

Board of Supervisors



City Hall
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Legislation Introduced

Tuesday, January 10, 2012

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

- 111079 [Administrative Code - Additional Pre-Approval Notice for Certain City Projects]**
Sponsor: Farrell
Ordinance amending the San Francisco Administrative Code by adding Chapter 79A to expand upon the minimum notice requirements prior to approval of a City project that are mandated by the Citizens' Right-to-Know Act of 1998. SUBSTITUTED AND ASSIGNED to Rules Committee.
- 111333 [Appropriating \$192,000,000 of Earthquake Safety and Emergency Response General Obligation Bonds to the Department of Public Works in FY2011-2012]**
Sponsor: Mayor
Ordinance appropriating \$192,000,000 of the 2012A Series Earthquake Safety and Emergency Response General Obligation Bond proceeds to the Department of Public Works in FY2011-2012 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster and placing these funds on Controller's Reserve pending the sale of the bonds. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.
- 111334 [Appropriating \$75,009,139 of 2008 Clean and Safe Park Bond to the Recreation and Park Department and Port Commission in FY2011-2012]**
Sponsor: Mayor
Ordinance appropriating \$75,009,139 of 2008 Clean and Safe Park Bond sale proceeds to fund the improvement and construction at various recreation and park facilities, including \$61,185,271 in the Recreation and Park Department and \$10,394,975 in the Port Commission for FY2011-2012. SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

120018 [Re-appropriating \$1,846,265 of General Fund Reserves for State Revenue Loss to Support HIV/AIDS Programs at the Department of Public Health in FY2011-2012]

Sponsors: Mayor; Wiener, Campos and Olague

Ordinance re-appropriating \$1,846,265 of General Fund reserves for State revenue loss to backfill federal funding reductions to HIV/AIDS programs at the Department of Public Health in FY2011-2012. RECEIVED AND ASSIGNED to Budget and Finance Committee.

120019 [Accept and Expend Grant - Federal Title II Block Grant and Amendment to the Annual Salary Ordinance, FY2011-2012]

Sponsor: Campos

Ordinance authorizing the San Francisco Public Defender's Office to retroactively accept and expend a grant in the amount of \$231,147 from the Correction Standards Authority for the purpose of establishing a Legal Educational Advocacy Program; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011 - 2012) to reflect the addition of one Class 8177 Trial Attorney grant-funded position (0.50 FTE) at the San Francisco Public Defender's Office. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

120021 [Transfer of Assets, Obligations, and Functions to the City as Successor Agency for the Redevelopment Agency Upon its Dissolution as Required by State Law]

