

Board of Supervisors



City Hall
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Legislation Introduced at Roll Call

Tuesday, January 9, 2024

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

230859 [Treasure Island/Yerba Buena Island - Delegation Related to Acceptance of Public Parks]

Sponsors: Mayor; Dorsey

Ordinance delegating to the Treasure Island Development Authority various powers related to acceptance of public parks and open space improvements as part of development of the Treasure Island/Yerba Buena Island Project, pursuant to the Disposition and Development Agreement, the Development Agreement, and a Special Use District in Planning Code, Section 249.52. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

231269 [Treasure Island/Yerba Buena Island - Ferry Terminal and Other TIDA Improvements]

Sponsors: Mayor; Dorsey

Ordinance acknowledging the Treasure Island Development Authority's (the "Authority" or "TIDA") acceptance of certain improvements on portions of Yerba Buena Island and Treasure Island, including ferry terminal improvements, and the Authority's acceptance of the improvements for maintenance and liability purposes; dedicating improvements to public use; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting a Public Works Order that recommends acceptance of these improvements and related actions, as defined herein. SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

240015 [Administrative Code - Procuring Behavioral Health and Public Health Residential Care and Treatment Services]

Sponsors: Mayor; Ronen and Mandelman

Ordinance amending the Administrative Code to authorize the Department of Public Health to procure behavioral health and public health residential care and treatment services for patients of the Department without adhering to the competitive solicitation or Local Business Enterprise requirements of the Municipal Code. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

231223 [Planning Code - Parcel Delivery Service]

Sponsor: Chan

Ordinance amending the Planning Code to require Conditional Use authorizations for establishing Parcel Delivery Service uses, prohibit Parcel Delivery Service as an accessory use, and revise zoning control tables to reflect these changes; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

240016 [Campaign and Governmental Conduct Code - Form 700 (Statement of Economic Interests) Filers]

Sponsor: Chan

Ordinance amending the Campaign and Governmental Conduct Code to update and clarify the Conflict of Interest Code's Form 700 (Statement of Economic Interests) filing requirements for "Proposition Q Filers" (Departmental Purchaser Initiators and Approvers); add the Children and Families First Commission to the list of filers who file with the Ethics Commission; and make non-substantive corrections to the Conflict of Interest Code sections for the Department of Public Works and the Public Utilities Commission. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

231256 [Planning Code, Zoning Map - Potrero Yard Special Use District]

Sponsors: Ronen; Walton

Ordinance amending the Planning Code and Zoning Map to create the Potrero Yard Special Use District and change the height and bulk limits at 2500 Mariposa Street, Assessor's Parcel Block No. 3971, Lot No. 001, to facilitate development of the Potrero Yard Modernization Project; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302. SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

240017 [Site for New Library Branch for Oceanview, Merced Heights, Ingleside, and Lakeview Neighborhoods]

Sponsor: Safai

Ordinance requiring that the new Public Library branch serving the Oceanview, Merced Heights, Ingleside, and Lakeview neighborhoods be built on the City-owned parcel of land at 100 Orizaba Avenue, subject to environmental review, required approvals, and other applicable laws; and prohibiting the expenditure of City funds to explore, pursue, or plan construction of a new Public Library branch serving those neighborhoods at any alternate location, except as required by the environmental review process, required approvals, or other applicable laws. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

