu
Ordinance amending the Environment Code by repealing Yellow Pages Distribution Pilot Program. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions

130172 [Multifamily Housing Revenue Bonds - 1100 Ocean Avenue - Not to Exceed \$25,000,000]

Sponsor: Yee

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 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 \$25,000,000 for 1100 Ocean Avenue (Assessor's Parcel No. 3180, portion of Lot No. 1); 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 \$25,000,000; 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). RECEIVED AND ASSIGNED to Budget and Finance Committee.

130173 [Adjusting the Access Line Tax with the Consumer Price Index of 2013]

Sponsor: Mayor

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2013, and adjusting the Access Line Tax by the same rate. RECEIVED AND ASSIGNED to Budget and Finance Committee.

130174 [Approval of a 60 Day Extension for Planning Commission Review of Conversion, Demolition, Merger, and Conformity of Residential Uses (File No. 130041)]

Sponsor: Avalos

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130041) amending the Planning Code by repealing Sections 790.84, 790.86, 890.84, and 890.86 and amending Section 317 and various other sections to: 1) revise the criteria for the residential demolition, conversion and merger; 2) standardize definitions of residential demolition, conversion and merger across various use districts; 3) permit the enlargement or alteration of dwelling units which are nonconforming as to density in districts where dwelling units are principally permitted if there is no increase in nonconformity of height, bulk, or required rear yards or setbacks; 4) permit alterations to nonconforming uses or noncomplying structures to comply with disabled access requirements or to provide secure bicycle parking; 5) establish a strong presumption in favor of preserving dwelling units in enforcement of requirements for nonconforming uses, structures and lots; and 6) 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. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 130175 [Accept and Expend Grant - Keys to Freedom Program - \$599,894]**
Sponsor: Breed
Resolution authorizing the Sheriff's Department to retroactively accept and expend \$599,894 in funds from the U.S. Department of Justice, Office of Justice Programs, through the Second Chance Act Reentry Program for adult offenders with co-occurring substance abuse and mental health disorders, for The Keys to Freedom Program to increase public safety, and reduce recidivism among incarcerated and recently released women and transgendered adults in the City and County of San Francisco; and waiving any indirect costs for the period of October 1, 2012, through September 30, 2014. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130176 [Accept and Expend Grant - FY2007 Supplemental Port Security - \$376,700]**
Sponsor: Chiu
Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of \$376,700 from the Federal Emergency Management Agency for the FY2007 Supplemental Port Security Grant Program for assets to enhance the Fire Department's water-based response capabilities and increase its protection of the Port of San Francisco and the San Francisco Bay for the period of October 1, 2007, through September 30, 2012. RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.
- 130177 [Multifamily Housing Revenue Bonds - Broadway Sansome Apartments - \$23,900,000]**
Sponsor: Chiu
Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$23,900,000 for the purpose of providing financing for the acquisition and construction of a 75-unit multifamily rental housing project known as Broadway Sansome Apartments; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130178 [Accept and Expend Grant - CalRecycle Tire Derived Product Program - \$150,000]**
Sponsor: Farrell
Resolution authorizing the Recreation and Park Department to retroactively accept and expend a CalRecycle Tire-Derived Product (TDP) Grant in the amount of \$150,000 from the California Department of Resources Recycling and Recovery for the purchase of TDP materials for use at various City park sites for the period of June 1, 2011, through March 31, 2013. (Recreation and Park Department). TRANSFERRED to Budget and Finance Sub-Committee.