Sponsors: Mayor; Cohen, Kim and Olague

Resolution: 1) approving the retention by the City and County of San Francisco (the City) as successor agency to the Redevelopment Agency of the City and County of San Francisco (the Agency) of the Agency's affordable housing assets and functions upon the Agency's dissolution, including all funds in the Agency's Low and Moderate Income Housing Fund, and authorizing the Mayor's Office of Housing to manage these affordable housing assets and to exercise the housing functions that the Agency previously performed; 2) acknowledging that upon the Agency's dissolution the City as successor agency shall accept the transfer of all of the Agency's non-affordable housing assets, which shall be placed under the jurisdiction of the Director of the Department of Administrative Services unless otherwise provided for in the Charter, and that the Director shall have the authority to manage such assets and to exercise the functions that the Agency previously performed for such assets; 3) providing for the required payment and performance of enforceable obligations, the transfer and establishment of funds and accounts, and for the administration of funds and other assets, all associated with the City's exercise of its responsibilities as successor agency to the Agency under state law; 4) authorizing the new Oversight Board, which state law requires the City as successor agency to create, to oversee certain fiscal management of former Agency assets other than affordable housing assets, to exercise land use, development, and design approval authority under the enforceable obligations for the Mission Bay Redevelopment Project Area, Hunters Point Shipyard Project Area, and Zone 1 of the Bayview Hunters Point Redevelopment Project Area, and part of the Transbay Redevelopment Project Area, in place of the former Agency Commission, authorizing the Oversight Board to approve certain changes to such obligations, related documents and certain new agreements to implement those enforceable agreements, including review and approval for issuing bonds under such agreements, and authorizing the Director of the Department of Administrative Services to provide coordinated staff support to the Oversight Board, in the place of staff of the former Agency, in the exercise of these functions; 5) rescinding the designation of the Treasure Island Development Authority as a Redevelopment Agency; and 6) making findings under the California Environmental Quality Act. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 120022 [Agreement - Motorola - Bay Area Regional Interoperable Communications Systems]**
Sponsor: Mayor
 Resolution approving site access and use agreement with Motorola for the San Francisco sites to be used for the Bay Area 700 MHz public safety broadband spectrum to be managed and operated by the Bay Area Regional Interoperable Communications Systems for a term of 12 years; and making findings, including environmental findings. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 120024 [Financial Aid Awareness Week - January 16-22, 2012]**
Sponsors: Campos; Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
 Resolution declaring January 16 through January 22, 2012, as Financial Aid Awareness Week in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 120025 [Opposing the United States Supreme Court's Decision in Citizens United and Supporting Related United States Constitutional Amendment]**
Sponsors: Chiu; Cohen, Wiener and Olague
 Resolution opposing the United States Supreme Court's interpretation of the Constitution in Citizens United regarding the rights of corporations and supporting an amendment to the Constitution to provide that corporations are not entitled to the entirety of protections of natural persons. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 120026 [Accept and Expend Grant - State Boating and Safety Enforcement - \$73,000]**
Sponsor: Chiu
 Resolution authorizing the Police Department to retroactively accept and expend a California State Department of Boating and Waterways grant in the amount of \$73,000 for a Boating Safety and Enforcement grant to purchase equipment for the Marine Unit. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 120027 [Original Joe's Day - January 26, 2012]**
Sponsors: Farrell; Elsbernd, Chiu and Kim
 Resolution recognizing Original Joe's as a staple of San Francisco's history and tradition and declaring January 26, 2012, as Original Joe's Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 120028 [Urging the National Academy of Arts and Sciences Reinstate 31 Categories of Music for GRAMMY Consideration]**
Sponsor: Mar
 Resolution urging the reinstatement of the 31 categories of music that were eliminated by the National Academy of Arts and Sciences for GRAMMY consideration on April 6, 2011. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

- 120020 [Initiative Ordinance - Campaign & Governmental Conduct, Municipal Elections Codes - Improving Public Financing of Elections]**
Sponsors: Campos; Avalos and Kim
Motion ordering submitted to the voters an ordinance authorizing the amendment of the Campaign and Governmental Conduct Code and Municipal Elections Code to adjust expenditure ceilings in the public financing program in response to the U.S. Supreme Court ruling in Arizona Free Enterprise v. Bennett, adjust public financing deadlines and thresholds, and advance candidate filing deadlines, at an election to be held on June 5, 2012. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 120023 [Appointments, Redevelopment Successor Agency Oversight Board - Nadia Sesay, Olsen Lee, John Rahaim, and Bob Muscat]**
Sponsor: Mayor
Motion confirming the Mayor's appointments of Nadia Sesay, Olsen Lee, John Rahaim, and Bob Muscat to the Redevelopment Successor Agency Oversight Board. RECEIVED AND ASSIGNED to Rules Committee.

Requests for Hearing

- 120029 [Hearing - Needs of Lesbian, Gay, Bisexual, and Transgender Seniors and Future Steps to Address Those Needs]**
Sponsors: Wiener; Campos and Olague
Hearing to explore the needs of Lesbian, Gay, Bisexual, and Transgender (LGBT) seniors, to determine what the City is currently doing to meet those needs, and to explore additional steps needed by this growing population. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 120030 [Hearing - Transbay Terminal]**
Sponsor: Elsbernd
Hearing on the future of the Transbay Terminal, including but not limited to discussion of the City's plans to ensure that terminal remains a world-class transit project. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 120031 [Hearing - Public Housing Repairs Programs and Allocations]**
Sponsor: Olague
Hearing and presentations from the San Francisco Housing Authority, Mayor's Office of Housing, Department of Public Works, and Department of Building Inspection to report on the status of the City's public housing repairs programs and the allocation of funds for these efforts. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

