

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, April 23, 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

- 130363 [Appropriation - Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013C - \$133,275,000 - FY2012-2013]**
Sponsors: Mayor; Wiener, Yee and Chiu
Ordinance appropriating \$133,275,000 of the Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013B, Proceeds including \$122,058,097 to the Department of Public Works and \$11,216,903 to the Municipal Transportation Agency for resurfacing, sidewalk, curb ramp, and street structure improvements, the redesign of street streetscapes to include pedestrian and bicycle safety improvements, and traffic signal improvements to support transit priority for FY2012-2013 and placing these funds on Controller's Reserve pending the sale of the bonds. ASSIGNED to Budget and Finance Committee.
- 130364 [De-Appropriation and Re-Appropriation - Public Utilities Commission Overtime - \$71,016 - FY2012-2013]**
Sponsor: Mayor
Ordinance de-appropriating \$71,016 in salaries in the Public Utilities Commission, Hetch Hetchy Department, operating budget and re-appropriating \$71,016 to overtime in the Public Utilities Commission, Hetch Hetchy Department operating budget in order to support the department's projected increases in overtime as required per Ordinance No. 194-11, and requiring a two-thirds vote of all members of the Board of Supervisors for approval. ASSIGNED to Budget and Finance Committee.

- 130365 [De-Appropriation and Re-Appropriation - Public Utilities Commission Operating Budget Amendment of \$5,096,000 and Capital Improvement Projects of \$42,178,878 - FY2013-2014]**
Sponsor: Mayor
Ordinance amending the adopted FY2013-2014 Appropriation Ordinance and other adopted biennial capital appropriation ordinances for the Public Utilities Commission, including \$3,100,000 in de-appropriation and re-appropriation for the Hetch Hetchy Enterprise operating budget; de-appropriating \$16,414,070 and re-appropriating \$7,513,665 in capital projects in the Hetch Hetchy Capital Improvement Program projects; de-appropriating and re-appropriating \$1,996,000 in the Water Enterprise operating budget; de-appropriating \$70,995,900 and re-appropriating \$55,169,000 in the in the Water Enterprise Capital Improvement Program projects; and de-appropriating \$56,370,059 and re-appropriating \$38,878,486 in the Wastewater Enterprise Capital Improvement Program. ASSIGNED to Budget and Finance Committee.
- 130366 [De-Appropriation and Re-Appropriation - Public Utilities Commission Overtime - \$250,000 - FY2012-2013]**
Sponsor: Mayor
Ordinance de-appropriating \$250,000 in debt service in the Public Utilities Commission, Water Enterprise Department, operating budget, and re-appropriating \$250,000 to overtime in the Public Utilities Commission, Water Enterprise Department, operating budget, in order to support the department's projected increases in overtime, as required by Board of Supervisors Ordinance No. 194-11; and requiring a two-thirds vote of all members of the Board of Supervisors for approval. ASSIGNED to Budget and Finance Committee.
- 130367 [De-Appropriation and Re-Appropriation - Public Utilities Commission Expenditures - \$16,546,000 - FY2012-2013]**
Sponsor: Mayor
Ordinance de-appropriating \$16,546,000 in existing Wastewater Capital Improvement Program project budgets and re-appropriating the funds to Wastewater Sewer System Improvement Program budgets adopted by the Public Utilities Commission. ASSIGNED to Budget and Finance Committee.
- 130368 [Appropriation - Earthquake Safety and Emergency Response General Obligation Bonds, 2011, Series 2013B - \$31,905,000 - FY2012-2013]**
Sponsors: Mayor; Chiu
Ordinance appropriating \$31,905,000 of the Earthquake Safety and Emergency Response General Obligation Bonds, 2010, Series 2013B, Proceeds to the Department of Public Works in FY2012-2013 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. ASSIGNED to Budget and Finance Committee.
- 130369 [Building, Health, Public Works Codes - Soil and/or Groundwater Testing Requirements]**
Sponsor: Mayor
Ordinance amending Building Code, Section 106A.3.2.4, and Health Code, Sections 1220 through 1237, and adding Section 1219, to expand the boundaries and types of projects for which soil testing is required and to require testing of groundwater under specified circumstances; amending Public Works Code, Article 20, to eliminate soil testing provisions; renumbering code sections in Health Code, Article 22A; and making environmental findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

