



Legislation Introduced at Roll Call

Tuesday, July 30, 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

130041 [Planning Code - Conversion, Demolition, Merger, and Conformity of Residential Uses]

Sponsor: Avalos

Ordinance amending Planning Code, Section 317, and various other sections, and repealing Sections 790.84, 790.86, 890.84, and 890.86, to revise the criteria for the residential demolition, conversion, and merger; standardize definitions of residential demolition, conversion, and merger across various use districts; 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; permit alterations to nonconforming uses or noncomplying structures to comply with disabled access requirements or to provide secure bicycle parking; establish a strong presumption in favor of preserving dwelling units in enforcement of requirements for nonconforming uses, structures, and lots; 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.

130780 [Taxable Property and Establishing Pass-Through Rate - FY2013-2014]

Sponsor: Mayor

Ordinance providing revenue and levying property taxes at a combined rate of \$1.1885 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District, and establishing a pass-through rate of \$0.0880 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2014. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 130781 [Administrative Code - Special Tax Financing Law]**
Sponsors: Mayor; Tang and Wiener
Ordinance to amend the Administrative Code Special Tax Financing Law, constituting Article 43.10, to authorize financing by special tax districts of work deemed necessary to bring buildings or real property, including privately owned buildings or real property, into compliance with seismic safety standards or regulations, and related technical amendments and to establish certain procedures by which the City can make changes to a special tax district. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 130782 [Building, Housing Codes - Mandatory Seismic Retrofit Program]**
Sponsors: Mayor; Chiu, Wiener, Yee, Tang, Farrell, Breed, Mar and Cohen
Ordinance amending the Building Code to modify some of the evaluation and retrofit criteria for the Mandatory Earthquake Retrofit Program and add seismic members to the Board of Examiners; amending the Housing Code to require a Report of Residential Building Record (3R Report) to include information on whether a building is included in the program and whether the required upgrade has been completed; adopting environmental findings and findings of local conditions under the California Health and Safety Code. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 130783 [Planning Code - Enlargement, Alteration, or Reconstruction]**
Sponsor: Avalos
Ordinance amending the Planning Code to permit the enlargement, alteration, or reconstruction of a dwelling or other housing structure that exceeds the permitted density of the district if dwelling units are principally permitted in the district and the enlargement, alteration, or reconstruction does not extend beyond the building envelope as it existed on January 1, 2013; making environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 130784 [Business and Tax Regulations Code - Administrative Changes]**
Sponsor: Chiu
Ordinance amending the Business and Tax Regulations Code by amending the Common Administrative Provisions to require monthly installment payments rather than pre-payments of hotel and parking taxes, eliminate the requirement for annual parking tax bond renewal, provide a due date for business registration fees, exclude penalties from the calculation of interest on tax determinations, add a substantial underreporting penalty for failure to file a return when the tax liability exceeds \$5,000 and change the penalty for failure to register or update a registration, making misstatements in registration, failure to allow inspection of or to produce records, and failure to file a return; amending the Tax on Occupancy of Parking Space in Parking Stations to eliminate the pre-payment Revenue Control Equipment certification; amending Business Registration provisions to require a copy of the business registration certificate rather than a business tax registration tag be displayed on company vehicles, and to eliminate the Tax Collector's authority to suspend a business registration certificate; amending the Payroll Expense Tax Ordinance to provide that interest applies to unpaid penalties but not unpaid fees and interest, and to change the date that the Office of Economic and Workforce Development must provide the Tax Collector a list of persons eligible to claim the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion; and amending Parking Stations, Revenue Control Equipment, to specify the date the Revenue Control Equipment Compliance Fee is due. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 130785 [Administrative Code - Family Friendly Workplace Ordinance]**
Sponsors: Chiu; Cohen, Mar, Campos, Yee, Breed and Avalos
Ordinance amending the Administrative Code to allow San Francisco-based employees to request flexible or predictable working arrangements to assist with care giving responsibilities, subject to the employer's right to deny a request based on business reasons; to prohibit adverse employment actions based on caregiver status; to prohibit interference with rights or retaliation against employees for exercising rights under the Ordinance; to require employers to post a notice informing employees of their rights under the Ordinance; to require employers to maintain records regarding compliance with the Ordinance; to authorize enforcement by the Office of Labor Standards Enforcement including the imposition of remedies and penalties for a violation and an appeal process for an employer to an independent hearing officer; to authorize waiver of the provisions of the Ordinance in a collective bargaining agreement; and making environmental findings. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 130786 [Fire Code - Repealing, Replacing, and Amending]**
Sponsors: Chiu; Farrell
Ordinance repealing the current Fire Code in its entirety and replacing that code with a new 2013 Fire Code consisting of the 2013 California Fire Code and portions of the 2012 International Fire Code, together with San Francisco amendments, with an operative date of January 1, 2014; amending the current Fire Code, Section 511.2, to exempt any building that is covered by Section 511.2 and is equipped with a fire service access elevator pursuant to California Building Code, Section 3007, from the requirement to install an air replenishment system, with an operative date of 30 days after enactment; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; and making environmental findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 130787 [Administrative Code - Timelines and Procedures for Releasing Open Data]**
Sponsor: Farrell
Ordinance amending the Administrative Code to modify open data standards and set deadlines for releasing open data. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 130788 [Planning Code - Expanding Formula Retail Controls]**
Sponsor: Mar
Ordinance amending the Planning Code to expand the definition of formula retail to include businesses that have eleven or more outlets worldwide, and to include businesses 50% or more owned by formula retail businesses; to expand the applicability of formula retail controls to other types of retail uses; to expand the notification procedures for formula retail applications; to require an economic impact report as part of the formula retail conditional use application; and making environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 130789 [Health Code - Licensing and Regulation of Massage Establishments and Practitioners]**
Sponsors: Tang; Chiu
Ordinance amending the Health Code to require massage practitioners licensed by San Francisco to wear photo identification cards when working; deny Massage Establishment permits to applicants convicted of specified crimes; to provide an appeal process for persons denied a Massage Establishment permit; to establish health and safety requirements for all Massage Establishments; to establish penalties for violations of Article 29 governing Massage Practitioners and Massage Establishments; to require notice of violations be sent to the owner(s) of property where Massage Establishments are located; and making environmental findings. ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee.

