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 at Roll Call

Tuesday, September 7, 2021

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

210934 [Building Code - Mandatory Disability Access Improvements for Places of Public Accommodation - Extension of Time Deadlines]

Sponsor: Mayor

Ordinance amending the Building Code to extend the time by approximately two years for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; to extend the period for granting extensions from those deadlines; and to extend the time for the Department of Building Inspection's Report to the Board of Supervisors.

ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

210935 [Administrative Code - Cannabis Oversight Committee Sunset Date]

Sponsor: Chan

Ordinance amending the Administrative Code to extend the sunset date for the Cannabis Oversight Committee from December 3, 2021, to January 1, 2025. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

210936

[Appropriation and De-Appropriation - District 7 General City - District 7 Community Grants Initiative Under Participatory Budgeting - \$229,630; \$39,250 - Arts Commission; \$45,000 - DPW; \$43,380 - REC; \$32,000 - GSA-ADM; \$70,000 - DCYF - FY2021-2022]

Sponsor: Melgar

Ordinance de-appropriating \$229,630 from District 7 General City Responsibility (GEN) and appropriating \$39,250 to the Arts Commission; \$45,000 to the Department of Public Works (DPW); \$43,380 to the Recreation and Park Department (REC); \$32,000 to the General Services Agency-City Administrator (GSA-ADM); \$70,000 to the Department of Children, Youth and Their Families (DCYF) to support the District 7 Community Grants Initiative under Participatory Budgeting projects in Fiscal Year (FY) 2021-2022. ASSIGNED to Budget and Finance Committee.

210937 [Business and Tax Regulations Code - Affordable Housing Transfer Tax Exemption]

Sponsor: Preston

Ordinance amending the Business and Tax Regulations Code to exempt certain transfers of rent-restricted affordable housing occurring on or after January 1, 2021, from the increased transfer tax rates when the consideration or value of the interest or property conveyed equals or exceeds \$5,000,000; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

210898 [Planning Code - Landmark Designation - One Montgomery Street (aka 1-25 Montgomery Street) (Crocker National Bank Building)]

Sponsor: Peskin

Ordinance amending the Planning Code to designate One Montgomery Street (aka 1-25 Montgomery Street), Crocker National Bank Building, Assessor's Parcel Block No. 0292, Lot Nos. 001A and 002, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; 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. (Historic Preservation Commission). ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

210938 [Administrative Code - Due Date for Weights and Measurements Fees and Temporarily Waiving Fees for Taximeter Devices]

Sponsor: Peskin

Ordinance amending the Administrative Code by setting March 31 as the annual due date to pay registration fees for weighing and measuring devices and automated point of sale stations used for commercial purposes; retroactively eliminating fees billed by the Tax Collector on or after January 1, 2019, through fees otherwise due prior to March 31, 2025, for each business with a taximeter device; refunding eliminated fees paid to the City, and any penalties paid on such fees; and updating administrative fees to conform with the State of California's annual device administrative fee schedule. ASSIGNED to Rules Committee.

RESOLUTIONS

210939 [Multifamily Housing Revenue Bonds and Notes - Amendments - Volume Cap Recycling]

Sponsor: Mayor

Resolution authorizing participation in the California Housing Finance Agency private activity bond volume cap recycling program; authorizing a memorandum of understanding with California Housing Finance Agency regarding such participation; authorizing certain amendments to legal documents relating to the City's multifamily housing revenue bonds and notes in order to facilitate such recycling, as defined herein; authorizing the collection of certain fees, as defined herein; ratifying and approving any action heretofore taken in connection with such recycling, as defined herein; granting 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.

