

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, November 19, 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.

Charter Amendment

131117 [Municipal Transportation Agency (MTA): Equity Analysis, Supplemental Appropriation to the Transportation Fund, MTA Inspector General, Limits on Fare Increases, Free Muni for Youth, Transit Impact Fee]

Sponsors: Avalos; Mar, Campos, Kim and Yee

Draft Charter Amendment (First Draft) to amend the Charter, Sections 8A.100, 8A.101, 8A.103, 8A.105, 8A.107, 8A.108, and 8A.109, to: make improving equity a core goal of the Municipal Transportation Agency; require public hearings and written contracts for any contracts between the MTA and other City departments; require an annual Equity Analysis evaluating MTA services; allocate a Supplemental Appropriation to the Transportation Fund prioritized to mitigating deficiencies identified in the Equity Analysis; establish an office of the MTA Inspector General; limit increases in fares to the increase in the Consumer Price Index; not charge youth age 18 and under to ride the Municipal Railway; and adopt a Transit Impact Fee. ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Rules Committee.

Ordinances

131118 [Planning Code - Landmark Designation - 1712-1716 Fillmore Street (aka Marcus Books and Jimbo's Bop City)]

Sponsor: Breed

Ordinance designating 1712-1716 Fillmore Street (aka Marcus Books and Jimbo's Bop City), Assessor's Block No. 0684, Lot No. 020, as a landmark under Planning Code, Article 10; 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.

- 131119 [Transportation Code - Inoperable/Broken Parking Meter Time Limits]**
Sponsor: Chiu
Ordinance amending the Transportation Code, Division I, to clarify the definition for “Parking Meter” to include electronic pay stations, and change the time limit for parking at inoperable or broken parking meters from two hours to the maximum time permitted for the parking meter; and making environmental findings. ASSIGNED to Land Use and Economic Development Committee.
- 131120 [Planning Code, Zoning Map - Broadway Alcohol Restricted Use District]**
Sponsor: Chiu
Ordinance amending the Planning Code, by adding new Section 789, to establish the Broadway Alcohol Restricted Use District on parcels with street frontage on Broadway, between Columbus Avenue and Montgomery Street; amending the Zoning Map, to designate the Broadway Alcohol Restricted Use District on Map Sheet SU-02; 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.
- 131121 [Planning Code - Amending the Third Street Alcohol Restricted Use District]**
Sponsor: Cohen
Ordinance amending the Planning Code, to amend the Third Street Alcohol Restricted Use District, to allow Alcoholic Beverage Control (ABC) Type 2, “Winegrower” licenses; 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.
- 131122 [Administrative Code - Retiree Health Care Trust Fund]**
Sponsor: Farrell
Ordinance amending the Administrative Code to identify members of the Retiree Health Care Trust Fund Board as City officers; provide the members with health insurance coverage through the San Francisco Health Service System; and exclude Retiree Health Care Trust Fund contracts from the Administrative Code, Section 21.02, definition of services. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 131123 [Appropriation - Transit Center District Funds and Transportation Development Impact Fees - FY2013-2014 - \$4,388,000]**
Sponsor: Mayor
Ordinance appropriating \$4,388,000 of Transit Center District Funds and Transportation Development Impact fees revenue and capital project fund expenditures to the Municipal Transportation Agency in order to support capital projects in FY2013-2014. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

