

City and County of San Francisco

Meeting Agenda

Budget and Finance Committee

Members: Matt Haney, Ahsha Safai, Gordon Mar

Clerk: Linda Wong (415) 554-7719

Wednesday, July 14, 2021 10:30 AM WATCH SF Cable Channel 26, 78 or 99 (depending on provider) WATCH www.sfgovtv.org

PUBLIC COMMENT CALL-IN 1 (415) 655-0001 / Meeting ID: 146 161 0659 #

Regular Meeting

Remote Access to Information and Participation

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Members of the public may participate by phone or may submit their comments by email to: linda.wong@sfgov.org; all comments received will be made a part of the official record. Regularly-scheduled Budget and Finance Committee Meetings begin at 10:30 a.m. every Wednesday of each month. Committee agendas and their associated documents are available at https://sfbos.org/committees.

PUBLIC COMMENT CALL IN 1 (415) 655-0001 / Meeting ID: 146 161 0659 # #

Please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact Assistant Clerk Linda Wong at (415) 554-7719.

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

REGULAR AGENDA

1. <u>201322</u> [Lease Agreement - ALD Development Corporation dba Airport Dimensions - Harvey Milk Terminal 1 Airport Lounge Lease No. 20-0048 -\$3,100,915.50 Minimum Annual Guarantee]

Resolution approving Lease No. 20-0048, between ALD Development Corporation dba Airport Dimensions, as tenant, and the City and County of San Francisco, as landlord, acting by and through its Airport Commission, for a term of 12 years with two one-year options to extend, and a minimum annual guarantee of \$3,100,915.50 for the first year of the Lease, to commence upon approval by the Board of Supervisors. (Airport Commission)

11/24/20; RECEIVED FROM DEPARTMENT.

12/8/20; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

5/12/21; CONTINUED TO CALL OF THE CHAIR.

2. <u>210410</u> [Lease Agreement - MRG San Francisco Terminal 2, LLC. - Terminal 2 Retail Market and Harvey Milk Terminal 1 Specialty Retail Stores Concession Lease - \$2,300,000 Minimum Annual Guarantee]

Resolution approving Terminal 2 Retail Market and Harvey Milk Terminal 1 Specialty Retail Stores Concession Lease No. 20-0156, between MRG San Francisco Terminal 2, LLC., as tenant, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of 12 years, and a Minimum Annual Guarantee of \$2,300,000 for the first year of the Lease, to commence upon Board approval. (Airport Commission)

4/14/21; RECEIVED FROM DEPARTMENT.

4/27/21; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

3. <u>210740</u> [Health Service System Plans and Contribution Rates - Calendar Year 2022]

Sponsor: Chan

Ordinance approving Health Service System plans and contribution rates for calendar year 2022.

(Pursuant to Charter, Section A8.422, this matter shall require a vote of three-fourths (9 votes) of all members of the Board of Supervisors to approve passage of this Ordinance.)

(Fiscal Impact)

6/22/21; ASSIGNED to the Government Audit and Oversight Committee.

4. <u>210713</u> [Professional Services Agreement Amendment - Calpine Energy Solutions, LLC - Community Choice Aggregation Program - Not to Exceed \$32,645,425]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 3 to Agreement No. CS-247[R], Customer and Administrative Services for Community Choice Aggregation Program with Calpine Energy Solutions LLC, for continued meter data management, billing and customer care support of the CleanPowerSF Program, increasing the agreement amount by \$13,876,200 for a total not to exceed agreement amount of \$32,645,425 and to extend the term of the agreement by three years, for a total agreement duration of nine years, for a total term of November 1, 2015, through October 31, 2024. (Public Utilities Commission)

(Fiscal Impact)

6/11/21; RECEIVED FROM DEPARTMENT.

6/22/21; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7/7/21; TRANSFERRED to the Budget and Finance Committee.

5. <u>210679</u> [Accept and Expend Grant - Retroactive - California Governor's Office of Emergency Services - Paul Coverdell Forensic Science Improvement Program - \$61,437]

Sponsor: Mayor

Resolution retroactively authorizing the Police Department to accept and expend a grant in the amount of \$61,437 from the California Governor's Office of Emergency Services for the Paul Coverdell Forensic Science Improvement Program to procure ammunition for forensic testing and controlled-substance hand-held Raman spectrometers for the Criminology Laboratory for the project period beginning on January 1, 2021, and ending on December 31, 2021. (Police Department)

6/8/21; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7/7/21; TRANSFERRED to the Budget and Finance Committee.

6. <u>210768</u> [Apply for, Accept, and Expend Grant - Retroactive - U.S. Department of Housing and Urban Development - Community Development Block Grant Program (CDBG) - \$24,737,307 - FY2021-2022] Sponsor: Mayor

Resolution retroactively approving the Fiscal Year (FY) 2021-2022 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2021-2022 CDBG Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$18,887,307 and to expend estimated program income in the amount of \$5,850,000 for a combined total of approximately \$24,737,307 for a period beginning July 1, 2021, through the date when all funds are expended.

