

# Board of Supervisors



City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689  
Tel. No. 554-5184  
TDD No. 554-5227

## Legislation Introduced

Tuesday, August 3, 2010

### LEGISLATION INTRODUCED AT ROLL CALL

#### Introduced by a Supervisor or the Mayor

#### Ordinances

##### **101053 [Zoning - Consistent Street Frontages Controls]**

**Sponsor:** Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 124, 132.2, 144, 145, 145.1, 145.5, 150, 151.1, 155, 161, 186, 209.8, 210.3, 212, 231, 243, 253, and 253.2, and by repealing Sections 175.1, 175.2, 175.3, 175.4, 175.5, and 249.26, to create comprehensive and consistent street frontage controls for residential districts, to create consistent ground floor controls for industrial districts, to permit certain small corner commercial uses in RM-3 and RM-4 districts, to modify floor area ratio controls in the Van Ness Special Use District, to modify conditional use requirements for buildings over 40 feet in RM and RC districts, to amend the procedure for certain exceptions from off-street parking and loading requirements, and permit parking and loading exceptions to preserve historic buildings and landmark trees, and to make certain Planning Code controls consistent across C-3 Districts; 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.

##### **101054 [Green Bag Charge]**

**Sponsor:** Mirkarimi

Ordinance amending the San Francisco Environment Code by amending Section 1702, to clarify the definition of "checkout bag" and other terms; adding Section 1703.5, to require stores to add a Green Bag Charge of 5 cents if they provide a customer with a disposable, single-use checkout bag, and making environmental findings. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.

##### **101055 [Plastic Bag Reduction]**

**Sponsor:** Mirkarimi

Ordinance amending the San Francisco Environment Code by amending Section 1702, to extend the mandatory use of recyclable and compostable checkout bags from supermarkets and chain pharmacies, currently covered by Chapter 17, to all retail establishments in the City, and clarify the definitions of "checkout bag," "recyclable paper bag," and "reusable bag," setting an operative date of March 1, 2011, and making environmental findings. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.