- 130370 [Appropriation and De-Appropriation - Equipment Lease Revenue Bonds, Series 2013A - \$2,056,612 - FY2012-2013]**
Sponsor: Mayor
Ordinance appropriating \$2,056,612 of Equipment Lease Revenue Bonds, Series 2013A, Proceeds and de-appropriating \$171,628 of equipment lease project to fund related financial costs for issuing Equipment Lease Revenue Bonds, Series 2013A, for Citywide Lease Equipment financing in FY2012-2013. ASSIGNED to Budget and Finance Committee.
- 130371 [Appropriation and De-Appropriation - Clean and Safe Neighborhood Park General Obligation Bonds, 2012, Series 2013A - \$74,030,000 - FY2012-2013]**
Sponsors: Mayor; Farrell, Wiener, Chiu, Avalos and Kim
Ordinance appropriating \$74,030,000 of the Clean and Safe Neighborhood Park General Obligation Bonds, 2012, Series 2013A, Proceeds including \$55,156,304 to the Recreation and Parks Department and \$18,873,696 to the Port for the renovation, repair, and construction of parks and open spaces (Proposition B) in FY2012-2013 and placing these funds on Controller's Reserve pending the sale of the bonds. ASSIGNED to Budget and Finance Committee.
- 130372 [Planning Code, Zoning Map - Third Street Formula Retail Restricted Use District]**
Sponsor: Cohen
Ordinance amending the Planning Code to create the Third Street Formula Retail Restricted Use District; amending Zoning Map, Sheet SU10, for property located on Third Street between Williams Avenue and Egbert Avenue; and making findings, including environmental findings pursuant to the California Environmental Quality Act, findings of consistency with General Plan and the priority policies of Planning Code, Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 130373 [Administrative Code - Language Access Ordinance]**
Sponsor: Chiu
Ordinance amending the Administrative Code to add the Ethics Commission to the list of City departments required to provide enhanced language access services. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 130374 [Campaign and Governmental Conduct Code - Lobbying Regulations]**
Sponsor: Chiu
Ordinance amending the Campaign and Governmental Conduct Code to expand the definition of a lobbyist; expand the list of reportable lobbying contacts; enhance lobbyist training, auditing, and record-keeping requirements; require public reports about city officials who fail to file statements of economic interest; require a public guide to local campaign finance laws; require permit consultants to register with the Ethics Commission and file regular disclosure reports; and require major developers to disclose donations to nonprofits active in the City. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 130375 [Administrative Code - City Contracting and Grant Reform]**
Sponsor: Chiu
Ordinance amending the Administrative Code, Chapter 21, Sections 21.4 and 21.05, adding 21.43, relating to Contracts, and adding Chapter 21A, relating to Grants. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