6/29/21; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7. <u>210769</u> [Apply for, Accept, and Expend Grant - Retroactive - U.S. Department of Housing and Urban Development - Emergency Solutions Grants (ESG) Program - \$1,590,749 - FY2021-2022]

Sponsor: Mayor

Resolution retroactively approving the Fiscal Year (FY) 2021-2022 Emergency Solutions Grants (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2021-2022 ESG Program entitlement from the U.S. Department of Housing and Urban Development, in the amount of \$1,590,749 for an unspecified period starting July 1, 2021.

6/29/21; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7/7/21; TRANSFERRED to the Budget and Finance Committee.

8. <u>210770</u> [Apply for, Accept, and Expend Grant - Retroactive - U.S. Department of Housing and Urban Development - HOME Investment Partnership Program - \$5,261,731 - FY2021-2022]

Sponsor: Mayor

Resolution retroactively approving the Fiscal Year (FY) 2021-2022 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2021-2022 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$5,161,731 and to expend Program Income in the amount of \$100,000 for a combined total of \$5,261,731 for the term of July 1, 2021, through June 30, 2026.

6/29/21; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7/7/21; TRANSFERRED to the Budget and Finance Committee.

9. <u>210771</u> [Apply for, Accept, and Expend Grant - Retroactive - U.S. Department of Housing and Urban Development - Housing Opportunities for Persons with AIDS (HOPWA) Program - \$12,977,602 - FY2021-2022] Sponsor: Mayor

Resolution retroactively approving the Fiscal Year (FY) 2021-2022 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2021-2022 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$7,041,373 and to expend program income and reprogrammed funds in the amount of \$5,936,229 for a combined total of \$12,977,602 for the period of July 1, 2021, through June 30, 2026.

6/29/21; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

10. <u>210764</u> [Loan Agreement - Ambassador Ritz Four Percent, L.P. - 55 Mason Street and 216 Eddy Street - Not to Exceed \$44,465,000] Sponsor: Mayor

Resolution approving and authorizing the execution of a Loan Agreement with Ambassador Ritz Four Percent, L.P., a California limited partnership, in an aggregate total amount not to exceed \$44,465,000 for a minimum term of 55 years for a portion of the loan amount and maximum terms of 15 years, 28 years, and 40 years for other portions of the loan amount based on the requirements of the funding sources, to finance the acquisition and rehabilitation of an existing 100% affordable multifamily rental housing project for low income households, known as "Ambassador Ritz 4%," consisting of 187 rental units in two buildings located at 55 Mason Street and 216 Eddy Street; and adopting findings that the Loan Agreement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

6/29/21; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7/7/21; TRANSFERRED to the Budget and Finance Committee.

11. <u>210765</u> [Multifamily Housing Revenue Note - Ambassador Ritz Four Percent L.P. -55 Mason Street and 216 Eddy Street - Not to Exceed \$56,039,857] Sponsor: Mayor

Resolution authorizing the execution and delivery of a multifamily housing revenue note in one or more series in an aggregate principal amount not to exceed \$56,039,857 for the purpose of providing financing for the acquisition and rehabilitation of a 187-unit multifamily rental housing project located at 55 Mason Street and 216 Eddy Street, known as "Ambassador Ritz 4%;" approving the form of and authorizing the execution of a funding loan agreement, providing the terms and conditions of the loan from the funding lenders to the City, and the execution and delivery of the note; approving the form of and authorizing the execution of a borrower loan agreement providing the terms and conditions of the loan from the City to the borrower; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes and additions to the documents, as defined herein; ratifying and approving any action heretofore taken in connection with the back-to-back loan, the note and the Project; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and related matters, as defined herein.

6/29/21; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7/7/21; TRANSFERRED to the Budget and Finance Committee.

12. <u>210534</u> [Administrative Code and Amending Ordinance No. 49-17 - Deferring Payments to and Use of the 180 Jones Affordable Housing Fund] Sponsor: Haney

Ordinance amending Ordinance No. 49-17, as amended by Ordinance No. 209-17, to change the timeline for the payments of a \$2,700,000 gift and \$9,750,000 from the project sponsor of the project at 950-974 Market Street to the 180 Jones Street Affordable Housing Fund; amending the Administrative Code regarding use of the 180 Jones Street Affordable Housing Fund; and authorizing actions in furtherance of this Ordinance, as defined herein.

5/11/21; ASSIGNED UNDER 30 DAY RULE to the Government Audit and Oversight Committee.

5/19/21; REFERRED TO DEPARTMENT.

13. <u>210693</u> [Issuance of Bonds - California Statewide Communities Development Authority - Front Porch Communities and Services, a California Not for Profit - Not to Exceed \$450,000,000]

Sponsor: Stefani

Resolution approving for the purposes of Internal Revenue Code of 1986, Section 147(f), as amended, the issuance of obligations pursuant to a plan of finance by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$450,000,000 for the purpose of financing and/or refinancing the acquisition, construction, equipping, improvement, renovation, rehabilitation and/or remodeling of senior living and related facilities by Front Porch Communities and Services; and certain other matters relating thereto, as defined herein.

6/8/21; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7/7/21; TRANSFERRED to the Budget and Finance Committee.