RESOLUTIONS

- 240018 [Accept and Expend Grant - U.S. Department of Transportation, Maritime Administration - Amador Street Infrastructure Improvement Project - \$9,607,500]**
Sponsors: Mayor; Walton
Resolution authorizing the Port Commission to accept and expend a grant in the amount of \$9,607,500 from the United States Department of Transportation, Maritime Administration Port Infrastructure Development Program to fund the Amador Street Infrastructure Improvement Project from March 1, 2024, through February 28, 2027; and authorizing the Port Executive Director to enter into modifications to the Grant Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Grant Agreement or this Resolution. (Port). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 240019 [Accept and Expend Grant - Retroactive - California Department of Public Health - California Tobacco Prevention Program (CTPP) - \$3,973,298]**
Sponsor: Mayor
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$281,965 for a total amount of \$3,973,298 from the California Department of Public Health for participation in a program, entitled "California Tobacco Prevention Program (CTPP)," for the period of July 1, 2023, to June 30, 2024. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 240020 [Accept and Expend Grant - California Department of Housing and Community Development - Infill Infrastructure Grant Program - 850 Turk Street and 750 Golden Gate Avenue - \$8,091,600]**
Sponsors: Mayor; Stefani
Resolution authorizing the Mayor's Office of Housing and Community Development to execute a Standard Agreement with California Department of Housing and Community Development ("HCD" or "Department") under the Infill Infrastructure Grant Program for a total award of \$8,091,600 disbursed by HCD as a grant to the City for infrastructure improvements related to property located at 850 Turk Street and 750 Golden Gate Avenue selected by the State of California for 100% affordable housing projects ("Project") for the period starting on the execution date of the Standard Agreement to June 30, 2030, and as amended. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 240021 [Accept and Expend Grant - California Department of Housing and Community Development Affordable Housing and Sustainable Communities Program - 850 Turk Street - \$31,971,048]**
Sponsors: Mayor; Stefani
Resolution authorizing the Mayor's Office of Housing and Community Development ("MOHCD") to execute the Standard Agreements with the California Department of Housing and Community Development ("HCD" or "Department") under the Affordable Housing and Sustainable Communities Program for a total award of \$31,971,048 including \$22,000,000 disbursed by HCD as a loan to the MP Turk Street Associates, L.P. ("Developer") for a 100% affordable housing project at 850 Turk Street and \$9,971,048 to be disbursed as a grant to the City for public transportation improvements near 850 Turk Street, for the period starting on the execution date of the Standard Agreements to November 30, 2043; and authorizing MOHCD to accept and expend the grant of up to \$9,971,048 for transportation, streetscape and pedestrian improvements, and other transit oriented programming and improvement as approved by HCD. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 240022 [Support for the Application for HCD’s Local Government Matching Grants Program - MidPen Housing Corporation - Affordable Housing Phase I - 750 Golden Gate Avenue]**
Sponsors: Mayor; Stefani
 Resolution 1) supporting MidPen Housing Corporation’s (“Applicant”) submission of an application under the Excess Sites Local Government Matching Grants Program (“Program”) to the Department of Housing and Community Development (HCD) (“Department”) to receive Program funds in order to develop and construct an affordable, 75-unit multifamily rental housing development affordable to low-income households, including one resident manager unit (the “Project”) as Phase I on a state-owned Excess Site located at 750 Golden Gate Avenue (“Property”); and 2) supporting the Applicant to submit the Project Budget (“Attachment 1”) and Anticipated and Committed Project Sources (“Attachment 2”) to be included in their application. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 240023 [Grant Agreement - Retroactive - Advocates for Human Potential, Inc. - Round 3 - 822 Geary Street - Anticipated Revenue to the City \$6,774,965]**
Sponsor: Mayor
 Resolution retroactively authorizing the Department of Public Health to enter into a Grant Agreement for a term commencing on execution of the Grant Agreement, through June 30, 2027, between the City and County of San Francisco (“City”), acting by and through its Department of Public Health (“DPH”), and Advocates for Human Potential, Inc., having anticipated revenue to the City of \$6,774,965 for construction at 822 Geary Street, 1st Floor; including a Permitted and Restricted Use; authorizing the Grantor to apply for a Receiver in the event of the City’s default; and authorizing DPH to enter into amendments or modifications to the Grant Agreement that do not materially increase the obligations or liabilities of the City and are necessary to effectuate the purpose of the Grant. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 240024 [Loan Amendment - San Cristina L.P. - 100% Affordable Housing at 1000 Market Street - Not to Exceed \$12,781,730]**
Sponsor: Mayor
 Resolution approving and authorizing 1) the execution of a First Amendment to the Amended and Restated Loan Agreement with San Cristina L.P., a California limited partnership, to increase the loan amount by \$1,993,694 for a new aggregate loan amount not to exceed \$12,781,730 to finance additional rehabilitation costs related to a 100% affordable, 58-unit multifamily rental housing development for very-low income formerly homeless households located at 1000 Market Street (“Project”); and 2) the Mayor and the Director of Mayor’s Office of Housing and Community Development to execute documents, make certain modifications and take certain actions in furtherance of this Resolution, as defined herein. (Mayor’s Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 240025 [Accept and Expend Grant - San Francisco Special Events Committee - APEC-Related Overtime Costs - Total Amount of Up to \$6,500,000]**
Sponsor: Mayor
 Resolution authorizing the Police Department to accept and expend a grant in two payment installments with an initial payment of \$5,000,000 followed by a payment of available funds of up to \$1,500,000 for a total amount of up to \$6,500,000 from the San Francisco Special Events Committee nonprofit to fund overtime costs incurred by the Police Department in support of the City’s hosting of the Asia-Pacific Economic Cooperation (APEC) Summit in November 2023; approving the associated grant agreement; and authorizing the Chief of Police to enter into modifications to the Grant Agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Grant Agreement or this Resolution. (Police Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 240026 [Multifamily Housing Revenue Notes - Transbay 2 Senior, L.P. - Not to Exceed \$67,680,000]**
Sponsor: Mayor
 Resolution authorizing the execution and delivery of multifamily housing revenue notes in one or more series in an aggregate principal amount not to exceed \$67,680,000 for the purpose of providing financing for the construction of a 151-unit multifamily rental housing project known as “Transbay Block 2 West” located at 200 Folsom Street; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the construction loan from the funding lender to the City, and the execution and delivery of the notes; approving the form of and authorizing the execution of a project loan agreement providing the terms and conditions of the construction loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants for the project; authorizing the collection of certain fees; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue notes by the City in an aggregate principal amount not to exceed \$67,680,000; approving modifications, changes and additions to the documents; ratifying and approving any action heretofore taken in connection with the funding loan, the project loan, the notes and the project, as defined herein; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 240027 [Urging Safeway to Reverse Plan to Close a Grocery Store in the Fillmore]**
Sponsors: Preston; Walton, Safai and Peskin
 Resolution urging Safeway Incorporated to reverse plan to close a grocery store at 1335 Webster Street in the Fillmore in March 2024. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 240028 [Supporting California Senate Bill No. 905 (Wiener) - Closing the “Locked Door” Loophole In Auto Break-In Burglary Cases]**
Sponsor: Stefani
 Resolution supporting California State Senate Bill No. 905, introduced by Senator Scott Wiener, to close the “locked door loophole” that creates barriers to successfully prosecuting auto burglary. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTION

