



**Legislation Introduced**  
**Tuesday, August 10, 2010**

**LEGISLATION INTRODUCED AT ROLL CALL**

**Introduced by a Supervisor or the Mayor**

**Ordinances**

- 101091 [Planning Code - Requiring Conditional Use Authorization for "Other Entertainment Uses" in the Van Ness Avenue Special Use District]**  
**Sponsor:** Alioto-Pier  
Ordinance amending Section 243 of the San Francisco Planning Code to require conditional use authorization for "Other Entertainment Uses" in the Van Ness Avenue Special Use District; adopting findings, including findings under Section 302 of the Planning Code, environmental 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.
- 101092 [Task Force on Police/Sheriff Consolidation]**  
**Sponsor:** Daly  
Ordinance amending the San Francisco Administrative Code by adding Chapter 46, Sections 46.1 through 46.5, to: (1) create a Task Force on Police/Sheriff Consolidation to make recommendations to the Board of Supervisors regarding whether to transfer the Police Department's functions, assets, and operations to the Sheriff; provide for the Task Force's membership, organization, and duties; and (2) set a sunset date for the Task Force. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 101093 [Zoning - South of Market Youth and Family Special Use District]**  
**Sponsor:** Daly  
Ordinance amending the San Francisco Planning Code by amending Section 249.40A concerning the South of Market (SoMa) Youth and Family Special Use District, bounded generally by Natoma Street on the north, Harrison Street on the south, 4th Street on the east, and 7th Street on the west, to require that all projects containing 5 or more dwelling units be subject to the Tier C affordable housing requirements established in the Eastern Neighborhoods Plan; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b). ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

- 101094 [Child Care Centers for City Projects and City-Funded Private Projects]**  
**Sponsors:** Dufty; Alioto-Pier  
Ordinance amending the San Francisco Administrative Code by adding Chapter 29B to require a City agency, or a private developer that receives City funds for a development project, as defined, to prepare a feasibility study for providing an on-site child care center whenever it plans to construct or purchase a building, lease more than 50 percent of space in a private building for an initial term of more than one year, or alter more than 50 percent of the space in an existing building; adopting findings, including environmental findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 101095 [Planning Code - Affordable Housing Program Exemption for Qualified Student Housing]**  
**Sponsor:** Dufty  
Ordinance amending the Residential Inclusionary Affordable Housing Program, Planning Code Sections 415 et seq. to exempt certain Qualified Student Housing Projects, as defined, if the project meets certain requirements; and making findings including environmental findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 101096 [Setting Nutritional Standards for Restaurant Food Sold Accompanied by Toys or Other Youth Focused Incentive Items]**  
**Sponsors:** Mar; Campos and Chiu  
Ordinance amending Article 8 of the San Francisco Health Code by adding Sections 471.1 through 471.8, to set nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.
- 101097 [Creation and Operation of Reentry Court]**  
**Sponsor:** Mirkarimi  
Ordinance amending Administrative Code Chapter 5, Article I, Section 5.1-4, to require the Reentry Council to collaborate with the Superior Court on the creation and operation of a Reentry Court to divert parolees and probationers from prison and to promote the successful transition of parolees and probationers into the community and to require certain City departments to create a plan to provide supportive services in conjunction with the Reentry Court, and amending Section 5.1-6, to extend the date of sunset for the Reentry Council until June 1, 2012. ASSIGNED UNDER 30 DAY RULE to Public Safety Committee.
- 101098 [Electronic Distribution of Multi-Page Documents]**  
**Sponsor:** Mirkarimi  
Ordinance amending the San Francisco Administrative Code by amending Sections 1.56 and 8.12.4, adding Section 8.12.5, and re-numbering Section 8.12-1 as 8.13, to provide for the electronic distribution of documents more than 10 pages long prepared by City departments. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