14. <u>210683</u> [Accept and Expend Grant - Retroactive - Health Resources and Services Administration - Ending the Human Immunodeficiency Virus Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B -\$2.667.0001

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant increase in the amount of \$1,667,000 for a total amount of \$2,667,000 from the Health Resources and Services Administration for participation in a program, entitled "Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B," for the period of March 1, 2020, to February 28, 2022.

6/8/21; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7/7/21; TRANSFERRED to the Budget and Finance Committee.

15. <u>210653</u> [Park Code - Non-Resident Fees at Certain Specialty Attractions] Sponsor: Mayor

Ordinance amending the Park Code to allow the Recreation and Park Department to continue setting non-resident adult admission fees for the Japanese Tea Garden, the Coit Tower Elevator, the Conservatory of Flowers, and the San Francisco Botanical Garden by flexible pricing; and affirming the Planning Department's determination under the California Environmental Quality Act.

6/1/21; RECEIVED.

6/1/21; ASSIGNED UNDER 30 DAY RULE to the Budget and Appropriations Committee.

16. <u>210741</u> [Waiver of Permit, License, and Business Registration Fees for New Small Businesses]

Sponsors: Ronen; Haney and Safai

Ordinance waiving certain first-year permit, license, and business registration fees for businesses that commence engaging in business within the City from November 1, 2021, through October 31, 2022, have estimated first-year San Francisco gross receipts of \$2,000,000 or less, and have a registered business location that is for storefront commercial use and not formula retail uses; and refunding any waived fees paid to the City.

(Fiscal Impact)

6/22/21; ASSIGNED to the Government Audit and Oversight Committee.

6/30/21; TRANSFERRED to the Budget and Finance Committee.

17. <u>210763</u> [Loan Agreement - 2550 Irving Associates, L.P. - 100% Affordable Housing at 2550 Irving Street - Not to Exceed \$14,277,516] Sponsor: Mayor

Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development with 2550 Irving Associates, L.P. to execute loan documents relating to a loan to provide financing for the acquisition of real property located at 2550 Irving Street, and predevelopment activities for a 100% affordable multifamily rental building, in an aggregate amount not to exceed \$14,277,516; approving the form of the loan agreement and ancillary documents; ratifying and approving any action heretofore taken in connection with the property; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and finding that the loan is consistent the General Plan, and the priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

6/29/21; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

7/7/21; TRANSFERRED to the Budget and Finance Committee.

ADJOURNMENT

LEGISLATION UNDER THE 30-DAY RULE

NOTE: The following legislation will not be considered at this meeting. Board Rule 3.22 provides that when an Ordinance or Resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the Committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to resolutions which simply URGE action to be taken.

210742 [Accept and Expend Grant - Retroactive - John D. and Catherine T. MacArthur Foundation - Safety and Justice Challenge - Amendment to the Annual Salary Ordinance for FYs 2020-2021 and 2021-2022 - \$2,000,000] Sponsor: Ronen

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$2,000,000 from the John D. and Catherine T. MacArthur Foundation to support San Francisco's participation as an implementation site in the Safety and Justice Challenge, and amending Ordinance No. 166-20 (Annual Salary Ordinance File No. 200568 for Fiscal Years (FYs) 2020-2021 and 2021-2022) to provide for the addition of one grant funded Class 1824 Principal Administrative Analyst position (FTE 1.0) at the Office of the District Attorney for the period of January 1, 2021, through December 31, 2022. (District Attorney)

6/22/21; ASSIGNED UNDER 30 DAY RULE to the Government Audit and Oversight Committee.

7/7/21; TRANSFERRED to the Budget and Finance Committee.

210743 [Accept and Expend Grant - Retroactive - U.S. Department of Justice -Justice Reinvestment Initiative - Amendment to Annual Salary Ordinance -FYs 2020-2021 and 2021-2022 - \$1,000,000] Sponsor: Walton

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$1,000,000 from the U.S. Department of Justice to fund the Justice Reinvestment Initiative; and amending Ordinance No. 166-20 (Annual Salary Ordinance File No. 200568 for Fiscal Years (FYs) 2020-2021 and 2021-2022) to provide for the addition of two grant funded Class 8133 Victim/Witness Investigator III positions (FTE 2.0) in the Office of the District Attorney for the period of October 1, 2020, through September 30, 2023. (District Attorney)

6/22/21; ASSIGNED UNDER 30 DAY RULE to the Government Audit and Oversight Committee.

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance. Members of the public who want a document displayed should provide in advance of the meeting to the Clerk of the Board (bos.legislation@sfgov.org), clearly state such during testimony, and subsequently request the document be removed when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

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LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (415) 554-5184.

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PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpupulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpupulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

Americans with Disabilities Act (ADA)

The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco must be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County or San Francisco. If you believe your rights under the ADA are violated, contact the ADA Coordinator.

Ordinance 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

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Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at sotf@sfgov.org. Citizens may obtain a free company of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at http://www.sfbos.org/sunshine.

Ethics Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site http://www.sfgov.org/ethics.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit sfethics.org.