

1 [Administrative Code Revision]

2 ORDINANCE AMENDING CHAPTER 2 OF PART I OF THE SAN FRANCISCO MUNICIPAL
3 CODE (ADMINISTRATIVE CODE) BY AMENDING SECTION 2.1-1 (BOARD POWERS),
4 SECTION 2.6-1 (LEASE APPROVALS), AND SECTION 2.6-2 (INTERPRETING SERVICES)
5 AND BY REPEALING SECTION 2.3 (CHIEF ASSISTANT BOARD CLERK), SECTION 2.6
6 (POLLUTION CONTROL POLICY), SECTION 2.6-4 (CLERK OF THE BOARD), SECTION
7 2.6-5 (BOARD STAFF), SECTION 2.6-6 (CONTRACT APPROVALS), SECTION 2.9
8 (ATTENDANCE AT BOARD MEETINGS), SECTION 2.19 (DIRECTOR OF PROPERTY),
9 SECTION 2.20 (INDEPENDENT APPRAISERS), SECTION 2.21 (ORDER FOR SERVICES),
10 SECTION 2.23-9 (STRIKING EMPLOYEES), SECTION 2.23-11 (EMPLOYEE RELATIONS
11 DIRECTOR), AND SECTION 2.82 (PUBLICATION OF LEGISLATION); AMENDING
12 CHAPTER 2A OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING
13 SECTION 2A.160 (ACADEMY OF SCIENCES); AMENDING CHAPTER 2B OF THE SAN
14 FRANCISCO ADMINISTRATIVE CODE BY REPEALING SECTION 2B.19 (BIANNUAL
15 EVALUATION); AND AMENDING CHAPTER 3 OF THE SAN FRANCISCO
16 ADMINISTRATIVE CODE BY AMENDING SECTION 3.2 (DEFINITIONS) AND SECTION
17 3.22 (LONG-TERM FINANCING).

18
19 Note: Additions or substitutions are underlined;
deletions are in ((double parentheses)).

20 Be it ordained by the People of the City and County of San Francisco:
21

22 Section 1. Chapter 2 of the San Francisco Administrative Code is hereby amended by
23 amending Section 2.1-1, to read as follows:

24 **SEC. 2.1-1. POWERS OF THE BOARD OF SUPERVISORS.** The powers of the City
25 and County, except the powers reserved to the people or delegated to other officials, boards

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1 or commissions by the Charter, shall be vested in the Board of Supervisors and shall be
2 exercised as provided in the Charter.

3 The exercise of all rights and powers of the City and County when not prescribed in the
4 Charter shall be as provided by ordinance or resolution of the Board of Supervisors.

5 The Supervisors shall determine the maximum number of each class of employment in
6 each of the various departments and offices of the City and County and shall fix rates and
7 schedules of compensation therefor in the manner provided in the Charter.

8 On the recommendation of the Mayor, the Board of Supervisors may create or abolish
9 departments which are now or may hereafter be placed under the Mayor or under
10 commissions appointed by the Mayor.

11 The Board of Supervisors may, by ordinance, confer on any officer, board or
12 commission such other and additional powers as the Board may deem advisable.

13 ((The Board of Supervisors, by ordinance, may provide medical care, hospitalization,
14 compensation and such other benefits as the Board may deem necessary for regularly
15 authorized volunteer civilian defense workers suffering injury arising out of and in the course
16 of their activities as such civilian defense workers.))

17 The Board of Supervisors shall have the powers and duties provided in Charter Section
18 4.102.

19
20 Section 2. Chapter 2 of the San Francisco Administrative Code is hereby amended by
21 repealing Section 2.3.

22 **((SEC. 2.3. AUTHORITY OF CHIEF ASSISTANT CLERK IN ABSENCE OF CLERK.**

23 In the absence of the Clerk of the Board of Supervisors, the Chief Assistant Clerk is hereby
24 authorized to perform all the functions and duties vested in the Clerk by law and during such
25 absence the Chief Assistant Clerk is authorized to execute all documents and perform all acts

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1 in the name of the Clerk.))

2
3 Section 3. Chapter 2 of the San Francisco Administrative Code is hereby amended by
4 repealing Section 2.6.