Resolutions

- 131068 [Interim Zoning Controls - Building Permits for Commercial Buildings in an Area Bounded by Market, Second, Brannan, Division, and South Van Ness Streets]**
Sponsor: Kim
Resolution imposing interim zoning controls to require that for a 12-month period, in the area bounded by Market Street from Van Ness Street east to 5th Street on the north side and east to 2nd Street on the south side, 2nd Street south to Brannan Street, Brannan Street west to Division Street, and South Van Ness Street north to Market Street: certain building permits for commercial buildings shall require the posting of a notice and a 15-day delay in starting the work; and the re-establishment of a commercial use that has been converted to residential use shall require Planning Commission approval through either an authorization under Planning Code, Section 320 et seq., or a conditional use authorization; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.
- 131125 [Accept and Expend Grant - Dislocated Worker Additional Assistance - \$902,465]**
Sponsor: Mayor
Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$902,465, for the period of October 1, 2013, through March 31, 2015, from the US Department of Labor passed through California Employment Development Department for the Dislocated Worker Additional Assistance Grant. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131126 [Transfer of Real Property - McAllister Street and Ash Alley - \$4,584,000]**
Sponsors: Mayor; Breed
Resolution approving the jurisdictional transfer of real property comprised of portions of Block No. 0785, Lot Nos. 030 and 033, in the City and County of San Francisco, from the Real Estate Division to the Mayor's Office of Housing and Community Development for \$4,584,000, to commence following Board approval. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131127 [Amendment - San Francisco Tourism Improvement District Management District Plan]**
Sponsors: Mayor; Chiu and Kim
Resolution approving an amendment to the San Francisco Tourism Improvement District Management District Plan in accordance with the California Streets and Highways Code, Section 36636, to require monthly assessment, collection, and distribution of fees by the Office of the Treasurer and Tax Collector. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131128 [Amendment - Moscone Expansion District Management District Plan]**
Sponsors: Mayor; Chiu and Kim
Resolution approving amendments to the Moscone Expansion District Management District Plan for the business-based business improvement district, known as the "Moscone Expansion District," in accordance with the California Streets and Highways Code, Section 36636, to require the monthly assessment, collection, and transfer of fees by the Office of the Treasurer and Tax Collector; and an agreement with the nonprofit Owners' Association for administration/management of the District in accordance with the California Streets and Highways Code, Section 36651. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 131129 [Accept and Expend Grant - Infill Infrastructure - \$5,661,107]**
Sponsor: Cohen
 Resolution authorizing the Mayor's Office of Housing and Community Development to accept and expend an Infill Infrastructure Grant from the California State Department of Housing and Community Development in the amount of \$5,661,107, to commence following Board approval, for the housing development at 5800 Third Street. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131130 [California Constitution Appropriations Limit - FY2013-2014]**
Sponsor: Farrell
 Resolution establishing the appropriations limit for FY2013-2014 pursuant to California Constitution, Article XIII B. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 131131 [Street Encroachment - Operator Convenience Facilities - Terminus of Muni Transit Lines]**
Sponsor: Wiener
 Resolution correcting Resolution No. 362-13, which granted revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain two new operator convenience facilities at the terminus of various Muni bus routes; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 131132 [Supporting Assembly Bill 1266 - The School Success and Opportunity Act]**
Sponsors: Campos; Mar, Avalos, Yee and Wiener
 Resolution supporting Assembly Bill 1266, authored by Assemblymember Tom Ammiano, set to take effect on January 1, 2014, which restates existing State law prohibiting discrimination against transgender students in public education and permitting students to participate in sex-segregated facilities and activities based on their gender identity. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 131133 [Declaration of Election Results of the November 5, 2013, Municipal Election]**
Sponsor: Chiu
 Resolution declaring the results of the November 5, 2013, Municipal Election. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 131134 [Supporting Senate Bill 316 and House Bill 630 - Postal Service Protection Act of 2013]**
Sponsor: Chiu
 Resolution supporting Senate Bill 316 and House Bill 630, the Postal Service Protection Act of 2013, and federal efforts to maintain levels of postal service provided by the United States Postal Service. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 131135 [City Typhoon Relief Fund]**
Sponsor: Chiu
 Resolution urging the Mayor and Department of Human Resources to explore establishing a method by which City employees can donate to a Typhoon Relief Fund for the Philippines. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

131136 [Supporting the Secure Our Smartphone Initiative]

Sponsor: Kim

Resolution supporting the Secure Our Smartphones Initiative, the objective of which is to demand that smartphone manufacturers implement technological solutions to remove the economic incentives that support and drive the theft and re-sale of smartphone devices. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

131124 [Initiative Ordinance - Business and Tax Regulations Code - Tax on Sugar-Sweetened Beverages to Fund Food and Health Programs]

Sponsors: Mar; Avalos, Cohen and Wiener

Motion ordering submitted to the voters at an election to be held on November 4, 2014, an Ordinance amending the Business and Tax Regulations Code by adding a new Article 8, imposing a tax of two cents per ounce on the distribution of bottled sugar-sweetened beverages to fund access to healthy nutrition and physical activity programs. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

