



**Legislation Introduced at Roll Call**

**Tuesday, January 5, 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**

**201385 [Planning Code, Zoning Map - 542-550 Howard Street]**

**Sponsor:** Haney

Ordinance amending the Planning Code and Zoning Map to rezone and reclassify a portion of the 542-550 Howard Street project site (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, also known as Transbay Parcel F) and as shown on Figure 1 of the Transit Center District Plan, specifically to rezone a portion of the project site from the split P (Public) District/C-3-O (SD) to the C-3-O (SD) Downtown Office Special Development District and to reclassify the height and bulk district designations for a portion of the project site; waiving certain provisions of the Planning Code to allow the project to satisfy its affordable housing requirement through payment of an in-lieu affordable housing fee to the Office of Community Investment and Infrastructure for use within the Transbay Redevelopment Project Area, to modify timing for payment of fees, and to permit the footprint of the portion of the project site dedicated to dwellings to exceed 15,000 square feet; 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302. SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

**210014 [Appropriation - COVID Contingency Reserve - Human Services Agency - Restaurant and Food Service Businesses in Chinatown - \$1,900,000 - FY2020-2021 - Authorizing the Controller to Reduce COVID Contingency Reserve Appropriations and Return Funds]**

**Sponsors:** Peskin; Fewer, Safai, Yee, Mar and Walton

Ordinance appropriating \$1,900,000 from the COVID Contingency Reserve in the Human Services Agency to provide assistance to restaurant and food service businesses in Chinatown in Fiscal Year (FY) 2020-2021; and authorizing the Controller to reduce appropriations and return funds to the COVID Contingency Reserve to the extent that State and/or Federal funds are available for reimbursement. ASSIGNED to Budget and Finance Committee.

- 210015 [Building Code - Expanded Compliance Control and Consumer Protections Where History of Significant Violations]**  
**Sponsors:** Ronen; Peskin and Haney  
Ordinance amending the Building Code to implement expanded compliance control and consumer protection provisions for projects, individuals, agents, and entities with a history of significant violations; and affirming the Planning Department's determination under the California Environmental Quality Act. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

## **RESOLUTIONS**

- 210016 [Initiating Landmark Designation - 800 Chestnut Street - Diego Rivera Mural "The Making of a Fresco Showing the Building of a City"]**  
**Sponsor:** Peskin  
Resolution initiating a landmark designation under Article 10 of the Planning Code for Diego Rivera's fresco, titled "The Making of a Fresco Showing the Building of a City," painted in 1931 and located at 800 Chestnut Street. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 210017 [Urging California Regents to Consider the Proposed UCSF Parnassus Expansion Plan EIR]**  
**Sponsor:** Preston  
Resolution urging the California Regents to move consideration of the proposed University of California at San Francisco (UCSF) Parnassus Expansion Plan Environmental Impact Report (EIR) from their January 2021 meeting to their March 2021 meeting. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.
- 210018 [Urging the City and County of San Francisco to Support and/or Fund SFUSD Class of 2021 Senior Activities]**  
**Sponsor:** Safai  
Resolution urging the Board of Supervisors to save San Francisco Unified School District (SFUSD) Senior Class of 2021 activities by providing support, funds and/or city resources; and if allowable under current health orders, to be made available to SFUSD Seniors for senior specific activities. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

## **MOTIONS**

- 200686 [Budget and Legislative Analyst Performance Audit - Operational Overlap on Sewer Repair Between Public Works and the Public Utilities Commission]**  
**Sponsor:** Ronen  
Motion directing the Budget and Legislative Analyst to conduct a limited scope performance audit of sewer repair to determine if savings could be achieved through a restructuring of sewer repair work orders between Public Works and the Public Utilities Commission. REACTIVATED PURSUANT TO RULE 3.42 to Government Audit and Oversight Committee.
- 210012 [Mayoral Appointment, Public Utilities Commission - Newsha Ajami]**  
Motion approving/rejecting the Mayor's nomination for appointment of Newsha Ajami to the Public Utilities Commission, for a term ending August 1, 2024. (Clerk of the Board). RECEIVED AND ASSIGNED to Rules Committee.