210940 [Purchase of Real Property - Mahadeva, LLC - 3055-3061 16th Street - Homelessness and Supportive Housing - \$5,715,000]

Sponsors: Mayor; Ronen and Safai

Resolution 1) approving and authorizing the Director of Property, on behalf of the Department of Homelessness and Supportive Housing ("HSH"), to acquire certain property located at 3055-3061 16th Street ("Property"); 2) approving and authorizing an Agreement of Purchase and Sale for Real Estate for the acquisition of the Property, for \$5,600,000 plus an estimated \$115,000 for typical closing costs for a total amount of \$5,715,000 from Mahadeva, LLC ("Purchase Agreement"); 3) authorizing the Director of Property to execute the Purchase Agreement, make certain modifications, and take certain actions in furtherance of this Resolution and the Purchase Agreement, as defined herein; 4) affirming the Planning Department's determination under the California Environmental Quality Act; and 5) adopting the Planning Department's findings that the Purchase Agreement, and the transaction contemplated therein, is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Committee.

210941 [Purchase of Real Property - Jamna Investments, LLC - 5630-5638 Mission Street - Homelessness and Supportive Housing - \$17,340,000]

Sponsors: Mayor; Safai

Resolution 1) approving and authorizing the Director of Property, on behalf of the Department of Homelessness and Supportive Housing ("HSH"), to acquire certain property located at 5630-5638 Mission Street ("Property"); 2) approving and authorizing HSH, on behalf of the City, to apply to the California Department of Housing and Community Development ("HCD") for its 2021 Homekey Grant Program ("Project Homekey") to purchase the Property; 3) approving and authorizing an Agreement of Purchase and Sale for Real Estate for the acquisition of the Property, for \$17,000,000 plus an estimated \$340,000 for typical closing costs for a total amount of \$17,340,000 from Jamna Investments, LLC ("Purchase Agreement"); 4) authorizing the Director of Property to execute the Purchase Agreement, make certain modifications, and take certain actions in furtherance of this Resolution and the Purchase Agreement, as defined herein; 5) affirming the Planning Department's determination under the California Environmental Quality Act; and 6) adopting the Planning Department's findings that the Purchase Agreement, and the transaction contemplated therein, is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. RECEIVED AND ASSIGNED to Budget and Finance Committee.

210942 [Accept and Expend Grant - Hellman Foundation - Hellman Foundation Grant - \$405,000]

Sponsor: Mayor

Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of \$405,000 from the Hellman Foundation for participation in a program, entitled "Hellman Foundation Grant," to help bridge the divide between healthcare systems and the food community through the innovation of providing "food as medicine" through clinic-based food "pharmacies" for the period of May 1, 2022, through May 1, 2025. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

210943 [Accept and Expend Grant - San Francisco Parks Alliance - Annual Support Grants - FY2021-2022 - Up to \$118,000]

Sponsor: Mayor

Resolution authorizing the Recreation and Park Department to accept and expend up to \$118,000 of cash or in-kind grants for annual support (for community events, staff development and appreciation, recreation programming and other activities) from the San Francisco Parks Alliance in Fiscal Year (FY) 2021-2022. (Recreation and Park Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

210944 [Creation of a "Beach to Bay" Car-Free Connection and Equitable Access to Golden Gate Park]

Sponsors: Chan; Walton and Peskin

Resolution calling for the creation of a "Beach to Bay" car-free connection and urging the Recreation and Park Department and San Francisco Municipal Transportation Agency to improve park accessibility and create equitable access to Golden Gate Park. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

210945 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2021-22]

Sponsor: Haney

Resolution levying property taxes at a combined rate of \$1.18248499 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco County Office of Education, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District; and establishing a pass-through rate of \$0.0754 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year (FY) ending June 30, 2022. RECEIVED AND ASSIGNED to Budget and Finance Committee.

210946 [Urging and Supporting Declaration of Local Emergency: Overdose Crisis] Sponsors: Haney; Mar, Walton and Mandelman

Resolution urging and supporting Mayor London N. Breed in proclaiming a declaration of the existence of a local emergency around the overdose crisis and immediately implementing overdose prevention sites. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

210947 [Urging the California Supreme Court to Restore LGBTQ Anti-Discrimination Protections]

Sponsors: Mandelman; Stefani, Melgar, Mar, Chan and Walton Resolution urging the California Supreme Court to review the Third District Court of Appeals ruling in Taking Offense v. California and restore anti-discrimination protections for LGBTQ residents of long-term care facilities. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