Resolutions

- 130376 [Issuance - Equipment Lease Revenue Bonds, Series 2013A - Finance Corporation Equipment Program - Not to Exceed \$12,500,000]**
Sponsor: Mayor
Resolution approving the form of and authorizing execution and delivery of Equipment Lease Revenue Bonds, Series 2013A, Supplement No. 19, between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco (City), as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed \$12,500,000; approving the form of the official statement and the distribution thereof in preliminary and final form; providing for reimbursement to the City of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130377 [Sale - Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A - Not to Exceed \$74,030,000]**
Sponsors: Mayor; Farrell, Wiener, Avalos, Kim and Chiu
Resolution authorizing and directing the sale of not to exceed \$74,030,000 aggregate principal amount of City and County of San Francisco Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive Sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement Relating to the Sale of Said Bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130378 [Lease - Data Center Space - 3101 Gold Center Drive, Rancho Cordova, California - Initial Term of Two Years - Base Annual Rental Rate of \$130,473.8]**
Sponsors: Mayor; Chiu
Resolution authorizing the use of space and communication services within an existing data center located at 3101 Gold Center Drive, Rancho Cordova, California, from the State of California Technology Agency, Office of Technology Services, through an Agreement; and authorizing certain amendments and extensions to said Agreement as warranted. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130379 [Proposition J Contract - Public Utilities Commission - Certification of Specified Contracted-Out Services Previously Approved]**
Sponsor: Mayor
Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for night and weekend security services at Public Utilities Commission's offices on 525 Golden Gate Avenue. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 130380 [Issuance - Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A - Not to Exceed \$195,000,000]**
Sponsors: Mayor; Farrell, Wiener, Chiu, Avalos and Kim
 Resolution providing for the issuance of not to exceed \$195,000,000 aggregate principal amount of Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A; authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130381 [Sale - Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013C - Not to Exceed \$133,275,000]**
Sponsors: Mayor; Wiener and Yee
 Resolution authorizing and directing the sale of not to exceed \$133,275,000 aggregate principal amount of Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013C; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130382 [Sale - Earthquake Safety and Emergency Response General Obligation Bonds, 2010, Series 2013B - Not to Exceed \$31,905,000]**
Sponsors: Mayor; Chiu
 Resolution authorizing and directing the sale of not to exceed \$31,905,000 aggregate principal amount of Earthquake Safety and Emergency Response General Obligation Bonds, 2010, Series 2013B; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said bonds; Approving the Form of the Continuing Disclosure Certificate; Authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 130383 [Accept and Expend Grant - Bay Area Regional Energy Network - \$931,000]**
Sponsor: Mar
 Resolution authorizing the Department of the Environment to retroactively accept and expend a grant of \$931,000 from the Association of Bay Area Governments to perform various activities as part of a Bay Area Regional Energy Network energy efficiency program. RECEIVED AND ASSIGNED to Budget and Finance Committee.

130384 [Airspace Lease - State of California - Property along Duboce Street, between Otis Street and Stevenson Street - SoMa West Skatepark - Initial Term of Twenty Years - Initial Monthly Base Rent \$10,000]

Sponsor: Kim

Resolution approving the execution of an airspace lease for a portion of property commonly known as Block No. 3513, Lot No. 071, and located along Duboce Street between Otis Street and Stevenson Street, by and between the City and County of San Francisco (City), and the State of California, acting by and through its Department of Transportation, for an initial term of twenty years and an initial monthly rent of \$10,000; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and eight priority policies; and authorizing other actions in furtherance of this Resolution. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130385 [Airspace Lease - State of California - Property under Highway 101 near Duboce Street, between Valencia Street and Stevenson Street - SoMa West Dog Park - Initial Term of Twenty Years - Total Base Rent \$2,335,343]

Sponsor: Kim

Resolution approving the execution of an airspace lease for a portion of property commonly known as Block No. 3513, Lot No. 074, and located under Highway 101 near Duboce Street, between Valencia Street and Stevenson Street, by and between the City and County of San Francisco (City), and the State of California, acting by and through its Department of Transportation, for an initial term of twenty years and a total base rent of \$2,335,343; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and eight priority policies; and authorizing other actions in furtherance of this Resolution. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130386 [Urging the California State Senate to Pass Senate Bill 662]

Sponsors: Campos; Avalos, Mar and Kim

Resolution urging the California State Senate to Pass Senate Bill 622, which would levy an excise tax of one cent (\$0.01) per fluid ounce on any beverage with added caloric sweeteners, such as sodas, in order to fund activities to prevent childhood obesity. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130387 [Urging the United States Senate to Amend Senate Bill 744 and Pass Comprehensive Immigration Reform]