- 130184 [Approval of a 60 Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]**
Sponsor: Cohen
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the Planning Code, by adding Section 249.67, and amending Section Map SU08 of the Zoning Map, to establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; 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. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 130188 [Accept and Expend Grant - Trust for Public Land - \$3,350,000]**
Sponsor: Kim
Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant of up to \$3,350,000 from the Trust for Public Land for the design and construction of improvements to Father Alfred E. Boeddeker Park for the period of August 2012, through June 20, 2014. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130189 [Urging the California State Legislature to Pass Senate Bill 219]**
Sponsors: Mar; Yee
Resolution urging the California State Legislature to Pass Senate Bill 219 to permanently extend double fine zones along State Highway Route 1 between Junipero Serra Boulevard and Lake Street and State Highway Route 101 between Golden Gate Avenue and Lyon Street. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 130190 [Multifamily Housing Revenue Obligations - 2175 Market Street Apartments - \$30,000,000]**
Sponsor: Wiener
Resolution authorizing the execution/issuance, sale and delivery of a multifamily mortgage revenue note and subordinate multifamily housing revenue bonds in an aggregate principal amount not to exceed \$30,000,000 (together, the "Obligations") for the purpose of providing financing for the acquisition and construction of a 88-unit multifamily residential rental housing development known as the 2175 Market Street Apartments; approving the form of and authorizing the execution of a funding loan agreement and borrower loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a subordinate trust indenture providing the terms and conditions of the subordinate bonds; approving the form of and authorizing the execution of a subordinate loan agreement relating to the subordinate bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the Obligations and the project; approving modifications, changes and additions to the documents; granting general authority to City officials to take actions necessary to implement this resolution; and ratifying and approving any action heretofore taken in connection with the Obligations and the project. RECEIVED AND ASSIGNED to Budget and Finance Committee.

130191 [Apply For - CalHome Program]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing to submit an application to the California Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests for Hearing

130159 [Hearing - Shared Schoolyards Project]

Sponsor: Farrell

Hearing to provide an update on the Shared Schoolyards Project and an opportunity for discussion about what is working well with the program, as well as what can be done better. RECEIVED AND ASSIGNED to City and School District Select Committee.

130192 [Hearing - Sheriff Department Budget Update - FY2013-2014 and FY2014-2015]

Sponsor: Farrell

Hearing to receive an update on the Sheriff Department's budget for FY2013-2014 and FY2014-2015. RECEIVED AND ASSIGNED to Budget and Finance Committee.

130193 [Hearing - Recreation and Park Department Budget Update - FY2013-2014 and FY2014-2015]

Sponsor: Farrell

Hearing to receive an update on the Recreation and Park Department's budget for FY2013-2014 and FY2014-2015. RECEIVED AND ASSIGNED to Budget and Finance Committee.

130194 [Hearing - Department of Public Health Budget Update - FY2013-2014 and FY2014-2015]

Sponsor: Farrell

Hearing to receive an update on the Department of Public Health's budget for FY2013-2014 and FY2014-2015. RECEIVED AND ASSIGNED to Budget and Finance Committee.

130195 [Hearing - Department on Children, Youth, and Their Families and First Five Commission Budget Update - FY2013-2014 and FY2014-2015]

Sponsor: Farrell

Hearing to receive update on the Department on Children, Youth, and their Families and First Five Commission's budget for FY2013-2014 and FY2014-2015. RECEIVED AND ASSIGNED to Board of Supervisors.

130196 [Hearing - Department of Public Works Budget Update - FY2013-2014 and FY2014-2015]

Sponsor: Farrell

Hearing to receive an update on the Department of Public Works budget for FY2013-2014 and FY2014-2015. RECEIVED AND ASSIGNED to Budget and Finance Committee.

130197 [Hearing - Fire Department Budget Update - FY2013-2014 and FY2014-2015]

Sponsor: Farrell

Hearing to receive an update on the Fire Department's budget for FY2013-2014 and FY2014-2015. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 130198 [Hearing - Police Department Budget Update - FY2013-2014 and FY2014-2015]**
Sponsor: Farrell
Hearing to receive an update on the Police Department's budget for FY2013-2014 and FY2014-2015. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130199 [Hearing - Human Services Agency Budget Update - FY2013-2014 and FY2014-2015]**
Sponsor: Farrell
Hearing to receive an update on the Human Services Agency's budget for FY2013-2014 and FY2014-2015. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130200 [Hearing - City's Reserve and Set-Aside Policy - FY2013-2014 and FY2014-2015]**
Sponsor: Farrell
Hearing to consider City's reserve and set-aside policies for FY2013-2014 and FY2014-2015. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130201 [Hearing - Ten-Year Capital Plan]**
Sponsor: Farrell
Hearing to receive an update from the Capital Planning Program on the City's Ten-Year Capital Plan. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130202 [Hearing - Five-Year Financial Plan]**
Sponsor: Farrell
Hearing to receive an update from the Controller's Office and the Mayor's Budget Office on the City's Five-Year Financial Plan. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130203 [Hearing - Information and Communication Technology Plan]**
Sponsors: Farrell; Chiu
Hearing to receive an update from the Mayor's Budget Office on the City's Information and Communication Technology Plan. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130204 [Hearing - Information Technology Upgrades for Emergency Personnel]**
Sponsor: Farrell
Hearing to receive an update from the Mayor's Budget Office on the draft plan outlining immediate information technology upgrades for San Francisco's emergency personnel. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130205 [Hearing - Public Health Projected Deficit - \$45,900,000 - FY2012-2013]**
Sponsor: Farrell
Hearing to receive an update from the Department of Public Health on the \$45,900,000 deficit projected by the Controller's six-month report and plans to address the deficit. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130206 [Hearing - Municipal Transportation Agency's Traffic Calming Program]**
Sponsor: Kim
Hearing to receive an update on the Municipal Transportation Agency's Traffic Calming Program (Program), particularly the school criteria for funding, including an updated list of schools currently receiving funding through the Program, and potential criteria and physical solutions for schools that operate near heavy traffic arterials where lowering the speed limit by creating a "School Zone" is not an option. RECEIVED AND ASSIGNED to City and School District Select Committee.