210948 [Urging Uniform Standards for Healthcare Facilities to Fulfill Vaccine Mandate] Sponsor: Mar

Resolution urging the Department of Public Health to set uniform standards for healthcare facilities to fulfill the California Department of Public Health order mandating vaccinations for health care staff, and for healthcare providers to provide support for their workers including on-site vaccinations and supplemental paid time off. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

210949 [Issuance and Sale of Revenue Obligations - California Enterprise Development Authority - Chinese American International School - Not to Exceed \$17,000,000] Sponsor: Melgar

Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$17,000,000 to finance the acquisition and renovation of educational and related facilities to be owned and operated by Chinese American International School, a California nonprofit public benefit corporation. RECEIVED AND ASSIGNED to Budget and Finance Committee.

210955 [Recognizing Abortion as Healthcare - Condemning Texas Senate Bill 8]

Sponsors: Melgar; Ronen, Stefani, Chan, Walton, Safai, Mandelman and Haney Resolution recognizing Abortion as Healthcare, objecting to Texas Senate Bill 8 and urging approaches that uplift autonomy for women and other birthing people; urging the Biden Administration and Congress to pass legislation protecting Reproductive Rights; and declaring the City and County of San Francisco a Champion of Reproductive Freedom and Justice. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

210950 [Issuance by California Statewide Communities Development Authority Revenue Obligations - Hebrew Home for Aged Disabled - Not to Exceed \$35,000,000] Sponsor: Safai

Resolution approving for purposes Internal Revenue Code of 1986, Section 147(f), as amended, the issuance of tax-exempt obligations pursuant to a plan of finance by California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$35,000,000 for the purpose of financing (including reimbursing) the acquisition, construction, renovation, equipping and furnishing of senior residential and care services and certain other matters relating thereto, as defined herein. RECEIVED AND ASSIGNED to Budget and Finance Committee.

210951 [Urging Full Compliance for California Proposition 12 - Prevention of Cruelty to Farm Animals]

Sponsor: Safai

Resolution urging full compliance of California's 2018 Proposition 12, the Prevention of Cruelty to Farm Animals; and urging compliance by January 1, 2022. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

210952 [Issuance by California Enterprise Development Authority Revenue Obligations - Presidio Hill School - Not to Exceed \$9.000.0001

Sponsor: Stefani

Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$9,000,000 to finance and refinance the acquisition, construction, renovation, rehabilitation, improvement and/or equipping of educational and related facilities to be owned and operated by Presidio Hill School, a California nonprofit public benefit corporation, or its wholly-owned limited liability company. RECEIVED AND ASSIGNED to Budget and Finance Committee.

210953 [FemTruth Young Womxn's Health Awareness Month - September 2021]

Sponsors: Walton; Ronen, Stefani, Melgar and Chan

Resolution recognizing September 2021 as FemTruth Young Womxn's Health Awareness Month. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTIONS

210900 [Appointment, Bicycle Advisory Committee - Ariel Earnhardt]

Motion appointing Ariel Earnhardt, term ending November 19, 2022, to the Bicycle Advisory Committee. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

210932 [Mayoral Appointment, Recreation and Park Commission - Vanita Louie]

Motion approving/rejecting the Mayor's nomination for appointment of Vanita Louie to the Recreation and Park Commission, for a term ending June 27, 2025. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

210933 [Mayoral Appointment, Recreation and Park Commission - Laurence Griffin]

Motion approving/rejecting the Mayor's nomination for appointment of Laurence Griffin to the Recreation and Park Commission, for a term ending June 27, 2025. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

REQUESTS FOR HEARING

210954 [Hearing - Update on Seismic Retrofit of 301 Mission Street]

Sponsor: Peskin

Hearing to receive progress updates on the seismic retrofit plan options for 301 Mission Street (also known as the Millennium Tower), based on public documents obtained by the Board of Supervisors and archived in File No. 160975; and requesting the Department of Building Inspection and project sponsor to report. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210892 [Hearing - Committee of the Whole - Independent Equal Employment Opportunity Report - October 5, 2021, at 3:00 p.m.]