Requests for Hearing

131137 [Hearing - Compliance with Senate Bill 7 - Charter Cities to Comply with Certain Prevailing Wage Laws]

Sponsor: Cohen

Hearing to discuss San Francisco's compliance with regard to Senate Bill 7, a new State law requiring Charter Cities to comply with certain prevailing wage laws. RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

131138 [Hearing - Roadwork and Infrastructure Oversight]

Sponsor: Wiener

Hearing directed to the Department of Public Works, Municipal Transportation Agency (MTA), Public Utilities Commission, and Pacific Gas and Electric Company to explore a number of issues, including where projects are occurring, including sewer, water, natural gas, and road resurfacing, and what the benefits of these infrastructure improvements are; how the projects are coordinated to comply with the City's mandate that once a road is resurfaced no work will be done for five years -- absent an emergency -- to minimize repetitive street disruption; why some blocks remain under construction for very extended periods of time, with on-again-off-again work and repetitive digging; how blocks are chosen in terms of scheduling work; how many blocks are worked on annually and what the future schedule looks like; how departments are minimizing disruptions to the public caused by road work (parking, traffic detours, noise, dust, etc.); how contractors are held accountable for completing work in a timely manner, complying with contractual requirements, delivering high quality work, and minimizing impacts on surrounding neighbors; why some blocks, after undergoing utility work, only get paved on one side of the street and what we can do to prevent this; why it takes so long for MTA to re-stripe repaved roads, often months after the repaving is complete; how the various projects are funded and what the cost is per block; and what our goals are for improving pavement conditions. 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.

PROPOSED ORDINANCE

131078 [Settlement of Lawsuit - Yekaterina Gayza - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Yekaterina Gayza against the City and County of San Francisco for \$50,000; the lawsuit was filed on July 27, 2012, in San Francisco Superior Court, Case No. CGC 12-522744; entitled Yekaterina Gayza v. City and County of San Francisco, et al.; other material terms of said settlement are that the City and County of San Francisco will satisfy any lien asserted by Healthy San Francisco for treatment related to Yekaterina Gayza's injury from her fall that provided the basis for San Francisco Superior Court, Case No. CGC 12-522744; entitled Yekaterina Gayza v. City and County of San Francisco, et al. (City Attorney's Office). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

131079 [Settlement of Claim - Pacific Gas and Electric Company - \$35,000]

Resolution approving the settlement of the unlitigated claim filed by Pacific Gas and Electric Company against the City and County of San Francisco for \$35,000; claim was filed on June 17, 2013. (City Attorney's Office). RECEIVED AND ASSIGNED to Rules Committee.

131080 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; workers engaged in theatrical or technical services for shows on property owned by the City; workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

131098 [Lease - Airport Amenities and Business Services - Total Minimum \$1,260,000]

Resolution approving the Airport Amenities and Business Services Lease, between Airport Travel Agency, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a seven year term with a minimum annual guarantee of \$180,000 and a total minimum amount of \$1,260,000 to commence following Board approval, over the entire term. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – November 19, 2013

Board Meeting Minutes for October 8, 2013 approved.

Requests Granted

From: Supervisor Chiu

To: Director, Controller's Office

Requesting/Inquiring: Requesting that the Controller, Assessor, and City Attorney prepare a General Fund supplemental funded by the increase in property tax increases that the City will receive in the Mid-Market Tax Exclusion Zone during the next eighteen months.

From: Supervisor Chiu

To: Director, Assessor-Recorder

Requesting/Inquiring: Requesting that the Controller, Assessor, and City Attorney prepare a General Fund supplemental funded by the increase in property tax increases that the City will receive in the Mid-Market Tax Exclusion Zone during the next eighteen months.

From: Supervisor Chiu

To: City Attorney

Requesting/Inquiring: Requesting that the Controller, Assessor, and City Attorney prepare a General Fund supplemental funded by the increase in property tax increases that the City will receive in the Mid-Market Tax Exclusion Zone during the next eighteen months.

In Memoriams

Cheb I. Sabbah – Supervisor Avalos

Leamond Charles McGriff Jr. – Supervisors Cohen and Breed

William J. Morlock – Supervisor Farrell

Anita Sanchez – Entire Board

Melquiesha Warren – Entire Board

John Kearney – Supervisor Tang