- 130790 [Business and Tax Regulations, Planning, and Police Codes - Residential Properties]**
Sponsor: Wiener
Ordinance amending the Business and Tax Regulations, Planning, and Police Codes to change the limits of Parking Tax Occupancy Simplification for residential properties by increasing, from five to 10, the number of parking spaces residential buildings may rent to non-residents and increasing the gross revenue they may earn from rent from \$4,000 to \$12,000 per quarter and from \$15,000 to \$40,000 annually; and making environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

Resolutions

- 130791 [Supporting the Accessible Parking Policy Advisory Committee to Increase Access to Parking for People with Disabilities]**
Sponsor: Chiu
Resolution supporting the Accessible Parking Policy Advisory Committee recommendations to increase access to parking for people with disabilities and reduce disabled parking placard misuse. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 130794 [Disposition and Development Agreement - Golub Real Estate/Mercy Housing - 280 Beale Street - \$30,000,000]**
Sponsor: Kim
Resolution retroactively approving and authorizing the Office of Community Investment and Infrastructure, as Successor Agency to the San Francisco Redevelopment Agency, to enter into a disposition and development agreement for the sale and development of land located at 280 Beale Street, Assessor's Parcel No. 3738-004, commonly known as Transbay Block 6, with Golub Real Estate Corporation, an Illinois corporation, and Mercy Housing California, a California non-profit public benefit corporation beginning April 16, 2013. RECEIVED AND ASSIGNED to Board of Supervisors on 9/17/13.