- 101056 [Banning the Sale of Tobacco Products in Pharmacies]**  
**Sponsors:** Mar; Dufty and Maxwell  
Ordinance amending the San Francisco Health Code by amending Sections 1009.91 and 1009.92, by repealing Section 1009.93, and by re-numbering Sections 1009.94, 1009.95, 1009.96, 1009.97, 1009.98, and 1009.99, as Sections 1009.93, 1009.94, 1009.95, 1009.96, 1009.97, and 1009.98, respectively, all to eliminate the exemptions for general grocery stores and big box stores from the general ban on the sale of tobacco products in pharmacies. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 101057 [Health Care Services Master Plan]**  
**Sponsors:** Campos; Mar, Maxwell, Mirkarimi, Avalos, Chiu and Daly  
Ordinance amending the San Francisco Planning Code by adding Sections 342 to 342.10 requiring the preparation of a Health Care Services Master Plan identifying the current and projected needs for, and locations of, health care services within San Francisco and recommending how to achieve and maintain appropriate distribution of, and equitable access to, such services; requiring that medical institutions applying for land use approvals obtain a consistency determination from the Planning Commission determining that the proposed use promotes the goals recommended in the Master Plan; providing fees for the consistency determination, and making findings, including findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1 and environmental findings. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 101058 [Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2010-2011]**  
**Sponsor:** Avalos  
Ordinance providing revenue and levying property taxes for City and County purposes and establishing a pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the FY ending June 30, 2011. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101059 [Setting San Francisco Community College District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**  
**Sponsor:** Avalos  
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the FY ending June 30, 2011. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101060 [Setting San Francisco Unified School District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**  
**Sponsor:** Avalos  
Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the FY ending June 30, 2011. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101061 [Setting San Francisco Bay Area Rapid Transit District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**  
**Sponsor:** Avalos  
Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the FY ending June 30, 2011. RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 101062 [Updating Enforcement and Compliance Procedures for Nuisance]**  
**Sponsor:** Avalos  
 Ordinance amending the San Francisco Health Code Articles 6 and 11 by amending Sections 580, 581, 596, 599, and 600, and adding Sections 292.5, 596.5, 602.3, and 610 to: 1) add requirements for refuse collection and storage in multi-story residential facilities; 2) update nuisance definitions; 3) add potential attorneys' fees recovery for the prevailing party in those cases which the City elects to recover attorneys' fees; 4) require owners of rental property to provide contact information to the Department; 5) add civil penalties; and 6) expand administrative penalties and procedures. ASSIGNED UNDER 30 DAY RULE to Public Safety Committee.
- 101071 [Zoning - Temporary Uses and Mobile Food Facilities]**  
**Sponsor:** Dufty  
 Ordinance amending the San Francisco Planning Code by adding Section 102.31 to define a Mobile Food Facility, amending Section 205 and adding Section 205.4 to establish a new category of temporary uses, and amending Sections 212, 790.91, 790.93, and 890.90 to clarify that Mobile Food Facilities need not be conducted within enclosed buildings; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.
- 101072 [Pushcart Peddlers and Operators Regulations]**  
**Sponsor:** Dufty  
 Ordinance amending the San Francisco Police Code and San Francisco Public Works Code by repealing Article 17.3 (Permit Regulations for Pushcart Peddlers) from the Police Code, transferring the regulations to a new Article 5.8 of the Public Works Code, commencing with Section 184.80, making nonsubstantive amendments to implement the transfer, and streamlining the notice and hearing procedures, adopting environmental findings. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.
- 101073 [Mobile Caterers Regulations]**  
**Sponsor:** Dufty  
 Ordinance amending the San Francisco Police Code and San Francisco Public Works Code by repealing Police Code Article 17.2, Sections 1320 through 1326 (Regulations for Mobile Caterers; Permit and License Provisions), transferring the regulations to a new Article 5.9 of the Public Works Code, commencing with Section 184.100, making other amendments to implement the transfer, including new fee and penalty provisions; streamlining the notice and hearing procedures; and adopting environmental findings. ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.
- 101075 [Building Code - Development Fee Collection Procedure and Administrative Fee]**  
**Sponsor:** Mayor  
 Ordinance amending the San Francisco Building Code by amending Section 107A.13 to modify the method of calculating the development fee deferral surcharge rate and to clarify when a project sponsor may elect to defer the payment of development impact and in-lieu fees, adopting environmental finding. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
- 101079 [Water Efficient Irrigation]**  
**Sponsor:** Mayor  
 Ordinance amending the San Francisco Administrative Code by repealing Chapter 63 in its entirety and adding Chapter 63, requiring the development and maintenance of landscape irrigation controls for specified new construction landscapes and landscape rehabilitation projects. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

- 100041 [Personal Wireless Service Facility Site Permits and Associated Fees]**  
**Sponsors:** Avalos; Campos  
Ordinance amending the San Francisco Public Works Code by adding Article 25, Sections 1500 through 1528, to establish new requirements for Personal Wireless Service Facility Site Permits and to increase certain fees for obtaining such permits, amending the San Francisco Administrative Code by amending Chapter 11, Article 1, Section 11.9, to eliminate obsolete provisions related to such permits, making the provisions of the ordinance retroactive, and making environmental findings. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

