

Board of Supervisors



City Hall
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Legislation Introduced Tuesday, February 8, 2011

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

- 110150 [Administrative Code - Process for Mayoral Appearance at the Board of Supervisors]**
Sponsors: Chiu; Mar
Ordinance amending the Administrative Code by adding Section 2.11 to establish a process for the Mayor to appear at the Board of Supervisors for a question and answer session. RECEIVED AND ASSIGNED to Rules Committee.
- 110151 [Appropriating \$6,995,000 of State Loans - West Marina Yacht Harbor Renovations for FY2010-2011]**
Sponsor: Farrell
Ordinance appropriating \$6,995,000 of loan funding from the California Department of Boating and Waterways for the renovation of the West Harbor of the San Francisco Marina Yacht Harbor in the Department of Recreation and Park for FY2010-2011. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 110152 [Planning Code - Zoning - Self-Service Restaurants, Retail Coffee Stores, and Video Stores]**
Sponsor: Mirkarimi
Ordinance amending the San Francisco Planning Code by amending Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code to: (1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district and eliminate the limit on the number of seats; (2) increase the minimum size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district; (3) principally permit Small Self-Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster (NCT-1) Districts; (4) conditionally permit Large Self-Service Restaurants in the Inner Sunset Neighborhood Commercial District; (5) require that mechanical noise and vibration from Self-Service Restaurants be confined to the premises; and (6) remove the prohibition of on-site food preparation and cooking and reheating equipment in Retail Coffee Stores; adopting findings, including environmental findings, 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.
- 110153 [Administrative Code - Residential Rent Ordinance - Good Samaritan Base Rent Following Emergency Dislocation of Tenant]**
Sponsors: Wiener; Farrell
Ordinance amending Administrative Code Chapter 37 Residential Rent Arbitration and Stabilization Ordinance, by amending Section 37.2(a) to provide for temporary Good Samaritan base rent when a landlord and new tenant agree for the tenant to commence occupancy following an emergency such as fire or earthquake or landslide that required unexpected vacation of the tenant's previous unit, and the agreement includes a reduced rent rate for up to the first three hundred sixty-five (365) days of occupancy (Original Good Samaritan Status Period); initial base rent for purposes of calculating annual CPI increases per Section 37.3 shall be the rent payable upon expiration of the Original Good Samaritan Status Period, or upon expiration of any Extended Good Samaritan Status Period as agreed by the landlord and tenant in writing, for a total of no more than 730 days of Original and Extended Good Samaritan Status days combined; Good Samaritan status may be utilized only upon written certification by a specified City Official, that identifies the emergency and the resulting unit vacation on grounds of public health, safety, and habitability. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 110154 [Appropriating \$2,809,000 of General Fund Reserve - Fourth Street Bridge Project Litigation Expenses in FY2010-2011]**
Sponsor: Mayor
Ordinance appropriating \$2,809,000 from the General Fund Reserve to the Department of Public Works for litigation expenses related to the Santa Clara Superior Court Case between Mitchell Engineering/Obayashi Corporation v. City and County of San Francisco for the Fourth Street Bridge Project in FY2010-2011. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 110155 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion in Central Market Street and Tenderloin Area]**
Sponsors: Mayor; Kim, Chiu and Farrell
Ordinance amending Article 12-A of the Business and Tax Regulations Code by adding Section 906.3 to establish a payroll expense tax exclusion for businesses located in the Central Market Street and Tenderloin Area. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