240033 [Mayoral Appointment, Controller - Greg Wagner]

Motion approving/rejecting the Mayor's appointment of Greg Wagner as the Controller for the City and County of San Francisco, for a ten-year term, pursuant to Charter, Section 3.105. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

240029 [Hearing - Artificial Intelligence in Local Elections]

Sponsor: Preston

Hearing on Artificial Intelligence in Local Elections; and requesting the Department of Elections and Ethics Commission to report. RECEIVED AND ASSIGNED to Rules Committee.

240030 [Hearing - Evaluation of SFUSD's Safety Procedures]

Sponsor: Stefani

Hearing to evaluate the lockdown and other safety procedures of the San Francisco Unified School District (SFUSD); and requesting the SFUSD to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

240031 [Hearing - Review and Adoption of the Proposed Draft FY2024-2025 and FY2025-2026 Budget for the Board of Supervisors]

Hearing to consider the annual review and adoption of the Proposed Draft Fiscal Year (FY) 2024-2025 and FY2025-2026 Budget for the Board of Supervisors. (Clerk of the Board). 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 ORDINANCES

240001 [Planning Code, Zoning Map - 68 Nantucket Avenue]

Ordinance amending the Zoning Map of the Planning Code to rezone Assessor's Parcel Block No. 3144B, Lot Nos. 027A and 036A, known as 68 Nantucket Avenue, from Public (P) District to Residential-House, One Family (RH-1) District; and affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making public necessity, convenience, and general welfare findings under Planning Code, Section 302. (Planning Department). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

- 240002 [Settlement of Lawsuit - Shally Nguyen and Kyle Ravelo - \$35,000]**
Ordinance authorizing settlement of the lawsuit filed by Shally Nguyen and Kyle Ravelo against the City and County of San Francisco for \$35,000; the lawsuit was filed on October 26, 2022, in San Francisco Superior Court, Case No. CGC-22-602620; entitled Shally Nguyen and Kyle Ravelo v. City and County of San Francisco; the lawsuit involves alleged personal injury arising from collision with City vehicle. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 240003 [Settlement of Lawsuit - Peter Misthos - \$65,000]**
Ordinance authorizing settlement of the lawsuit filed by Peter Misthos against the City and County of San Francisco for \$65,000; the lawsuit was filed on July 28, 2022, in San Francisco Superior Court, Case No. CGC-22-600973; entitled Peter Misthos v. City and County of San Francisco; the lawsuit involves an employment dispute. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 240005 [Amending Authorizing Agreements - Bank Credit Facility for CleanPowerSF - Public Utilities Commission]**
Ordinance amending Ordinance No. 8-18, to authorize the General Manager of the San Francisco Public Utilities Commission to enter into amendments and extensions of, or replacements for, the bank credit facility agreement authorized under Ordinance No. 8-18, to provide liquidity support, as needed, for power purchases, regulatory requirements, and other financial obligations of San Francisco's CleanPowerSF community choice aggregation program for an additional term or terms not exceeding 10 years. (Public Utilities Commission). ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