Hearing of the Board of Supervisors sitting as a Committee of the Whole on Tuesday, October 5, 2021, at 3:00 p.m., to hold a public hearing on the findings and recommendations from the independent review by William B. Gould IV, a Charles A. Beardsley Professor of Law at Stanford Law School, on the City's equal employment opportunity policies of the Department of Human Resources Equal Employment Opportunity Division; scheduled pursuant to Motion No. M21-125 (File No. 210891), approved on September 7, 2021. (Clerk of the Board). RECEIVED AND ASSIGNED to Board of Supervisors.

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 ORDINANCE

210897 [Settlement of Lawsuit - Christina McGovern - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Christina McGovern against the City and County of San Francisco for \$100,000; the lawsuit was filed on March 10, 2020, in San Francisco Superior Court, Case No. CGC-20-583596; entitled Christina McGovern v. City and County of San Francisco; the lawsuit involves an alleged personal injury on a City sidewalk. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

210899 [Settlement of Unlitigated Claim - San Francisco Bay Regional Water Quality Control Board - Regulatory Enforcement Action]

Resolution approving the settlement of an unlitigated claim of the San Francisco Bay Regional Water Quality Control Board against the City and County of San Francisco regarding alleged violations of the California Water Code related to wet weather-related overflows from the City's combined sewer system; no formal claim has been filed; the settlement involves entry of a stipulated enforcement order requiring the City to implement flood control projects in the Wawona area, Folsom area, and Lower Alemany area and flooding response actions. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210906 [Settlement of Unlitigated Claims - Mizuho Securities USA LLC and Mizuho Americas LLC - \$531,910.34]

Resolution approving the settlement of the unlitigated claims filed by Mizuho Securities USA LLC and Mizuho Americas LLC against the City and County of San Francisco for \$531,910.34; the claims were filed on May 6, 2021; the claims involve a refund of payroll expense, gross receipts, homelessness gross receipts, and early care and education commercial rents taxes. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210907 [Settlement of Unlitigated Claim - Lever, Inc. - \$30,756.32]

Resolution approving the settlement of the unlitigated claim filed by Lever, Inc. against the City and County of San Francisco for \$30,756.32; the claim was filed on April 15, 2021; the claim involves a refund of payroll expense and gross receipts taxes. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

210908 [Contract Amendment - Retroactive - Northpointe Software, Inc. - Correctional Offender Management Profiling for Alternative Sanctions - Term Extension - Not to Exceed \$752,488]

Resolution retroactively approving a fifth amendment to the agreement between the Adult Probation Department and Northpointe Software, Inc., for maintenance and support of the Correctional Offender Management Profiling for Alternative Sanctions system (COMPAS), to extend the performance period by 12 months for a total term of 11 years from March 7, 2011, through March 7, 2022, with no change to the total amount not to exceed \$752,488. (Adult Probation). RECEIVED AND ASSIGNED to Budget and Finance Committee.

210909 [Airport Professional Services Agreement - SP Plus Corporation - Curbside Management Program - Not to Exceed \$20,700,000]

Resolution approving the Professional Services Agreement, Contract No. 50276 for the Curbside Management Program between SP Plus Corporation and the City and County of San Francisco, acting by and through its Airport Commission, for a three year term with one two-year option to extend, in an amount not to exceed \$20,700,000 to commence on November 1, 2021, through October 31, 2024. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

210910 [Permit To Enter City Property - San Mateo Resource Conservation District - 500 Log Cabin Ranch Road - Mindego Creek Fish Passage Project - 25-Year Term]

Resolution authorizing and approving a no fee permit to enter and use a portion of Log Cabin Ranch by the San Mateo Resource Conservation District for the Mindego Creek Fish Passage Project in order to help protect federally threatened steelhead trout and federally endangered coho salmon for a term of 25 years, to commence upon approval by the Board of Supervisors and Mayor; finding of public purpose and determining that competitive bidding procedures are not required; and adopting findings under the California Environmental Quality Act. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

210911 [Accept and Expend Grant - Retroactive - California Department of Insurance - Workers' Compensation Insurance Fraud Program - \$914,170]

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$914,170 from the California Department of Insurance for the Workers' Compensation Insurance Fraud Program, for the grant period of July 1, 2021, through June 30, 2022. (District Attorney). RECEIVED AND ASSIGNED to Budget and Finance Committee.