## **Resolutions**

- 101063 [California Constitution Appropriations Limit FY2010-2011]**  
**Sponsor:** Avalos  
Resolution establishing the appropriations limit for FY2010-2011 pursuant to California Constitution Article XIII B. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101064 [Accept and Expend Gift - Recreation and Park Department Buena Vista Park - \$164,760]**  
**Sponsor:** Dufty  
Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift-in-place valued at \$164,760 from the San Francisco Conservation Corps to rehabilitate trails and retaining walls at Buena Vista Park. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 101065 [Yosemite Creek Watershed Restoration Study]**  
**Sponsor:** Mirkarimi  
Resolution urging the San Francisco Public Utilities Commission to study opportunities to restore the Yosemite Creek watershed. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 101066 [Eastern San Francisco Air Quality Study]**  
**Sponsor:** Mirkarimi  
Resolution urging the San Francisco Department of Public Health, in conjunction with other local, state and federal agencies, to develop recommended actions the City could take to address air quality concerns in the eastern area of San Francisco. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 101067 [Supporting Assembly Bill 2324 Regarding Public Transit Facilities]**  
**Sponsors:** Chu; Chiu and Mar  
Resolution supporting Assembly Bill 2324 regarding Public Transit Facilities, making it a misdemeanor for any person to knowingly possess specified weapons at a public transit vehicle facility. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 101068 [Declaring August 18, 2010, as San Francisco HIV Health Services Planning Council Day]**  
**Sponsors:** Dufty; Campos  
Resolution declaring August 18, 2010, as San Francisco HIV Health Services Planning Council Day in San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 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.
- 101074 [Accept and Expend Grant - Palace of Fine Arts Historical Landscape and Park Improvements - \$500,000]**  
**Sponsor:** Alioto-Pier  
 Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant administered by the California State Library California Cultural and Historical Endowment in the amount of \$500,000 for the Palace of Fine Arts historical landscape and park improvement. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 101076 [Apply For State Used Oil Payment Program]**  
**Sponsor:** Mayor  
 Resolution authorizing the Department of the Environment to apply for the annual Used Oil Payment Program from the California Department of Resources Recycling and Recovery for the purpose of increasing Used Motor Oil Recycling. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 101077 [Federal Emergency Operations Center Grant Administered by California Emergency Management Agency]**  
**Sponsor:** Mayor  
 Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of the California, any applications or agreements and to take any actions necessary to obtain federal financial assistance through the federal Emergency Operations Center grant administered by the California Emergency Management Agency. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 101081 [Candlestick Point - Hunters Point Shipyard Phase II Development Project - Involvement of Ohlone and other Native American Peoples]**  
**Sponsors:** Maxwell; Mar and Campos  
 Resolution urging the City Planning Department and Redevelopment Agency to establish specific protocols for ongoing collaboration with representatives of the Ohlone Peoples and other Native American groups for the redevelopment of Candlestick Point and the Hunters Point Shipyard. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Motion**

- 101069 [Waiving Board Rule 4.29 of the Rules of Order to Schedule Public Hearing(s) on Appeal(s) at 2:30 p.m. instead of 4:00 p.m. at the September 7, 2010, Board Meeting]**  
 Motion waiving Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. rather than 4:00 p.m. at the September 7, 2010, Board meeting. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Introduced by the President at the Request of a Department

### PROPOSED RESOLUTIONS

- 101002 [Airport Concession Lease with Host International, Inc.]**  
Resolution approving the Terminal 2 Newsstands, Coffee, and Specialty Stores Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 101003 [Settlement of Grievance - Bruce Dunlap - \$57,500]**  
Resolution authorizing the settlement of the grievances (ERD No. 45-09-1973 and ERD No. 45-09-1964) filed by International Federation of Professional and Technical Engineers, Local 21 (Union) on behalf of Grievant, Bruce Dunlap, against the City and County of San Francisco for \$57,500. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.
- 101004 [Lease and License of Real Property at 1 Dr. Carlton B. Goodlett Place, Ground Floor Café and North Light Court]**  
Resolution authorizing the lease of 1,426 square feet of space, a license of 2,400 square feet and the shared use space of 1,360 square feet to the Elias M. Nasra and Family Partnership, a California general partnership, in City Hall located at 1 Dr. Carlton B. Goodlett Place. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

### Requests Granted

### In Memoriams