Sponsors: Chiu; Campos and Kim

Resolution urging the United States Senate to amend Senate Bill 744 and pass Comprehensive Immigration Reform legislation to focus on family reunification, create a real pathway to citizenship, and be inclusive of our country's diversity. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 130207 [Hearing - Proposition H Expenditure Plan and Reauthorization and Children's Fund Status and Reauthorization]**
Sponsor: Kim
Hearing to receive updates from the Mayor's Budget Office, Controller's Office, and San Francisco Unified School District (SFUSD) on the Proposition H expenditure plan, the establishment of standardized processes for allocation of funds to SFUSD by the City, and the status of possible reauthorization of Proposition H, and an update from the Department of Children, Youth and Families on the status and possible reauthorization of the Children's Fund. SUBSTITUTED AND ASSIGNED to City and School District Select Committee.
- 130355 [Hearing - Public Utilities Commission - Budget Update - FYs 2013-2014 and 2014-2015]**
Sponsor: Farrell
Hearing to receive an update on the Public Utilities Commission budget for FYs 2013-2014 and 2014-2015. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 130356 [Hearing - Port - Budget Update - FYs 2013-2014 and 2014-2015]**
Sponsor: Farrell
Hearing to receive an update on the Port budget for FYs 2013-2014 and 2014-2015. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 130357 [Hearing - Municipal Transportation Agency - Budget Update - FYs 2013-2014 and 2014-2015]**
Sponsor: Farrell
Hearing to receive an update on the Municipal Transportation Agency budget for FYs 2013-2014 and 2014-2015. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 130388 [Hearing - Performance Audit - Public Safety Realignment]**
Sponsor: Cohen
Hearing on the performance audit of the implementation of Public Safety Realignment. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 130389 [Hearing - Participatory Budgeting]**
Sponsor: Chiu
Hearing on participatory budgeting. RECEIVED AND ASSIGNED to Budget and Finance 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

- 130336 [Settlement of Lawsuit - Bosque v. CCSF - \$49,505.70]**
Ordinance authorizing settlement of the lawsuit filed by Rosemary Bosque against the City and County of San Francisco for \$49,505.70; the lawsuit was filed on May 14, 2010 in San Francisco Superior Court, Case No. CGC-10-499909, entitled Bosque v. City and County of San Francisco. (City Attorney's Office). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 130324 [Airport Lease Modification - United Air Lines, Inc. - Plots 16 and 16B]**
Resolution approving the execution of Modification No.5 to Lease L73-0066 at Plots 16 and 16B with United Air Lines, Inc. at San Francisco International Airport to: increase the ground rent to \$12,040,710.00 per year; reduce the premises by 6.53 acres of land, resulting in a modified premises of approximately 124.13 acres, together with certain rights-of-way and easements; and grant a one-time option to relinquish up to thirty percent of the land comprising the Premises and equivalent land comprising the Employee Parking. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 130332 [Airport Lease and Use Agreement - China Eastern Airlines Corporation Limited and Scandinavian Airlines of North America, Inc.]**
Resolution approving the terms of 2011 Lease and Use Agreements between China Eastern Airlines Corporation Limited and Scandinavian Airlines of North America, Inc., respectively, and the City and County of San Francisco, acting by and through its Airport Commission, for a term ending in approximately eight years and two months. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 130333 [Airport Lease Amendments - Concessions and Stores]**
Resolution approving Amendment No. 2 to Boarding Area E Candy Kiosk Lease No. 08-0016 with Pacific Gateway Concessions, LLC; Terminal 3 Specialty Store Lease B No. 04-0167 with Marilla Chocolate Company; Airport Spa Lease No. 06-0242 with XpresSpa SF International, LLC; and Amendment No. 3 to Technology Stores and Accessories Lease No. 07-0108 with ILJ San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission for a term of five years. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 130334 [Airport Lease Agreement - Pelican Communications, Inc.]**
Resolution approving Amendment No. 1 to Lease No. 09-0229 with Pelican Communications, Inc., to lower rent to 20% of gross revenue for the term January 1, 2010, through December 3, 2013. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130335 [Airport Lease Amendment - Gotham Enterprises, LLC - Minimum Annual Guarantee \$37,353]

Resolution approving Amendment No. 1 to the Domestic Terminal Food and Beverage Lease No. 03-0193 between Gotham Enterprises, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum annual guarantee of \$37,353, for the term of September 29, 2003, through February 23, 2017. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Clerk to Act – April 23, 2013

Board Meeting Minutes for March 19, 2013 approved.

There were no Clerk to Act requests submitted at the April 23, 2013 Board Meeting.

In Memoriams

None