- 240004 [Settlement of Unlitigated Claims - Amazon.com Sales, Inc. - \$448,119.86]**
Resolution approving the settlement of the unlitigated claims filed by Amazon.com Sales, Inc. against the City and County of San Francisco for \$448,119.86; the claims were filed on June 26, 2023; the claims involve a refund of payroll expense, gross receipts, and homelessness gross receipts taxes. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 240006 [Real Property Lease - AIM TWO - 755 and 759 South Van Ness Avenue - \$626,146.29 Initial Annual Base Rent]**
Resolution approving and authorizing the Director of Property, on behalf of the Department of Public Health, to execute a Lease Agreement for continued use of office and clinic space at 755 and 759 South Van Ness Avenue and the adjacent parking lot with AIM TWO, as Landlord, effective upon approval of the Resolution by the Board of Supervisors and the Mayor and upon execution of the Lease by the Director of Property, terminating on December 31, 2027, at the monthly base rent of \$52,178.86 for a total annual base rent of \$626,146.29 with annual 3% to 5% CPI increases; plus one five-year extension option; and authorizing the Director of Property to enter into amendments or modifications to the Lease that do not materially increase the obligations or liabilities to the City, do not materially decrease the benefits to the City and are necessary or advisable to effectuate the purposes of the Lease or this Resolution. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 240007 [Military Equipment Use Policy and Additional Equipment Approval - Annual Report]**
 Resolution accepting the Sheriff Office's Military Equipment Use Policy 2023 Annual Report and Inventory and approving request for purchase and use of additional equipment, consistent with the criteria set forth in state law. (Sheriff). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 240008 [Lease Modification - American Airlines, Inc. - Superbay Hangar Lease No. L13-0071 - Extension of Term and Rent Increase - \$7,240,000 Initial Annual Base Rent]**
 Resolution approving Modification No. 4 of the Superbay Hangar Lease No. L13-0071, between American Airlines, Inc. and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term by two years and adjust the annual rent to \$7,240,000 to commence on the Effective Date of the Lease Extension Term after approval of the Board of Supervisors and execution of Modification No. 4 by City. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 240009 [Lease Modification - United Airlines, Inc. - Extension of Term and Rent Increase - \$5,563,768.73 Initial Annual Base Rent]**
 Resolution approving Modification No. 3 of the Superbay Hangar Lease No. L04-0058, between United Airlines, Inc. and the City and County of San Francisco, acting by and through its Airport Commission, to extend the term by two years and set the annual rent to \$5,563,768.73 to commence on the Effective Date of the Lease Extension Term after approval of the Board of Supervisors and execution of Modification No. 3 by City. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 240010 [Settlement of Unlitigated Claim - Lynette Chun - \$42,115.44]**
 Resolution approving the settlement of the unlitigated claim filed by Lynette Chun against the City and County of San Francisco for \$42,115.44; the claim was filed on March 6, 2023; the claim involves property damage arising from flooding alleged to be caused by a water main rupture. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 240011 [Airline and Airport 2023 Lease and Use Agreement - STARLUX Airlines Co., LTD dba STARLUX Airlines North America, Co.]**
 Resolution approving the 2023 Lease and Use Agreement between the City and County of San Francisco, acting by and through its Airport Commission, and STARLUX Airlines Co., LTD dba STARLUX Airlines North America, Co. to conduct flight operations at the San Francisco International Airport, for a term commencing on the first day of the calendar month immediately following the receipt of full City approvals of the Lease through June 30, 2033; affirming the Planning Department's determination under the California Environmental Quality Act; and authorizing the Airport Director to enter into modifications to the Lease that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the Lease or this Resolution. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

** Revised title due to clerk error.

Clerk to Act – January 9, 2024

Regular Board Meeting Minutes for November 14, 2023, November 28, 2023, and Special Board Meeting Minutes for November 20, 2023, were approved.

Requests Granted

None

In Memoriam

Falcor Shortt Gullicksen – Board President Aaron Peskin

Gertrude “Gigi” Platt – Board President Aaron Peskin

Lawrence “Larry” Karp – Board President Aaron Peskin

Mary Etta Moose – Board President Aaron Peskin

Dennis James Kern – Supervisor Catherine Stefani and Board President Aaron Peskin

Gloria Lucas Davis – Entire Board