210912 [Real Property Lease - New Cingular Wireless PCS, LLC - 375 Laguna Honda Boulevard - \$120,000 Initial Annual Base Rent]

Resolution authorizing and approving the lease of a telecommunications facilities on a portion of the roof at 375 Laguna Honda Boulevard with New Cingular Wireless PCS, LLC, for a ten-year term at an initial annual rent of \$120,000 or the monthly base rent of \$10,000 with a 3% annual adjustment thereafter, and two five-year options to extend, with tenant responsible for all services and utilities, to commence upon execution after approval by the Board of Supervisors and Mayor, in their respective sole and absolution discretion. (Real Estate Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

210913 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving Amendment No. 46 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year to commence December 1, 2021, for a total term of November 19, 1998, through November 30, 2022. (Treasure Island Development Authority). RECEIVED AND ASSIGNED to Budget and Finance Committee.

210914 [Acceptance and Recording of Avigation Easement - SHAC Adrian Court Apartments LLC - 1 and 45 Adrian Court, Burlingame]

Resolution authorizing the acceptance and recording of an avigation easement by the City and County of San Francisco from SHAC Adrian Court Apartments LLC for the development at 1 and 45 Adrian Court in Burlingame, California, at no cost to the City and County of San Francisco; and affirming the Planning Department's determination under the California Environmental Quality Act. (Airport Commission). RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

210915 [Updated Emergency Declaration - Replacement and Repair of Fences - Increase the Total Not to Exceed Cost to \$11,000,000]

Resolution approving an updated emergency declaration of the San Francisco Public Utilities Commission (SFPUC), pursuant to San Francisco Administrative Code, Section 6.60, to replace and repair fences on SFPUC watershed land in Alameda damaged by the SCU Lightning Complex Fire, increasing the total not to exceed cost from \$4,250,000 to \$11,000,000. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act - September 7, 2021

Regular Board Meeting Minutes for June 29, 2021, July 13, 2021, July 20, 2021, and July 27, 2021 were approved.

Requests Granted

From: Supervisor Peskin

To: Planning Department, Department of Building Inspection

Requesting/Inquiring:

From the Planning Department:

- A list of all pending projects known to the Department listing Mr. Santos as the project sponsor or as any other authorized agent of a project.
- The Department's current policy for accepting and reviewing applications from individuals who are or have been the subject of local, state, or federal criminal indictments related to projects requiring approval by the City.
- Any steps that the Planning Department has taken, has considered taking, or is currently taking to reject applications, or subject applications to greater scrutiny, if submitted by individuals who are the subject of local, state, or federal criminal indictments.

From the Department of Building Inspection:

- A list of all pending projects known to the Department listing Mr. Santos as the project sponsor or as any other authorized agent of a project, including projects for which building permits have been approved and not yet expired.
- Steps the Department is taking pursuant to Ord. No. 040-21, Board File No. 210015 (Ronen), or otherwise to subject Santos to expanded compliance control and consumer protection provisions.
- Any individuals, agents, or entities known to the Department to be implicated or associated with any reported violations related to any project including Mr.
 Santos as a project sponsor or other authorized agent, including any steps the Department is taking to discern any such associates.

In Memoriam

Ambassador James C. Hormel - Supervisor Mandelman Yolanda Lopez - Supervisors Melgar, Ronen, and Mandelman Poet Laureate Emeritus Jack Hirschman - Supervisor Peskin Laura McMahon - Supervisor Peskin Loren Kincaid - Supervisor Peskin Stefani Faruggia - Supervisor Peskin Carl Payne - Supervisors Mar and Peskin Bonnie Ora Sherk - Supervisor Safai Jaedah Fa'afua Lia Tofaeono - Supervisor Walton Margeree Louise Young - Supervisor Walton