5 ((**SEC. 2.6. POLICY RELATIVE TO BAY AREA AIR POLLUTION CONTROL**
6 **DISTRICT.** It shall be the policy of the City and County for all of its officials, departments and
7 agencies in a position to do so to cooperate in every reasonable way with the purposes,
8 operation and enforcement programs of the Bay Area Air Pollution Control District.

9 All such officials, departments and agencies vested with power under any laws,
10 ordinances or regulations germane and applicable to the subject of Air Pollution Control shall
11 be vigorously enforced at all times in support of the district control program.

12 To the end that the Board of Supervisors may properly assess the possible need for
13 further local legislation bearing upon the subject matter, the Clerk of the Board is hereby
14 authorized and directed to contact and procure through proper channels, as expeditiously as
15 possible, a compilation of all existing ordinances and departmental regulations pursuant
16 thereto that may bear upon air pollution, its cause or control, and setting forth the present
17 status of enforcement of such ordinances and regulations by the officials, departments or
18 agencies in charge.))

19
20 Section 4. Chapter 2 of the San Francisco Administrative Code is hereby amended by
21 amending Section 2.6-1, to read as follows:

22 **SEC. 2.6-1. POLICY RELATIVE TO APPROVAL OF LEASE AND CONCESSION**
23 **AGREEMENTS.** Whenever in accordance with the provisions of the Charter, any officer,
24 board or commission of the City and County submits a proposed lease or agreement for
25 concession privileges to be operated in or upon any property or facility of the City and County

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1 to the Board of Supervisors for its approval or disapproval, except where the Board of
2 Supervisors finds that the bidding procedures or insurance requirements are impractical or
3 impossible, it shall be the policy of said board (1) to approve only such proposals as have
4 been awarded to the highest responsible bidder in accordance with competitive bidding
5 procedures, and (2) to approve only such leases as require the lessee to provide appropriate
6 ((property)) insurance naming ((in the name of)) the City as an additional insured ((and
7 County of San Francisco)) , in a form and amount approved by the Office of Risk
8 Management. ((against fire and lightning, extended coverage perils, vandalism and malicious
9 mischief, in an amount equal to the replacement value of the property.))

10
11 Section 5. Chapter 2 of the San Francisco Administrative Code is hereby amended by
12 amending Section 2.6-2, to read as follows:

13 **SEC. 2.6-2. PROVISION FOR INTERPRETING SERVICES.** It is the policy of the
14 Board of Supervisors that interpreting services shall be provided at all meetings of the Board
15 of Supervisors and of its Committees as needed.

16 ((The Board of Supervisors requests the Clerk of the Board of Supervisors to submit
17 and the Mayor to approve a supplemental appropriation in the amount of \$5,000 to fund
18 language-interpreting services for the Board of Supervisors in the current fiscal year.))

19 The Clerk of the Board is hereby directed to include funding for interpreting services in
20 developing the budget of the Board of Supervisors for future fiscal years.

21
22 Section 6. Chapter 2 of the San Francisco Administrative Code is hereby amended by
23 repealing Section 2.6-4.

24 ((**SEC. 2.6-4. CLERK OF THE BOARD OF SUPERVISORS.** The Clerk of the Board of
25 Supervisors shall, ex officio, be Clerk of the Board of Equalization.))

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2 Section 7. Chapter 2 of the San Francisco Administrative Code is hereby amended by
3 repealing Section 2.6-5.

4 ((**SEC. 2.6-5. STAFF ASSISTANTS TO MEMBERS OF THE BOARD OF**
5 **SUPERVISORS.** There shall be two staff members for each member of the Board of
6 Supervisors, who shall be appointed by the Supervisor and shall serve at the Supervisor's
7 pleasure. These staff members shall be responsible for such duties and responsibilities as the
8 Supervisor shall prescribe.))

9
10 Section 8. Chapter 2 of the San Francisco Administrative Code is hereby amended by
11 repealing Section 2.6-6.

12 ((**SEC. 2.6-6. CONTRACTUAL AUTHORITY LIMITATION.** Contracts, including
13 leases, entered into by a department, board or commission having anticipated revenue to the
14 City and County of \$1,000,000 or more, or the modification, amendment or termination of any
15 contract which when entered into had anticipated revenues of \$1,000,000 or more, shall be
16 subject to approval of the Board of Supervisors by resolution.

