

Board of Supervisors



City Hall
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San Francisco, CA 94102-4689
Tel. No. 554-5184
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Legislation Introduced at Roll Call

Tuesday, October 30, 2012

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

120964 [Campaign and Governmental Conduct Code - Updating Conflict of Interest Code]

Sponsor: Chiu

Ordinance amending the San Francisco Campaign and Governmental Conduct Code to update the City's Conflict of Interest Code. SUBSTITUTED AND ASSIGNED to Rules Committee.

120984 [Police Code - Prohibiting Public Nudity]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code by adding Section 154 to prohibit nudity on public streets, sidewalks, street medians, parklets, and plazas, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals. SUBSTITUTED AND ASSIGNED to City Operations and Neighborhood Services Committee.

121064 [Business and Tax Regulations, Police Codes - Parking Stations - Revenue Control Equipment; License Regulations; Parking Tax Bonds; Administrative Citation

Process]

Sponsor: Campos

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Article 6 (Common Administrative Provisions) to revise the bonding requirements for parking operators; revise the time to bring an action to collect tax; clarify the extent of a surety's liability; revise the administrative citation appeal process; and make other minor technical changes; amending Article 22 (Parking Stations; Revenue Control Equipment) to clarify that non-City governmental entities operating parking stations are exempt from the revenue control equipment requirements; and amending the San Francisco Police Code by amending Article 17 (Miscellaneous License Regulations) to clarify that governmental entities operating parking garages or parking lots are exempt from the permitting requirements applicable to other commercial parking garage and valet operations. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 121065 [Planning Code - Polk Street Alcohol and Tobacco Paraphernalia Restrictions]**
Sponsor: Chiu
 Ordinance amending the San Francisco Planning Code by amending Section 723 to extend the restriction on Tobacco Paraphernalia Establishments in the Polk Street Neighborhood Commercial District (NCD) for an additional three years and apply it to an area within one-quarter mile of the boundaries of the NCD; adding Section 788 to establish the Lower Polk Street Alcohol Restricted Use District for the properties located on Polk Street between California and O'Farrell Streets, and Polk Street's side streets between California Street, Larkin Street, O'Farrell Street and Van Ness Avenue; Amending the Zoning Map to designate the Lower Polk Street Alcohol Restricted Use District on Map Sheet ZN-02; 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. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 121066 [Administrative Code - Hearings on Tenant Allegations of Landlord Harassment to Recover Possession of the Tenant's Unit]**
Sponsor: Olague
 Ordinance amending San Francisco Administrative Code, Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance), Section 37.9, to add new Subsection 37.9(l), providing for hearings at the Rent Board on tenant allegations of landlord harassment constituting a wrongful endeavor to recover possession of the tenant's unit. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions

- 121067 [Accept and Expend Grant - Adolescent Health Working Group Health Education Collaborative - \$120,000]**
Sponsor: Cohen
 Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$120,000 from The California Wellness Foundation to participate in a program entitled Adolescent Health Working Group Health Education Collaborative for the period of October 1, 2012, through September 30, 2014. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121068 [Accept and Expend Grant - Brownfields Assessment Project - \$400,000]**
Sponsor: Mayor
 Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$400,000 from the United States Department of Environmental Protection to support the Brownfields Assessment Project by performing site assessments and preparing cleanup plans for potentially contaminated properties located in the Southeast area of San Francisco, in support of the Blue Greenway Project for the period of October 1, 2012, through October 31, 2015. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121069 [Accept and Expend Grant - FY2012 Urban Areas Security Initiative Program - \$21,931,312]**
Sponsor: Mayor
 Resolution authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee of Urban Areas Security Initiative (UASI) funds for the Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to retroactively accept and expend a FY2012 UASI Program grant in the amount of \$21,931,312 from the U.S. Department of Homeland Security through the California Emergency Management Agency for the period of October 12, 2012, through May 31, 2014. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 121070 [Contract Amendment - New Flyer of America, Inc. - Purchase Low Floor Diesel-Hybrid Buses - Not to Exceed \$48,669,369]**
Sponsor: Wiener
Resolution approving Amendment No. 1 to Contract No. SFMTA-2013-08 with New Flyer of America, Inc., to purchase 17 additional 40 low floor diesel-hybrid buses through the Cooperative Purchasing Venture established by the State of Minnesota's Materials Management Division, for an additional amount of \$11,780,005 and a total contract amount of \$48,669,369. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121071 [Urging Muni to Prioritize Eligible Funds for Maintenance]**
Sponsor: Wiener
Resolution urging Muni to prioritize funding for vehicle and equipment maintenance, rehabilitation, and purchase in light of deteriorating Muni service. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 121072 [Accept and Expend Grant - Medical Monitoring Project - \$196,104]**
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$196,104 from Centers for Disease Control and Prevention to participate in a program entitled Medical Monitoring Project for the period of June 1, 2012, through May 31, 2013. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121073 [Accept and Expend Grant - Enhancing Engagement and Retention in Quality HIV Care - \$300,000]**
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$300,000 from the Health Resources and Services Administration to participate in a program entitled "Enhancing Engagement and Retention in Quality HIV Care for Transgender Women of Color - Demonstration Sites" for the period of September 1, 2012, through August 31, 2013, and waiving indirect costs. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121074 [Accept and Expend Grant - Special Projects of National Significance Program - \$300,000]**
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$300,000 from the Health Resources and Services Administration to participate in a program entitled "Special Projects of National Significance Program Building a Medical Home for Multiply Diagnosed HIV Positive Homeless Populations - Demonstration Sites" for the period of September 1, 2012, through August 31, 2013, and waiving indirect costs. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121075 [Clean Water Act 40th Anniversary]**
Sponsor: Cohen
Resolution recognizing the 40th Anniversary of the Federal Clean Water Act and commending the San Francisco Public Utilities Commission for Clean Water Act implementation. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 121076 [Urging the Commissioners of Men’s Sports to Publicly Support Lesbian, Gay, Bisexual, and Transgender Athletes]**
Sponsors: Olague; Campos and Mar
Resolution requesting the Commissioners of professional men’s sports to take part in the Last Closet Campaign, by going on record in a public interview in support of Lesbian, Gay, Bisexual, and Transgender athletes and to commit to setting up support systems and safeguards that allow athletes to be openly out and participate in sports without worry of discrimination or retaliation. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