Requests for Hearing

- 130795 [Hearing - Economic Impact of City College of San Francisco]**
Sponsors: Mar; Avalos and Campos
Hearing on the Economic Impact of City College of San Francisco. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130796 [Hearing - Double Parking in San Francisco]**
Sponsor: Wiener
Hearing directed to the San Francisco Municipal Transportation Agency to report on the status of double parking; the City's policy on double parking; details on how double parking impacts traffic, Muni, and bikes; explaining current enforcement policies; and to report on citation statistics for double parking frequency, concentration, and the number of citations issued. 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 2.8, 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

- 130695 [Settlement of Lawsuit - Larry Jacobs - \$175,000]**
Ordinance authorizing settlement of the lawsuit filed by Larry Jacobs against the City and County of San Francisco for \$175,000; the lawsuit was filed on January 27, 2011, in the California Superior Court, San Francisco Branch, Case No. CGC-11-507691, entitled Larry Jacobs v. City and County of San Francisco. (City Attorney's Office). RECEIVED AND ASSIGNED to Rules Committee.
- 130696 [Settlement of Lawsuit - Jessica Orozco - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Jessica Orozco against the City and County of San Francisco for \$50,000; the lawsuit was filed on March 13, 2012, in San Francisco Superior Court, Case No. CGC-12-519124; entitled Jessica Orozco v. City and County of San Francisco, et al. (City Attorney's Office). RECEIVED AND ASSIGNED to Rules Committee.
- 130697 [Settlement of Lawsuit - Andrew Melomet - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Andrew Melomet against the City and County of San Francisco for \$40,000; the lawsuit was filed on February 2, 2012, in California Superior Court, San Francisco Branch, Case No. CGC-12-518471, entitled Andrew Melomet v. City and County of San Francisco Human Services Agency; said lawsuit was removed to United States District Court for the Northern District of California, Case No. C 12-03101 EDL. (City Attorney's Office). RECEIVED AND ASSIGNED to Rules Committee.
- 130757 [Settlement of Lawsuit - Joseph P. CuvIELLO, Deniz Bolbol, and Alex Felsinger - \$180,000]**
Ordinance authorizing settlement of the lawsuit filed by Joseph P. CuvIELLO, Deniz Bolbol, and Alex Felsinger against the City and County of San Francisco for \$180,000 in the United States District Court for the Northern District of California, Case No. CV-12-3034-EMC; entitled CuvIELLO et al. v. City and County of San Francisco, et al. (City Attorney's Office). RECEIVED AND ASSIGNED to Rules Committee.
- 130758 [Settlement of Lawsuit - Ana Pichardo - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Ana Pichardo against the City and County of San Francisco for \$50,000; the lawsuit was filed on May 9, 2012, in United States District Court, Case No. C12-4042; entitled Ana Pichardo v. City and County of San Francisco, et al. (City Attorney's Office). RECEIVED AND ASSIGNED to Rules Committee.
- 130759 [Settlement of Lawsuit - Bank of America N.A. - \$975,000]**
Ordinance authorizing settlement of the lawsuit filed by Bank of America N.A. against the City and County of San Francisco for \$975,000; the lawsuit was filed on September 9, 2010, in San Francisco Superior Court, Case No. CGC-10-503389; entitled Bank of America N.A. v. City and County of San Francisco, et al. (City Attorney's Office). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

130755 [Settlement of Claim - Beth Mondry - \$175,000]

Resolution approving the proposed settlement of claim filed by Beth Mondry against the City and County of San Francisco for \$175,000; claim was filed on November 13, 2012. (City Attorney's Office). RECEIVED AND ASSIGNED to Rules Committee.

Clerk to Act – July 30, 2013

Board Meeting Minutes for June 25, 2013 approved.

There were no Clerk to Act requests submitted at the July 30, 2013 Board Meeting.

In Memoriam

Alice Ross Carey – Supervisor David Campos