17 With the exception of construction contracts entered into by the City and County, any
18 other contracts or agreements, including leases, entered into by a department, board or
19 commission having a term in excess of 10 years, or requiring anticipated expenditures by the
20 City and County of \$10,000,000, or the modification or amendment to such contract or
21 agreement having an impact of more than \$500,000 shall be subject to approval of the Board
22 of Supervisors by resolution.))

23
24 Section 9. Chapter 2 of the San Francisco Administrative Code is hereby amended by
25 repealing Section 2.9.

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1 **((SEC. 2.9. ATTENDANCE OF OTHER CITY OFFICIALS AT BOARD MEETINGS.**

2 The Board of Supervisors does hereby address itself to the various boards, commissions,
3 executive and administrative officials of the government of the City and County and does
4 respectfully request that, in the future, whenever a matter coming under their respective
5 jurisdictions is presented for the consideration of the Board of Supervisors at a regular
6 meeting thereof, such board, commission, executive or administrative official shall arrange to
7 have in attendance a representative fully conversant with the subject matter and in a position
8 to supply the members of the Board with information upon all aspects of the matter.))

9
10 Section 10. Chapter 2 of the San Francisco Administrative Code is hereby amended by
11 repealing Section 2.19.

12 **((SEC. 2.19. ASSISTANCE TO BOARD IN ITS DUTIES AS EQUALIZATION**
13 **BOARD — DUTY OF DIRECTOR OF PROPERTY.** The Director of Property is hereby
14 authorized and directed to aid, assist and advise the Board of Supervisors, sitting as a board
15 of equalization, in passing upon requests made to the Board for the equalization of
16 assessments on taxable real property and improvements in the City and County. Such
17 services shall be rendered to the Board of Supervisors during the time that it sits as a board of
18 equalization and for such time prior thereto as may be necessary to prepare for such
19 investigation.))

20
21 Section 11. Chapter 2 of the San Francisco Administrative Code is hereby amended by
22 repealing Section 2.20.

23 **((SEC. 2.20. ASSISTANCE TO BOARD IN ITS DUTIES AS EQUALIZATION**
24 **BOARD — DUTY OF DIRECTOR OF PROPERTY — EMPLOYMENT OF INDEPENDENT**
25 **EXPERT APPRAISERS.** The Director of Property is hereby authorized and directed to

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1 employ the necessary independent expert real estate and building appraisers as needed,
2 subject to the provisions of Section 8.300 of the Charter, to aid and assist him in advising the
3 Board of Supervisors in regard to requests for equalization of assessments.))
4

5 Section 12. Chapter 2 of the San Francisco Administrative Code is hereby amended by
6 repealing Section 2.21.

7 **((SEC. 2.21. ASSISTANCE TO BOARD IN ITS DUTIES AS EQUALIZATION**
8 **BOARD — DUTY OF DIRECTOR OF PROPERTY — ISSUANCE OF REQUISITE ORDER.**

9 For the services provided for by the two preceding sections, the Clerk of the Board of
10 Supervisors shall each year issue to the Director of Property the requisite order in accordance
11 with the procedures established by the Controller.))
12

13 Section 13. Chapter 2 of the San Francisco Administrative Code is hereby amended by
14 repealing Section 2.23-9.

15 **((SEC. 2.23-9. EXCEPTION; AMENDMENT TO CHARTER PROVIDING FOR**
16 **DISMISSAL OF EMPLOYEES ENGAGED IN STRIKE AGAINST CITY AND COUNTY.** The
17 provisions of Section 2.23 of this Article shall not be applicable to any proposal to amend the
18 Charter to provide for the dismissal of any employee of the City and County who participates
19 in a strike against said City and County in the event said proposal is introduced for submission
20 to the qualified voters at the June 8, 1976, Direct Primary Election.))
21

22 Section 14. Chapter 2 of the San Francisco Administrative Code is hereby amended by
23 repealing Section 2.23-11.

24 **((SEC. 2.23-11. EXCEPTION: AMENDMENTS TO CHARTER RELATING TO**
25 **APPOINTMENT OF THE EMPLOYEE RELATIONS DIRECTOR.** The provisions of Section

1 2.23 of this Article shall not be applicable to any proposal to amend the Charter with respect
2 to the appointment of an Employee Relations Director, in the event said proposal is submitted
3 to the qualified voters at the June 8, 1976, Primary Election.))

4
5 Section 15. Chapter 2 of the San Francisco Administrative Code is hereby amended by
6 repealing Section 2.82.