Resolutions

- 110157 [Accept and Expend Grant - Carl Moyer Program - \$178,962]**
Sponsor: Chiu
Resolution authorizing the Police Department to retroactively accept and expend a \$178,962 Carl Moyer grant from the Bay Area Air Quality Management District to replace the engines on board the Marine 1 Police Boat. RECEIVED AND ASSIGNED to Public Safety Committee.
- 110158 [Accept and Expend Grant - State Department of Boating and Waterways - \$65,000]**
Sponsor: Chiu
Resolution authorizing the Police Department to retroactively accept and expend a \$65,000 grant from the California State Department of Boating and Waterways for a Boating Safety and Enforcement Grant to purchase equipment for the Marine Unit. RECEIVED AND ASSIGNED to Public Safety Committee.
- 110159 [Accept and Expend Grant - Safe Havens: Supervised Visitation and Safe Exchange Continuation Project - \$141,586]**
Sponsor: Cohen
Resolution authorizing the Department of Public Health to accept and expend retroactively a grant from the Department of Justice in the amount of \$141,586, to fund the project entitled "Safe Havens: Supervised Visitation and Safe Exchange Continuation Project" for the period of October 1, 2010, through September 30, 2011. RECEIVED AND ASSIGNED to Public Safety Committee.
- 110160 [Accept and Expend Grant - Arelious Walker Drive Stairway Improvement Project - \$1,109,000]**
Sponsor: Cohen
Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of \$1,109,000 from the Metropolitan Transportation Commission for the Arelious Walker Drive Stairway Improvement Project. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 110161 [Accept and Expend Grant - Installation of Rubber Sidewalks - Not to Exceed \$12,600]**
Sponsor: Cohen
Resolution authorizing the Department of Public Works to apply for grant funds in the amount up to, but not to exceed, \$12,600 from the California Department of Resources Recycling and Recovery, Tire-Derived Product Grant Program for the purpose of installing rubber sidewalks and preserving mature trees. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110162 [Oliver W. Sipple Day - September 22, 2011]**
Sponsors: Campos; Wiener
Resolution declaring September 22, 2011, as Oliver W. Sipple Day in San Francisco to honor a gay American hero, who on September 22, 1975, saved the life of President Gerald Ford outside of St. Francis Hotel in Union Square in San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110170 [Protect Proposition 10 Funding]

Sponsor: Mar

Resolution urging the Governor of California to protect Proposition 10 County funding by not sweeping \$1,000,000,000 in Prop 10 funds from local First 5 Commissions reserves, and urging a permanent diversion of 50% of all future Prop 10 revenues. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110171 [Park Branch Library Reopening]

Sponsor: Mirkarimi

Resolution recognizing the grand reopening of the Park Branch Library and commending the San Francisco Public Library, and its team, for their hard work and commitment to San Francisco and its residents. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110075 [Accept and Expend Grant - Safe Routes to School - \$500,000]

Sponsor: Chiu

Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of \$500,000 in Federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvements funds through the Metropolitan Transportation Commission's Safe Routes to School Grant Program for the period September 1, 2011, through August 31, 2013, waiving indirect costs, stating assurance to complete the project, and to delegate authorization to execute these agreements and any amendments thereto to the Director of Public Health. SUBSTITUTED AND ASSIGNED to Public Safety Committee.

Motions

110167 [Suspending Board Rule 4.38 to Permit the Board of Supervisors to Consider an Amendment to Rule 5.1 Concerning the Budget and Finance Committee Structure]

Sponsor: Chu

Motion suspending Rule 4.38 of the Board of Supervisors' Rules of Order to consider, without reference, an amendment to Rule 5.1 to amend the date the Budget and Finance Committee expands to five members and the date the three member subcommittee is established from April 1 to March 1. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110172 [Suspending Board Rule 4.38 to Permit the Board of Supervisors to Consider an Amendment to Rule 5.7 Extending the Joint City and School District Committee for One Year]

Sponsor: Cohen

Motion suspending Rule 4.38 of the Board of Supervisors' Rules of Order to consider, without reference, an amendment to Rule 5.7 to extend the term of the Joint City and School District Select Committee for one year. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 110138 [Hearing - San Francisco Unified School District's Enrollment Procedures for 2011-2012 School Year]**
Sponsor: Cohen
Hearing on the application procedures for enrollment in the 2011-2012 school year and San Francisco Unified School District's related outreach program, which culminate in an enrollment deadline of February 18, 2011. RECEIVED AND ASSIGNED to City and School District Select Committee.
- 110156 [Annual Review and Adoption of the Proposed Board of Supervisors/Clerk of the Board FY2011-2012 Budget]**
Hearing to consider the annual review and adoption of the proposed Board of Supervisors/Clerk of the Board FY2011-2012 Budget. (Clerk of the Board). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 110163 [Hearing - Community Policing]**
Sponsor: Campos
Hearing on the state of Community Policing in San Francisco, requesting an update from the Chief of Police and Mayor's Office on the status of the efforts outlined in the November 2006 report and to clarify whether or not the department continues to embrace Community Policing Strategies. RECEIVED AND ASSIGNED to Public Safety Committee.
- 110164 [Hearing - Reentry Council Annual Report]**
Sponsor: Mirkarimi
Hearing to receive and consider the Annual Report of the San Francisco Reentry Council. RECEIVED AND ASSIGNED to Public Safety Committee.
- 110165 [Hearing - City Labor Contracts Status and Provisions]**
Sponsor: Chu
Hearing to receive an update from the Department of Human Resources on the status and provisions of City labor contracts. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 110166 [Hearing - Set-Asides and Reserves Policies]**
Sponsor: Chu
Hearing to receive an update regarding the City's policies on set-asides and reserves. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