**101099 [Business and Tax Regulations Code - Common Administrative Provisions; Parking Tax; Business Registration]**

**Sponsors:** Mirkarimi; Duffy

Ordinance amending: (1) the San Francisco Business and Tax Regulations Code by: (a) repealing Sections 6.11-4, 6.14-1, and 6.18-4 and amending Sections 6.1-1, 6.2-8, 6.2-9, 6.2-13, 6.2-15, 6.2-17, 6.2-18, 6.2-21, 6.4-1, 6.5-2, 6.6-1, 6.7-1, 6.7-2, 6.8-1, 6.9-1, 6.9-2, 6.9-3, 6.9-4, 6.9-5, 6.10-1, 6.10-2, 6.10-3, 6.11-1, 6.11-2, 6.11-3, 6.12-2, 6.12-5, 6.13-1, 6.13-3, 6.13-5, 6.13-6, 6.15-1, 6.15-2, 6.15-3, 6.15-4, 6.16-1, 6.17-1, 6.17-2, 6.17-3, 6.17-4, 6.18-1, 6.18-2, 6.18-3, 6.18-5, 6.19-1, 6.19-3, 6.19-4, 6.19-5, 6.19-6, 6.19-9, 6.21-1, and 6.22-1 of Article 6 (Common Administrative Provisions), to eliminate inconsistent and superseded cross-references, prohibit an operator from engaging in business without a certificate of authority, require annual renewal of a certificate of authority to collect third-party taxes, authorize the Tax Collector to revoke an operator's business registration certificate and certificate of authority for failure to collect and remit taxes, failure to comply with specific provisions of the Business and Tax Regulations Code and Police Code, failure to install and maintain revenue control equipment, or refusal to comply with the direction regarding trust accounts, increase bond requirements for parking station operators, authorize the Tax Collector to issue a deficiency determination or jeopardy determination against a parking operator's bond surety, deem the filing an incomplete tax return failure to file a return, clarify that a tax exempt entity is not relieved from its existing duty to collect and remit third-party taxes, require that within 15 days after the cessation of business each taxpayer file a return for the period, eliminate the use of estimated prepayments and instead require hotel and parking operators to remit the actual tax owed each month, permit the Tax Collector to independently determine the taxpayer's estimated tax liability for purposes of making a prepayment, increase the threshold amount for small firm prepayments from \$2,500 to \$3,750 establish the "pooled rate" as the applicable rate of interest on cash security returned to a taxpayer, provide for service of notice of a tax delinquency or determination on anyone in the State of California, clarify the date by which a deficiency determination must be served on a taxpayer, permit the Tax Collector to seek summary judgment immediately upon serving notice of a jeopardy determination on the taxpayer, establish the security necessary to stay enforcement of a jeopardy assessment, provide that any ground that is not asserted in the taxpayer's petition for redetermination is deemed waived in a later judicial proceeding to collect the specified tax, establish the procedure for increasing the amount of a determination, specify that in order to exhaust administrative remedies prior to seeking judicial relief taxpayer must state all grounds supporting redetermination in its petition to the Tax Collector and the Claim for Refund must be denied or deemed denied, clarify the proper party to seek a tax refund, provides for interest to the date of the refund if a refund is applied toward a future liability, clarify the statute of limitations period for filing suit if no notice that the Claim has been denied is served on the Taxpayer, clarify that a refund action is the only judicial remedy available to an aggrieved taxpayer, increase penalties for failure to file a return, clarify the law that determines the interest rate and enforcement procedures for summary judgments, include additional costs in the cost to enforce judgments, authorize the Tax Collector to seek an injunction to prohibit a person from doing business without a certificate of authority or business registration certificate, add additional violations, increase penalty amounts, and amend the procedure for issuing administrative citations, increase the maximum penalty amount imposed by administrative citation from \$5,000 to \$25,000 annually, authorize the Tax Collector to share taxpayer information with other public agencies for appropriate purposes, and reword various sections without substantive change; (b) amending Sections 604 of Article 9 (Tax on Occupancy of Parking Space in Parking Stations), 713 of Article 10 (Utility Users Tax), and 859 of Article 12 (Business Registration), to lengthen the time period that service suppliers must preserve records from 4 years to 5 years, and reword various sections without substantive change; (c) repealing Sections 608 through 608.8 of Article 9 (Tax on Occupancy of Parking Space in Parking Stations); and (2) the San Francisco Administrative Code by amending Section 10.80-2 of Article XIII (Funds), Chapter 10 (Finance, Taxation, and Other Fiscal Matters), to correct references to the California Government Code. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