7 ((**SEC. 2.82. PUBLICATION OF LEGISLATION.** (a) Notice of the purport and subject
8 matter of each proposed ordinance which is introduced and referred to committee shall be
9 published within five days after its presentation to the Board of Supervisors, and a copy of
10 such proposed ordinance shall be kept available for inspection in the office of the Clerk of the
11 Board.

12 (b) Notice that an ordinance has been passed for second reading, that an ordinance
13 has been finally passed, and that a resolution has been adopted together with a statement of
14 where copies may be obtained, shall be published once within five days of such passage for
15 second reading, final passage or adoption.))

16
17 Section 16. Chapter 2A of the San Francisco Administrative Code is hereby amended
18 by amending Section 2A.160, to read as follows:

19 **SEC. 2A.160. ACADEMY OF SCIENCES; RELATIONSHIP WITH CITY AND**
20 **COUNTY.** In addition to all other approvals required by law, plans for all proposed buildings
21 and improvements of the California Academy of Sciences including any additions, must be
22 approved by the Recreation and Park Commission and the Arts Commission. The Recreation
23 and Park Commission is hereby authorized, subject to approval by the Board of Supervisors
24 by ordinance, and subject to the provisions of Section 4.113 of the Charter, to set apart from
25 time to time such portions of property under its control, as may be required for such buildings

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1 and improvements, sufficient grounds being allotted to secure the safety of the same from fire.

2 The erection of buildings or additions to buildings shall not be started by the California
3 Academy of Sciences until it shall have submitted a statement satisfactory to the Recreation
4 and Park Commission of its ability to finance the proposed work to completion. ((All buildings
5 and improvements heretofore or hereafter erected by or under the authority of said California
6 Academy of Sciences in or on property owned or controlled by the City and County of San
7 Francisco are and shall become the property of the City and County of San Francisco, but
8 said buildings and improvements and all persons employed therein or thereabout shall be
9 used and controlled exclusively by the said California Academy of Sciences under such
10 proper rules and regulations as it may prescribe, subject, however, to any otherwise
11 applicable Charter provisions relating to civil service and salary standardization with respect to
12 employees of the City and County.)) The Board of Supervisors shall, by ordinance, prescribe
13 the insurance to be furnished by the California Academy of Sciences to save the City and
14 County harmless from claims for damages to persons or property arising from the construction
15 or use of any of said buildings. Reasonable and appropriate charges may be made by the
16 California Academy of Sciences for admission to or use of the Alexander F. Morrison
17 Planetarium and Auditorium.

18
19 Section 17. Chapter 2B of the San Francisco Administrative Code is hereby amended
20 by repealing Section 2B.19.

21 ((**SEC. 2B.19. BIENNIAL EVALUATION.** Commencing two years after the effective
22 date of this Section and every two years thereafter, the Clerk of the Board of Supervisors shall
23 report to the Board on the number and type of assessment appeals filed with the Assessment
24 Appeals Board, the adequacy of the number of Assessment Appeals Boards to process the
25 appeals efficiently, and the adequacy of the filing, hearing, and findings of fact fees to pay the

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(5/11/99)

1 administrative costs to the City to process assessment appeals.))

2
3 Section 18. Chapter 3 of the San Francisco Administrative Code is hereby amended by
4 amending Section 3.2, to read as follows:

5 **SEC. 3.2. DEFINITIONS.** As used in this Chapter, names and titles shall have the
6 following meaning:

7 AGENCY. A unit of government subject to the appropriation powers of the Board of
8 Supervisors such as the ((Trial Courts,)) Parking Authority and the Redevelopment Agency.
9 Also, a grouping of employees with a similar purpose or function or a portion of a department.
10 For example, a subdivision of the Administrative Services Department could be designated as
11 an agency for budget or fiscal control purposes.

12 APPOINTING OFFICER. The executive or elected head of a department or agency
13 with the power to appoint, discipline or terminate employees under his or her supervision or
14 control.

15 APPROPRIATION. Resources or expenditure authority made available by the Mayor
16 and Board of Supervisors by ordinance to a department, agency, board or commission in
17 furtherance of a public or statutory purpose.

18 BOARD. Public body created by Charter or ordinance of the Board of Supervisors with
19 the ability to recommend the appointment of a chief executive for the function over which it
20 exerts guidance. (See also, "Commission.")

