

# Board of Supervisors



City Hall  
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## Legislation Introduced

April 27, 2010

### LEGISLATION INTRODUCED AT ROLL CALL

#### Introduced by Supervisors or Mayor

#### Ordinances

- 100149 [Prohibiting Lying on Public Sidewalks]**  
**Sponsor:** Daly  
Draft ordinance amending San Francisco Police Code by adding Section 168 to prohibit lying on a public sidewalk. RECEIVED AND ASSIGNED to Public Safety Committee.
- 100188 [Zoning – 1800 Market Street Community Center Project Special Use District]**  
**Sponsor:** Duffy  
Ordinance amending the San Francisco Planning Code by adding Section 787 to establish the 1800 Market Street Community Center Project Special Use District for property located at 1800 Market Street (Lot No. 014, Assessor's Block No. 871), located at the northwest corner of Market Street and Octavia Boulevard; amending Sheet SU07 of the Zoning Map of the City and County of San Francisco to reflect this new Special Use District; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 100189 [Transferring Responsibility for Crime Lab Services from the Police Department to the City Administrator]**  
**Sponsor:** Mirkarimi  
Ordinance amending the San Francisco Administrative Code by amending Section 2A.25 and by amending and renumbering Section 10.100-170, all to transfer responsibility for providing crime laboratory services from the Police Department to the City Administrator, and setting an operative date. ASSIGNED UNDER 30 DAY RULE to Public Safety Committee.

## **Resolutions**

- 100006 [Authorizing the Director of Elections to Make Confidential Certain Voter Registration Information Pertaining to Public Safety Officers]**  
**Sponsor:** Chiu  
Resolution authorizing the Director of Elections to, upon proper application of a public safety officer, make confidential that officer's residential address, telephone number and e-mail address appearing on the affidavit of registration, in accordance with California Elections Code Section 2166.7. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100030 [Amendment to Contract - AnsaldoBreda Inc., for Light Rail Vehicle Systems Overhaul - Not to Exceed \$68,749,421]**  
**Sponsor:** Chiu  
Resolution approving Amendment One to Contract No. APT 591.01, light rail vehicle doors and steps reconditioning and systems rehabilitation, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and AnsaldoBreda Inc. to rehabilitate the trucks of 34 light rail vehicles, at the cost of \$11,996,867 for a total contract amount not to exceed \$68,749,421 and to extend the term of the contract from five years to six years. RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.
- 100222 [Resolution to Acquire Real Property Interests by Eminent Domain - Water System Improvement Program - CUW 35901, New Irvington Tunnel Project]**  
**Sponsor:** Mayor  
Resolution authorizing acquisition of the following interests in real property in Alameda County: (1) a temporary construction easement in a portion of Assessor's Parcel #513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary construction easement in a portion of Assessor's Parcel # 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary construction easement and a permanent subsurface soil nail easement in portions of Assessor's Parcel # 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1. ASSIGNED to Board of Supervisors on May 18, 2010 (See File No. 100220).
- 100244 [Declaring May 2010 Building Safety Month]**  
**Sponsor:** Avalos  
Resolution declaring May 2010 as Building Safety Month in the City and County of San Francisco and urging support for supporting public safety efforts by the Department of Building Inspection and recognizing public employees for their contributions to San Francisco's structural safety and well-being. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 100256 [Calling for a Boycott of the State of Arizona and Arizona-Based Businesses Until Arizona Repeals Senate Bill 1070]**  
**Sponsors:** Campos; Chiu, Avalos, Dufty, Daly, Mirkarimi and Mar  
 Resolution denouncing Arizona State Senate Bill 1070, a law that seeks to implement Arizona's own scheme of immigration regulation and will inevitably lead to racial profiling of people of color and limited English proficient persons, calling for a boycott of the State of Arizona and Arizona-based businesses, and endorsing the City Attorney's offer to cooperate in a lawsuit challenging Arizona State Senate Bill 1070. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100257 [Calling for Comprehensive Immigration Reform and Condemning Immigration and Customs Enforcement Audits of San Francisco Businesses]**  
**Sponsors:** Campos; Mar, Avalos, Mirkarimi, Chiu, Dufty, Elsbernd, Daly and Alioto-Pier  
 Resolution calling upon United States Congress to pass Comprehensive Immigration Reform that will solve the problem of undocumented immigration at its roots instead of through piecemeal enforcement-only measures, and condemning Immigration and Customs Enforcement audits of San Francisco businesses, including a unionized company. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100285 [Federal Disaster Corps Grants Administered by the California Volunteers]**  
**Sponsor:** Mayor  
 Resolution authorizing designated City and County of San Francisco 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 Disaster Corps Grant administered by California Volunteers. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100286 [Supporting Assembly Bill 1900 Relating to Inmates]**  
**Sponsor:** Mirkarimi  
 Resolution urging the State Legislature to pass Assembly Bill 1900 relating to inmates. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