130207 [Hearing - Proposition H Expenditure Plan and Reauthorization]
Sponsor: Kim
Hearing to receive updates from the Mayor's Budget Office, Controller's Office, and San Francisco Unified School District (SFUSD) on the Proposition H expenditure plan, the establishment of standardized processes for allocation of funds to SFUSD by the City and County of San Francisco, and the status of possible reauthorization of Proposition H. RECEIVED AND ASSIGNED to City and School District Select Committee.

130208 [Hearing - Displacement of Residential Fire Victims]
Sponsor: Mar
Hearing on the City and County of San Francisco's response to the needs of fire victims after displacement from residential fires. RECEIVED AND ASSIGNED to Neighborhood Services and Safety 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.

PROPOSED ORDINANCES

130131 [Administrative Code - Agricultural Inspection Fees]
Ordinance amending the Administrative Code, Section 1.10, to revise registration fees for inspecting agricultural products; and making environmental findings. (Public Health Department). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

130132 [Administrative Code - Weights and Measures Fees]
Ordinance amending the Administrative Code, Section 1.13-5, to revise registration fees for inspecting and testing weighing and measuring devices as provided by State law; and making environmental findings. (Public Health Department). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

130133 [Administrative Code - Public Health Solid Waste Penalties Fund]
Ordinance amending the Administrative Code, by adding Section 10.100-217, to establish a fund for the deposit of civil penalties assessed by the Department of Public Health and paid by operators of solid waste facilities for violation of solid waste disposal laws; and making environmental findings. (Public Health Department). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

130135 [Settlement of Lawsuit - Shawn and Sarah Myers - \$200,000]
Ordinance authorizing settlement of the lawsuit filed by Shawn and Sarah Myers against the City and County of San Francisco for \$200,000; the lawsuit was filed on February 27, 2008, in United States District Court, Case No. 08-cv-1163; entitled Shawn Myers, et al., v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

- 130136 [Settlement of Lawsuit - Veronica Hinkley Reck - \$70,000]**
Ordinance authorizing settlement of the lawsuit filed by Veronica Hinkley Reck against the City and County of San Francisco for \$70,000; the lawsuit was filed on July 27, 2011, in Alameda Superior Court, Case No. RG-11-587571; entitled Veronica Hinkley Reck, et al. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 130110 [Street Artist Spaces - Market Street at Spear Street]**
Resolution approving designation of five selling spaces on Market Street, north side, at Spear Street, for Saturday use by street artists certified by the Arts Commission; exempting said spaces from the regulations of Police Code, Section 2405(c), relating to street artist display size, distance from entrances, and distance between artists' displays. (Arts Commission). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 130137 [Settlement of Unlitigated Claim - SF Works - \$110,000]**
Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against SF Works for \$110,000. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – February 26, 2013

Board Meeting Minutes for January 15, 2013, approved.

There were no Clerk to Act requests submitted at the February 26, 2013 Board Meeting.

In Memoriams

Yvonne Harris – Supervisor Cohen

Cornelia Earlina Godfrey – Supervisor Kim

Wenzell Phillip Jackson – Supervisor Cohen

Lawrence Collins – Supervisor Avalos