- 111369 [Settlement of Lawsuit - Linda Iacovetta - \$210,000]**
Ordinance authorizing settlement of the lawsuit filed by Linda Iacovetta against the City and County of San Francisco for \$210,000; the lawsuit was filed on August 4, 2011, in San Francisco Superior Court, Case No. CGC-10-502231; entitled Linda Iacovetta, et al. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 111370 [Settlement of Lawsuit - Metro Fuel, LLC - City to Receive \$1,750,000; Approval of Settlement and Relocation Agreement; Waiver of Administrative Code Subsections 2.21(d) and (e)]**
Ordinance: 1) authorizing settlement of the lawsuit filed by Metro Fuel against the City and County of San Francisco for payment to the City of \$1,750,000; the lawsuit was filed on November 30, 2007, in the United States District Court for the Northern District of California, Case No. C07-6067 PJH; entitled Metro Fuel LLC v. City and County of San Francisco, et al.; other material terms of said settlement include settlement of the City's notices of violation against unpermitted panel signs, setting up a process for approval of the relocation and disaggregation of existing lawful billboards to other locations and payment of settlement following the City's approval of relocation permits for such billboards; 2) approving a Relocation and Settlement Agreement for the relocation of certain existing lawful billboards; and 3) waiving the requirements of San Francisco Administrative Code Subsections 2.21(d) and (e). (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 111371 [Administrative Code - Appropriating \$19,500,000 of Fund Balance to Support Required Reserves and Creating Special Funds for the CleanPowerSF Program]**
Ordinance appropriating \$19,500,000 of Hetch Hetchy fund balance at the Public Utilities Commission to support CleanPowerSF Community Choice Aggregation program consistent with the contractual requirements and budgetary authorizations as approved by the San Francisco Public Utilities Commission and the Board of Supervisors and adding Administrative Code Sections 10.100.372 and 10.100.373 to establish the CleanPowerSF Customer Fund and the CleanPowerSF Reserve Fund. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 111372 [Settlement of Lawsuit - City to Receive \$3,170,000 for Sale of Parcel in San Mateo County]**
Ordinance authorizing settlement of a lawsuit filed by San Mateo County Transit District against the City and County of San Francisco and Artichoke Enterprises, Inc., aka Artichoke Joe's; and Does 1 through 50, to condemn and take by right of eminent domain property owned by the City and County of San Francisco located in San Bruno, California, for \$3,170,000; the lawsuit was filed April 13, 2010, in San Mateo County Superior Court, Case No. CIV 494013; entitled San Mateo County Transit District v. City and County of San Francisco, Artichoke Enterprises, Inc. aka Artichoke Joe's; and Does 1 through 50, inclusive. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

111373 [Settlement of Lawsuit - City to Pay \$238,000 for Subsurface Easement in Alameda County]
Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; Union Sanitary District for the County of Alameda, State of California; and Does 1 through 100, to condemn and take by right of eminent domain a permanent subsurface easement of approximately 69,609 square feet in property owned by San Mateo County Transit District, located in Newark, California, commonly known as APNs 537-0551-020 and 537-0551-021-01; filed June 3, 2010, in Alameda County Superior Court, Case No. RG 10518243; entitled City and County of San Francisco v. San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; Union Sanitary District for the County of Alameda, State of California; and Does 1 through 100. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

111374 [Planning Code - Creating a New Definition of Student Housing]
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code by: 1) adding a new Section 102.36 to create a definition of Student Housing; 2) amending Section 135(d)(2) to adjust the minimum open space requirements for dwelling units that do not exceed 350 square feet, plus a bathroom; 3) amending Section 207(b)(3) to exempt Student Housing from the unit mix requirement in RTO, NCT, DTR, and Eastern Neighborhoods Mixed Used Districts; 4) amending Section 307 to permit the conversion of Student Housing into residential uses, when certain conditions are met; 5) amending Section 312 to require notice for a change of use to Group Housing; 6) amending Section 317 to prohibit the conversion of residential units into Student Housing; and 7) amending Section 401 to make conforming amendments and amend the definition of Qualified Student Housing; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department). ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

111376 [Settlement of Unlitigated Claim - Anita Scott - \$200,000]
Resolution approving the settlement of the unlitigated claim filed by Anita Scott against the City and County of San Francisco for \$200,000; claim was filed on September 23, 2011. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

111377 [Settlement of Unlitigated Claim - Claire Himmel - \$60,000]
Resolution approving the settlement of the unlitigated claim filed by Claire Himmel against the City and County of San Francisco for \$60,000; claim was filed on September 26, 2011. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

111378 [Agreement Amendment - Recology - Refuse Collection - Not to Exceed \$29,337,527]
Resolution approving the Second Amendment to the Refuse Collection Agreement between the City and County of San Francisco and and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger, increasing the total not to exceed amount of the agreement from \$23,537,527 to \$29,337,527 under Charter Section 9.118(b). RECEIVED AND ASSIGNED to Budget and Finance Committee.