- 121079 [2013 Board of Supervisors Regular Meeting Schedule]**
Motion establishing the 2013 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 1, January 8, January 22, February 19, May 28, July 2, October 15, November 12, and December 3; and by further canceling all Board and Committee meetings during the summer and winter breaks from July 31 through August 30, and December 18 through December 31. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 121080 [Committee of the Whole - Real Property Leases - 110-12th Street, 875 Stevenson Street, and 1155 Market Street]**
Sponsor: Kim
Motion directing the Board of Supervisors to hold a public hearing on November 6, 2012, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting Resolutions associated with various real property leases located at 110-12th Street, 875 Stevenson Street, and 1155 Market Street (File Nos. 121046, 121047, 121048). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 121077 [Hearing - After-School Programming for Students in the San Francisco Unified School District]**
Sponsors: Avalos; Campos and Farrell
Hearing on availability and gaps in after-school programming for students in the San Francisco Unified School District, including status of state and local funding, strategies for maximizing resources and addressing shortfalls, and estimated costs to provide universal after-school care in the near future. RECEIVED AND ASSIGNED to City and School District Select Committee.
- 121078 [Hearing - Locate a Public Middle School in Potrero Hill]**
Sponsor: Cohen
Hearing on the proposal to locate a public middle school in Potrero Hill. RECEIVED AND ASSIGNED to City and School District Select Committee.

Introduced by the President 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 and introduced by the President.

PROPOSED ORDINANCE

- 121036 [Settlement of Lawsuit - Gilles Combrisson et al. - Not to Exceed \$320,000]**
Ordinance authorizing settlement of the class action lawsuit filed by Gilles Combrisson, William Phillips, Patrick Hagemeister, and Ranell Hansen against the City and County of San Francisco for an amount not to exceed \$320,000; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CGC-09-489400; entitled Gilles Combrisson et al. v. City and County of San Francisco. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 121032 [Agreement - SFO Shuttle Bus Company - Shuttle Bus Services]**
Resolution approving the agreement between SFO Shuttle Bus Company and the City and County of San Francisco to provide shuttle bus services at San Francisco International Airport acting by and through its Airport Commission. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121034 [Real Property Lease - 1380 Howard Street - Community Behavioral Health Services]**
Resolution authorizing the extension of a lease of 79,950 sq. ft. of office space at 1380 Howard Street for use by the Department of Public Health's Community Behavioral Health Services Division for a term of an additional 5 years from January 1, 2013, through December 31, 2017. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121035 [Real Property Lease - Cort Family Living Trust - 760 Harrison Street - Department of Public Health]**
Resolution retroactively authorizing the extension of a lease of real property at 760 Harrison Street for the Department of Public Health with the Cort Family Living Trust for a term of an additional 5 years from July 1, 2012, to June 30, 2017. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 121037 [Airport Lease Agreements - Cellular Service Equipment Sites]**
Resolution approving the Cellular Service Equipment Sites Leases between New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., GTE Mobilnet of California Limited Partnership dba Verizon Wireless, and T-Mobile West Corporation and the City and County of San Francisco, acting by and through its Airport Commission retroactive to July 1, 2009, and approving Amendment No. 1 to the Cellular Service Equipment Leases with New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., and GTE Mobilnet of California Limited Partnership dba Verizon Wireless. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

121038 [Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]

Resolution approving: 1) the acquisition of thirty Avigation Easements from various property owners in San Mateo County required for the San Francisco International Airport's Noise Insulation Program; 2) adopting findings that the project is categorically exempt from environmental review under the California Environmental Quality Act Class 1: Existing Facilities; 3) adopting findings that the acquisition is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 4) authorizing the Director of Property and Mayor to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department). RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Clerk to Act – October 30, 2012

Board Meeting Minutes for September 18, 2012 and September 25, 2012, approved.

Request Granted

From: Supervisor Avalos

To: Director, Department of the Environment

Requesting/Inquiring: Requesting that the Department of the Environment coordinate with the office of Supervisor Avalos, District 11 residents, the Department of Public Works, the Office of Small Business, and Recology to develop a plan for addressing the neighborhood and environmental impacts caused by small-scale scavengers who collect and sort junk and recyclable materials in residential neighborhoods.

In Memoriam

Marta Silvia Solotar – Supervisor David Chiu

Alan Farley – Supervisor Eric Mar

Paul Addis – Supervisor John Avalos