- 100004 [Sunset Reservoir Solar Project First Source Hiring Agreement]**  
**Sponsor:** Mar  
 Hearing to discuss compliance with the First Source Hiring Agreement for the Sunset Reservoir Solar Project. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 100005 [Low-Achieving Schools and the Student Improvement Grant]**  
**Sponsors:** Campos; Dufty  
 Hearing on the status of persistently low-achieving schools in San Francisco and the student Improvement Grant. RECEIVED AND ASSIGNED to City and School District Select Committee.

**100221 [Public Hearing - Acquisition of Real Property by Eminent Domain - Water System Improvement Program-CUW 35901, New Irvington Tunnel Project]**  
Hearing of persons interested in or objecting to proposed Resolution authorizing acquisition of the following interests in real property in Alameda County: (1) a temporary construction easement in a portion of Assessor's Parcel #513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary construction easement in a portion of Assessor's Parcel # 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary construction easement and a permanent subsurface soil nail easement in portions of Assessor's Parcel # 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1. (Clerk of the Board). SCHEDULED FOR PUBLIC HEARING to Board of Supervisors on May 18, 2010 (See File No. 100220).

**Motion**

**100220 [Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interests by Eminent Domain]**  
**Sponsor:** Mayor  
Motion that the Board of Supervisors hold a public hearing on May 18, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of: (1) a temporary interest in real property in Alameda County known as Assessor's Parcel #513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary interest in real property in Alameda County known as Assessor's Parcel # 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary interest and a permanent interest in portions of real property in Alameda County known as Assessor's Parcel # 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Introduced by President at Request of Department**

**PROPOSED ORDINANCE**

**100515 [Settlement of Lawsuit - Blackhawk Parent LLC - \$250,000]**  
Ordinance authorizing settlement of tax refund lawsuit filed by Blackhawk Parent LLC, against the City and County of San Francisco for \$250,000; the lawsuit entitled Blackhawk Parent LLC v. City and County of San Francisco, Case No. 478-160 filed August 1, 2008, in San Francisco Superior Court. (City Attorney). RECEIVED AND ASSIGNED to Rules Committee.

## **PROPOSED RESOLUTION**

### **100516 [Lease Agreement with the California State Lands Commission]**

Resolution approving and authorizing a 25 year lease with the California State Lands Commission for a portion of the San Francisco Bay in Alameda and San Mateo Counties, at no rent, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Tunnel; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

## **Clerk to Act – April 27, 2010**

Board Minutes for March 30, 2010 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

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

Irvine 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 and 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 from the following private property locations:

208 Scott  
357 Oak  
1529 Fulton  
745 Buchanan  
1428 Grove  
743 Grove  
590 Divisadero  
601 Divisadero  
1023 Haight  
1550 Haight  
537 Shrader  
989 Haight  
563 Haight  
546 Haight  
535 Haight  
522 Haight  
557 Haight  
528 Haight  
295 Buchanan  
201 Buchanan

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

Northeast corner Fell & Scott

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 following public property locations:

Utility Boxes

Southeast corner Broderick & Fulton  
Northeast corner Linden & Buchanan  
Southeast corner Divisadero & Fulton  
Southeast corner Fulton & Masonic  
Northeast corner Steiner & Oak  
Northeast corner Fulton & Steiner  
Northwest corner Fillmore & Hermann  
Northeast corner Central & Haight

### Bus Shelters

Southeast corner Buchanan & Haight  
Southwest corner Masonic & Golden Gate  
Southeast corner Laguna & Grove  
Northeast corner Buena Vista East & Haight  
Southwest corner Haight & Pierce  
Fillmore and Haight (all 4 bus stops, graffiti and grime)

### Emergency Box

Northwest corner Turk & Pierce

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 following locations:

### Garbage Cans

Southwest corner Lyon & Haight  
Northwest corner Post & Steiner  
Northeast corner Clayton & Haight

### Mailbox

Southeast corner Ellis & Pierce  
Northeast McAllister & Pierce  
Northeast corner Baker & Haight

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 and sidewalk issues at the following locations: On Steiner & Golden Gate, South of Golden Gate, east side of street.

From: Supervisor Mar

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that outlaws fast food restaurants from including toys with meals marketed at children that are high calorie, high sugar and high in fat.

### In Memoriams

Alicia Parlette – Entire Board  
Kevin Restani – Supervisor Elsbernd  
Tricia Taborn – Supervisor Mirkarimi