- 101100 [Adding to the Definition of "Control" - Revising the Enforcement Authority of the Business and Tax Code]**  
**Sponsors:** Mirkarimi; Dufty  
Ordinance amending Article 22 of the Business and Tax Regulations Code by amending Sections 2201 through 2210, 2215, 2216, 2218, 2220, 2225, 2226, 2229, 2230, 2232, 2233 and repealing Sections 2217, 2223, 2224, and 2237, to establish a presumption that certain operators, signatories and owners control the business affairs of the parking station; revise the Enforcing Agency's authority to permit the use of all authority granted by law and by Article 6 of this Code; and making other nonsubstantive changes. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 101101 [Election Day Voter Registration Procedures]**  
**Sponsor:** Mirkarimi  
Ordinance amending the San Francisco Municipal Elections Code by adding Article X, Sections 1000-1030 to establish procedures for Election Day Voter Registration and Late Voter Registration. ASSIGNED UNDER 30 DAY RULE to Rules Committee.
- 101102 [Accept and Expend Grant - 2010 Disaster Corps Grant and Amendment to the Annual Salary Ordinance FY2010-2011 - \$231,000]**  
**Sponsor:** Mayor  
Ordinance authorizing the Department of Emergency Management to retroactively accept and expend a grant in the amount of \$231,000 from California Volunteers for the grant period of 18 months following passage of the FY2010-2011 California State Budget for volunteer management and training; amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of one Class 5277 Planner I at the San Francisco Fire Department. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101103 [Appropriating \$2,200,000 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for FY2009-2010]**  
**Sponsor:** Mayor  
Ordinance appropriating \$2,200,000 of General Fund Reserve to fund indigent defense expenses associated with increased felony caseloads in the Superior Court for FY2009-2010, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101104 [Public Employment - Department of the Environment]**  
**Sponsor:** Mayor  
Ordinance amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of three positions; one (1) Class 5638 Environmental Assistant, one (1) Class 5640 Environmental Specialist, one (1) Class 5644 Environmental Manager in the Department of the Environment. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101105 [Existing Commercial Buildings Energy Performance Ordinance]**  
**Sponsors:** Mayor; Dufty  
Ordinance amending the San Francisco Environment Code by adding Chapter 20, Sections 2000 through 2008, to adopt the San Francisco Existing Commercial Buildings Energy Performance Ordinance, requiring owners of nonresidential buildings to conduct Energy Efficiency Audits of their properties and file Annual Energy Benchmark Summaries for their buildings, and making environmental findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

## **Resolutions**

- 101106 [Interim Zoning Controls for the Van Ness Avenue Special Use District]**  
**Sponsor:** Alioto-Pier  
Resolution imposing interim zoning controls to require Conditional Use authorization for "Other Entertainment Uses" within the Van Ness Avenue Special Use District; and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 101107 [Management Agreement for the Harding Park Golf Course]**  
**Sponsor:** Elsbernd  
Resolution authorizing the Recreation and Park Department General Manager to enter into an agreement with Tournament Players Club of California, Inc., for management of clubhouse and golf operations at the Harding Park and Fleming Golf Courses, excluding course maintenance operations (Management Agreement), from October 1, 2010, to December 31, 2019, pursuant to San Francisco Charter Section 9.118, with the right to extend the term to coincide with any extension of the Master Tournament Agreement between the City and County of San Francisco and PGA Tour, Inc. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101108 [Accept and Expend Grant - Remediation and Demolition of Drydock No. 1 - \$3,000,000]**  
**Sponsor:** Mayor  
Resolution authorizing the San Francisco Port Commission to accept and expend a grant from the U.S. Department of Defense, Office of Economic Adjustment in the amount of \$3,000,000 for Remediation and Demolition of the Port's Drydock No. 1. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101109 [State Contract Funds for Substance Abuse Treatment - \$60,402,780]**  
**Sponsor:** Mayor  
Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (DPH-CBHS) to enter into a Combined Net Negotiated Amount and Drug Medi-Cal Agreement with the State of California Department of Alcohol and Drug Programs (DADP) for the term of July 1, 2010, through June 30, 2013, in the amount of \$60,402,780 and for the term of July 1, 2010, through June 30, 2011, in the amount of \$20,134,260 as a condition of receiving state funds and Drug Medi-Cal reimbursement for substance abuse treatment and prevention; holding DADP harmless from any and all claims resulting from the agreement; authorizing and designating the DPH County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101110 [Accept and Expend Grant - U.S. Federal Aviation Administration Grant - Not to Exceed \$79,982,500]**  
**Sponsor:** Mayor  
Resolution authorizing the Airport Commission to execute an Other Transaction Agreement with the Federal Aviation Administration (FAA) for the Replacement Airport Traffic Control Tower and FAA Offices in the amount not to exceed \$79,982,500 and retroactively accept and expend federal funds. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 101111 [Authorizing Application for Grant - Augmenting the Greening and Stormwater Features of the Cesar Chavez Street Redesign Project]**  
**Sponsor:** Campos  
Resolution authorizing the San Francisco Planning Department to apply for a grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to augment the greening and stormwater features of the Cesar Chavez Street redesign project. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 101112 [Accept and Expend Grant - Web Based Recycling, Reuse, and Disposal Options - \$25,000]**  
**Sponsor:** Mayor  
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$25,000 from the County of Alameda to serve as the lead in the creation a web-based application that enables the public to easily find accurate information about nearby recycling, reuse, and disposal options. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 101113 [Application for Grant - Construction of HillPoint Park Open Space Project]**  
**Sponsors:** Mayor; Maxwell  
Resolution approving the application for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River, and Coastal Protection Bond Act of 2006 (Proposition 84) for construction of the HillPoint Park Open Space Project. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 101114 [Application for Grant - Strategic Growth Council Sustainable Communities - Greenway Network Plan]**  
**Sponsor:** Mayor  
Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River, and Coastal Protection Bond Act of 2006 (Proposition 84) to complete a Greenway Network Plan. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 101115 [Directing Controller to Prepare an Infrastructure Financing Plan]**  
**Sponsor:** Mayor  
Resolution authorizing and directing the Controller and his designee to prepare a report for Infrastructure Financing District No. 1 (Rincon Hill Area) and determining other matters related thereto. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 101116 [Resolution of Intention to Establish an Infrastructure Financing District]**  
**Sponsor:** Mayor  
Resolution of Intention to establish an Infrastructure Financing District No. 1 (Rincon Hill Area) to finance the construction and/or acquisition of capital improvements in the Rincon Hill area; to call a public hearing on the formation of the district and to provide public notice thereof and other matters related thereto. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**101070 [Gift Acceptance - Building Bocce Courts in Justin Herman Plaza - \$61,000]**  
**Sponsor:** Chiu  
Resolution authorizing the Recreation and Park Department to accept a gift of labor and construction materials with a value of \$61,000 from the Laborers Local 261 Community and Training Foundation to build two bocce courts on the lawn in Justin Herman Plaza.  
REFERRED to Land Use and Economic Development Committee.