- 110107 [Settlement of Lawsuit - Paul Graham - \$34,271.51]**
Ordinance authorizing settlement of the lawsuit filed by Paul Graham against the City and County of San Francisco for \$34,271.51; the lawsuit was filed on March 12, 2009, in San Francisco Superior Court, Case No. CGC-09-486068; entitled Paul Graham, et al. v. City and County of San Francisco, et al. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 110108 [Settlement of Unlitigated Claim - John Payne - \$220,229]**
Resolution approving the settlement of the unlitigated claim filed by John Payne against the City and County of San Francisco for \$220,229; claim including grievance was filed on July 9, 2010. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 110109 [Airport Lease Agreement - China Airlines, Ltd. - Building 648]**
Resolution approving and authorizing the execution of Lease No. 10-0347 with China Airlines, Ltd., for cargo warehouse and support office space to be occupied by China Airlines, Ltd., in Building 648 at San Francisco International Airport. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – February 8, 2011

Board Minutes for January 4, 2011, January 7, 2011 and January 8, 2011 approved.

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

9th Avenue and Judah (near bus stops)

7th 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 9th Avenue

Irving and 7th 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 locations:

Garbage Cans

Northeast corner Page and Octavia
Southeast corner Scott and Grove
Opposite 1855 Hayes
Southwest corner Ashbury and Haight
Northeast corner Octavia and Haight
Southeast corner Masonic and Haight

Mailboxes

Southeast corner Fillmore and Oak
Northeast corner Buchanan and Haight
Near 1800 Turk
Northwest corner Divisadero and Geary

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 locations:

Potholes, Lights and Sidewalk Issues

Within western crosswalk of Page and Schrader
Within the intersection of Haight and Clayton
Near 687 Haight
Near 535 Haight

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:

1167 Oak
546 Haight
542 Haight
515 Haight
1701 Turk
1366 Turk
399 Haight, on the Webster side
1431 Eddy
1826 Geary
2 Avery
6 Avery
8 Avery
333 Haight

799 Haight
798 Haight
1569 Fulton
418 Haight
847 Haight
921 Haight
672 Stanyan
1500 Page
1970 Page
851 Fell
865 Fell
1787 Haight
1777 Haight
1607 Haight

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 Boxes

Southeast corner Scott and Geary
Northeast corner Eddy and Divisadero
In front of 1701 Turk

Bus Shelters

Southwest corner Buchanan and Haight
Southeast corner Buchanan and Hayes
Southwest corner Fillmore and Hayes
Northeast corner Hayes and Fillmore
Southwest corner Haight and Pierce
Northwest corner Laguna and Haight
Northeast corner Masonic and Fulton
Fillmore and Haight (all 4 bus stops, graffiti and grime and canopies are graffiti also canopies have graffiti)

Fire Hydrants

1701 Turk
Southeast corner Scott and Geary

Emergency Boxes

Northeast corner Scott and Eddy
Approximately 1655 Turk

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:

Metal Poles

Northwest corner Seymour and Turk
Southwest corner Page and Octavia
Southwest corner Hickory and Octavia
Southwest corner Page and Gough
Southeast corner Haight and Buchanan
Northwest corner Haight and Laguna
In front of 1701 Turk
In front of 1773 Turk
In front of 1739 Turk
Opposite 1910 Eddy
In front of 10 Avery
In front of 1910 Geary
In front of 335 Haight
Northwest corner Divisadero and Fulton

Wood Poles

Southwest corner Webster and Page
In front of 772 Fell
In front of 870 Fell
In front of 888 Fell
Southwest corner Haight and Clayton

From: Supervisor Chiu
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation to strengthen protections for janitorial service workers.

In Memoriams

Jessie Zmuda – Entire Board
John Traina – Supervisor Farrell
Allen Smith – Supervisor Mirkarimi
Kevin Chojczak – Supervisor Avalos
Frank Mallia – Supervisor Campos
David Kato Kisule – Supervisor Wiener