

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, March 12, 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

111316 [Business and Tax Regulations Code - Excluding Stock-Based Compensation from Payroll Expense, Tax Years 2011 through 2017]

Sponsor: Chiu

Ordinance amending the Business and Tax Regulations Code, Article 12-A, Section 906.4, to clarify the amount of payroll expense tax attributable to stock-based compensation that a person may exclude from its payroll expense tax liability. REACTIVATED PURSUANT TO RULE 3.42 to Government Audit and Oversight Committee.

130119 [Building Code - Mandatory Seismic Retrofit Program - Wood-Frame Buildings; Optional Evaluation Form Fee]

Sponsors: Mayor; Chiu, Wiener, Yee, Farrell, Breed, Mar and Tang

Ordinance amending the Building Code to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130248 [Administrative Code - CEQA Procedures, Appeals, and Public Notice]

Sponsor: Kim

Draft Ordinance amending Administrative Code, Chapter 31, to provide for appeals to the Board of Supervisors of certain environmental documents and determinations under the California Environmental Quality Act, to clarify procedures, and to provide public notice of environmental documents and determinations. ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Economic Development Committee.

- 130251 [Public Works Code - Public Improvements as Gifts]**
Sponsors: Wiener; Yee
Ordinance amending the Public Works Code, by adding Section 791, to allow the Director of the Department of Public Works, subject to specified requirements, to accept certain public improvements as public gifts and dedicate such improvements to public use; and making environmental findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 130252 [Administrative Code - Street Design Review Committee]**
Sponsors: Wiener; Yee
Ordinance amending the Administrative Code, by adding Section 98.2, to establish a Street Design Review Committee. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 130253 [Fire Code - Fire Apparatus Access Roads]**
Sponsors: Wiener; Yee
Ordinance amending the Fire Code, Chapter 5, Section 503.4, to clarify what does not constitute an obstruction of a Fire Apparatus Access Road. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions

- 130254 [Lease Financing for Improvements - Moscone Convention Center]**
Sponsor: Kim
Resolution providing for the sale of certificates of participation evidencing undivided, proportionate interests in the right to receive certain rental payments to be made by the City and County of San Francisco under a Lease Agreement to finance capital projects at the Moscone Convention Center; providing for the sale of the Certificates by competitive sale; approving the form and publication of an Official Notice of Sale and a Notice of Intention to Sell the Certificates; approving the form of a Preliminary Official Statement and the form and execution of an Official Statement relating to the sale of the Certificates; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the execution, sale, and delivery of the Certificates; approving modifications to documents; and ratifying previous actions taken in connection therewith. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 130255 [Urging the Public Utilities Commission, Department of Public Works, Municipal Transportation Agency, and Planning Department to Ensure the Coordination of Street, Transit, and Utility Infrastructure]**
Sponsors: Wiener; Yee
Resolution urging the Public Utilities Commission, Department of Public Works, Municipal Transportation Agency, and Planning Department to develop a clear policy for reviewing street improvement projects that overlap the jurisdiction of various agencies and for those agencies to expeditiously modernize codes, standards, regulations, and other guidelines to ensure that the City's collective public policy interests are advanced. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 130256 [Urging the California State Legislature to Adopt Legislation Allowing Local Jurisdictions Greater Flexibility to Amend the Fire Code]**
Sponsors: Wiener; Yee
Resolution urging the California State Legislature to adopt legislation allowing local jurisdictions flexibility to amend local fire code street width standards in order to maximize pedestrian and bicyclist safety goals. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 130257 [Anti-Arab and Anti-Muslim Bus Advertisements]**
Sponsors: Chiu; Avalos, Breed, Campos, Cohen, Kim, Mar and Yee
Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 130258 [Approval of a 60 Day Extension for Planning Commission Review of Conversion of Student Housing Monitoring (File No. 120883)]**
Sponsor: Kim
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120883) amending the Planning Code, by adding Section 102.36.1, to establish an annual monitoring requirement for Student Housing conversions; to require a posting to announce that the report is available for public review; and to provide an enforcement mechanism for failure to submit the annual report; 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.

Request for Hearing

- 130259 [Hearing - 8 Washington Proposed Project Potential Impact on Nearby Assets]**
Sponsor: Chiu
Hearing on the potential impacts of the proposed 8 Washington project on nearby assets, including the North Force Main, of the Public Utilities Commission. RECEIVED AND ASSIGNED to Government Audit and Oversight 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 ORDINANCE

130071 [Settlement of Lawsuit - Espinoza (named in the complaint as Carlos Espinosa) - \$95,000]

Ordinance authorizing settlement of the lawsuit filed by Carlos Cadena-Espinoza (named in the complaint as Carlos Espinosa) and Noemi Gereda-Cerrato against the City and County of San Francisco for \$95,000; the lawsuit was filed on January 6, 2011, in the Superior Court, Case No. CGC-11-507063; and removed on May 9, 2011, to the United States District Court - Northern District of California, Case No. 11-cv-02282 JSW; entitled Carlos Espinosa, et al., v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

130220 [Settlement of Claim - Roman Carraso]

Resolution approving the settlement of the unlitigated claim filed by Roman Carrasco against the City and County of San Francisco for \$42,000; claim was filed on August 1, 2012. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – March 12, 2013

Board Meeting Minutes for February 5, 2013 approved.

Requests Granted

From: Supervisor Avalos

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that it shall be the policy of the City and County of San Francisco to eliminate any race or gender pay inequity due to occupational segregation.

The Civil Service Commission shall conduct a pay equity survey. This survey shall be conducted in accordance with the City and County's historic study on pay equity, using set criteria to determine comparable classifications. This survey shall use best available data to determine City and County classifications disproportionately occupied by people of color or women. These classifications shall be deemed "pay equity" classifications. The survey shall also determine City and County classifications underrepresented by people of color or women. These classifications shall be deemed "underrepresented" classifications. Classifications shall be considered either "pay equity" or "underrepresented" in relation to the demographics of the City and County's overall workforce. "Pay equity" classifications should be compared to comparable "underrepresented" classifications to determine inequity in pay. The Civil Service Commission shall complete this survey and transmit it to the Mayor, Department of Human Resources, and Board of Supervisors by June 30, 2014, and shall update the survey on or before June 30th of each following year.

The City shall make "pay equity" adjustments to "pay equity" classifications whose base pay is less than 95% of comparable "underrepresented" classifications at the top step, in order to bring base wages in line. These adjustments can be made incrementally and shall never exceed 5% of base wage in any given fiscal year. .When a previous year's 9-month Budget Status Report issued by the Office of the Controller projects a budget deficit for that year, the City is not required to make any "pay equity" adjustment in that year. "Pay equity" adjustments should be made by the City and County independent of the collective bargaining process.

Base pay of "pay equity" classifications shall not be reduced due to "market-based salary surveys" or like mechanisms that compare "pay equity" classification to jurisdictions or employers that have not corrected for pay inequality based on race and class.

In Memoriams

Geraldine "Gerry" Meister - Entire Board

Pastor Rance Whiteside – Supervisor Campos