21 BUDGET. The City and County's plan of financial operation for a given period of time
22 embodying an estimate of all proposed expenditures and the proposed means of financing
23 them.

24 COMMISSION. Public body created by Charter or ordinance of the Board of
25 Supervisors with the ability to recommend the appointment of a chief executive of the function

1 over which it exerts guidance. (See also "Board.")

2 SALARY ORDINANCE. An ordinance showing the number and rates of compensation
3 for all positions continued or created by the Supervisors in adopting each annual budget and
4 each annual and supplemental appropriation ordinance for all departments, agencies, boards
5 and commissions of the City and County. The Salary Ordinance shall constitute the legal
6 basis for check by the Human Resources Department or Controller as to legality of the
7 creation of any position in the City and County service and the rate of compensation fixed
8 therefor in an approved Memorandum of Understanding with a recognized employee group.

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1 Section 19. Chapter 3 of the San Francisco Administrative Code is hereby amended by
2 amending Section 3.22, to read as follows:

3 **SEC. 3.22. SUBMITTAL OF LONG-TERM FINANCING PROPOSALS.** All

4 departments, boards, agencies and commissions shall submit all long-term financing
5 proposals for capital improvements to the CIAC for review. The Board of Supervisors shall not
6 place on the ballot, or authorize the issuance of any long-term financing until the CIAC
7 completes its review of the proposal and submits its recommendation to the Board.


8 Each proposal shall be in form and substance satisfactory to the CIAC and shall be
9 accompanied by descriptive financial, architectural, and/or engineering data and all other
10 pertinent material in sufficiently complete detail to permit the CIAC to review all aspects of the
11 proposal. The CIAC shall make a written report to the Mayor and the Board analyzing the
12 feasibility, cost, and priority of the proposal relative to the City's capital expenditure plan.

13 For matters related to the CIAC, "long-term financing" shall mean bonded indebtedness
14 (including general obligation bonds, revenue bonds, lease-financing structures and loans)
15 which constitutes an obligation beyond one fiscal year.

16
17
18 APPROVED AS TO FORM:

19 LOUISE H. RENNE, City Attorney

20
21 By:


THOMAS J. OWEN
Deputy City Attorney

22
23
24
25
SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 990583

Date Passed:

Ordinance amending Chapter 2 of Part 1 of the San Francisco Municipal Code (Administrative Code) by amending Section 2.1-1 (Board Powers), Section 2.6-1 (Lease Approvals), and Section 2.6-2 (Interpreting Services) and by repealing Section 2.3 (Chief Assistant Board Clerk), Section 2.6 (Pollution Control Policy), Section 2.6-4 (Clerk of the Board), Section 2.6-5 (Board Staff), Section 2.6-6 (Contract Approvals), Section 2.9 (Attendance at Board Meetings), Section 2.19 (Director of Property), Section 2.20 (Independent Appraisers), Section 2.21 (Order for Services), Section 2.23-9 (Striking Employees), Section 2.23.11 (Employee Relations Director), Section 2.82 (Publication of Legislation), and amending Chapter 2A of the San Francisco Administrative Code by amending Section 2A.160 (Academy of Sciences); amending Chapter 2B of the San Francisco Administrative Code by repealing Section 2B.19 (Biannual Evaluation); and amending Chapter 3 of the San Francisco Administrative Code by amending Section 3.2 (Definitions) and Section 3.22 (Long-Term Financing).

May 10, 1999 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE
BEARING NEW TITLE

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom,
Teng, Yaki, Yee

May 10, 1999 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom,
Teng, Yaki, Yee

May 17, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Ammiano, Becerril, Bierman, Katz, Leno, Newsom, Teng, Yaki
Absent: 3 - Brown, Kaufman, Yee

File No. 990583

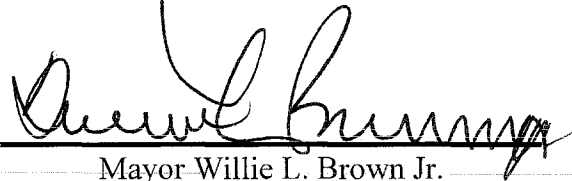
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on May 17, 1999 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

MAY 28 1999

Date Approved



Mayor Willie L. Brown Jr.

File No. 990583 continued...