**Introduced by the President at the Request of the Department**

**PROPOSED ORDINANCE**

**101051 [Approval to Implement Alternative Bid Process for Construction Trade Packages for the Renovation and Construction of the George S. Moscone Convention Center]**  
Ordinance authorizing the San Francisco Department of Public Works to implement an alternative bid process for construction trade packages and to award contracts for construction services, for the renovation of and capital improvements to the Moscone Convention Center. (Public Works Department). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

## **Clerk to Act – August 10, 2010**

### **Requests Granted**

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

#### **San Francisco Bay Guardian**

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9<sup>th</sup> Avenue and Judah (near bus stops)

7<sup>th</sup> Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

#### **San Francisco Chronicle**

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9<sup>th</sup> Avenue

Irving and 7<sup>th</sup> Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

#### **Examiner**

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

#### **SF Daily**

Northwest corner of Hayes and Gough

#### **City Star**

Northwest corner of Hayes and Gough

Southeast corner of Fillmore and Haight

#### **SF Weekly**

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:



751 Webster  
749 Webster  
597 Haight  
524 Haight  
506 Haight  
537 Haight  
798 Haight  
597 Haight  
771 Haight  
800 Haight  
868 Haight  
573 Fillmore  
501 Fillmore

From: Supervisor Mirkarimi  
To: Director, Department of Public Works  
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Wood Pole

Northeast corner of Fillmore and Oak (near bus stop)

Metal Poles

In front of 222 Fillmore  
In front of 232 Fillmore  
Southwest corner of Fillmore and Waller  
Southwest corner of Haight and Fillmore  
Southwest corner of Hayes and Fillmore

From: Supervisor Mirkarimi  
To: Director, Department of Public Works  
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Box

South of 530 Fillmore

Bus Shelters

Southwest corner of Fillmore and Hayes  
Northeast corner of Laguna and Fulton  
Fillmore and Haight (all 4 bus stops, graffiti and grime on canopies)

From: Supervisor Mirkarimi  
To: Director, Department of Public Works  
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans

Northeast corner of Fillmore and Oak  
Northeast corner of Hayes and Fillmore  
On Haight between Central and Masonic, south side of street, in front of the Chinese Immersion School

Mailbox

Northwest corner of McAllister and Steiner

From: Supervisor Mirkarimi  
To: Director, Department of Public Works  
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following location:

On Turk Street, south of Fillmore

From: Supervisor Chu  
To: Municipal Transportation Agency  
Requesting/Inquiring: Requesting that the Municipal Transportation Agency research the feasibility of amending Transportation Code 7.2.84 to address the issue of visibility at major traffic intersections.

In Memoriams

Mechthild Schroer - Entire Board