## **REQUESTS FOR HEARING**

### **210019 [Hearing - Social and Emotional Support Under School Distance Learning]**

**Sponsor:** Ronen

Hearing to discuss how the City can better assist the San Francisco Unified School District (SFUSD) in expanding the availability of social and emotional supports for students and families by taking inventory of the existing social and emotional support programs available to district families under distance learning and identifying specific unmet needs or gaps in the capacity of these programs (i.e., the need to fund additional school social worker positions to be able to visit and work with more families in need); and requesting the SFUSD, Department of Children, Youth and Their Families, Board of Education and United Educators of San Francisco to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

### **210020 [Hearing - Analyzing Crime Rates, Possible Loopholes, and System Failures for People on Parole, County Probation, Federal Probation and Pre-Trial Diversion]**

**Sponsors:** Safai; Stefani

Hearing to analyze possible loopholes or areas of failure in our criminal justice system for individuals with active criminal justice cases and/or individuals presently under state, federal, or local supervision; to analyze the frequency in which people on parole, county probation, federal probation and pre-trial diversion are being re-incarcerated in a given year; determine whether these additional arrests are a result of substance abuse use and/or addiction; and requesting the Office of the District Attorney, Adult Probation Department, Police Department, Sheriff's Department, California Department of Corrections and Rehabilitation, and Federal Probation Department to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

### **210021 [Hearing - Public Safety Statistics and Policies on Parole, Rearrest, and Interagency Responsibilities]**

**Sponsors:** Stefani; Mandelman

Hearing on the statistics, policies, and agency responsibilities regarding parolees, instances of rearrest, and responses to data requests in the Letter of Inquiry; and requesting the Police Department, Sheriff's Office, District Attorney, Adult Probation, and Juvenile Probation to report. RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services 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**

**210001 [Amendments to Real Property Leases - Forgive Tenant Rent During COVID-19 Pandemic]**

Ordinance authorizing the City Administrator to amend certain leases and forgive rent due between April 2020 and December 2020 with nonresidential tenants, and waiving Administrative Code and Environmental Code requirements enacted after the most recent modification of each lease, in order to allow for expeditious rent forgiveness necessitated by the financial hardship caused by the public health emergency related to the COVID-19 pandemic; authorizing the City Administrator to further amend leases and forgive rent due between January 2021 and June 2021, and waiving Administrative Code and Environmental Code requirements enacted after the most recent modification of each lease, without further Board of Supervisors approval under Charter, Section 9.118, and Administrative Code, Chapter 23. (City Administrator). ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

**210002 [Settlement of Lawsuit - Pacific Bell Telephone Company - \$72,036]**

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$72,036; the lawsuit was filed on November 25, 2019, in San Francisco Superior Court, Case No. CGC-19-581035; entitled Pacific Bell Telephone Company v. City and County of San Francisco; the lawsuit involves alleged property damage arising from flooding. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**210003 [Settlement of Lawsuit - Jane Doe - City to Receive \$100,000 from The Regents of The University of California]**

Ordinance authorizing settlement of the lawsuit filed by Jane Doe against the City and County of San Francisco for payment of \$100,000 by The Regents of The University of California to the City and County of San Francisco; the lawsuit was filed on April 22, 2016, in San Francisco Superior Court, Case No. CGC-16-551618; entitled Jane Doe v. The City and County of San Francisco, et al.; the lawsuit involves an alleged unauthorized disclosure of medical information. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**210004 [Settlement of Lawsuit - Sibyl Moore, Charlene Roberts, Antonio Rucker, and Thomas Anderson - \$1,200,000]**

Ordinance authorizing settlement of the lawsuit filed by Sibyl Moore, Charlene Roberts, Antonio Rucker, and Thomas Anderson against the City and County of San Francisco for \$1,200,000; the lawsuit was filed on June 28, 2019, in San Francisco Superior Court, Case No. CGC-19-577141; entitled Sibyl Moore, et al. v. City and County of San Francisco, et al.; the lawsuit involves the alleged wrongful death of Ruby Anderson, Plaintiffs' mother, who was a resident of the Residential Care for the Elderly (RCFE) located at the San Francisco Behavioral Health Center (BHC). (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **PROPOSED RESOLUTIONS**

- 210005 [Settlement of Unlitigated Claim - Special Situations Investing Group II, LLC - \$45,539]**  
Resolution approving the settlement of the unlitigated claim filed by Special Situations Investing Group II, LLC against the City and County of San Francisco for \$45,539; the claim was filed on July 27, 2020; the claim involves an alleged overpayment of real property transfer taxes. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 210006 [Settlement of Unlitigated Claim - Chyna Miller - \$150,000]**  
Resolution approving the settlement of the unlitigated claim filed by Chyna Miller against the City and County of San Francisco for \$150,000; the claim was filed on October 8, 2018; the claim involves an allegation of civil rights violation by a Human Services Agency contractor; additional material terms of the settlement are that the contractor's insurer will pay \$450,000. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 210007 [Amended and Restated Trust Agreement - Airport Hotel Special Facility Bonds]**  
Resolution approving the form of an Amended and Restated Trust Agreement providing for the restructuring of the Airport Commission's \$260,000,000 aggregate principal amount of outstanding Special Facility Revenue Bonds (San Francisco International Airport Hotel), Series 2018; and approving certain related matters, as defined herein. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 210008 [Emergency Declaration - Replacement and Repair of Fences - Total Cost Not to Exceed \$4,500,000]**  
Resolution approving an emergency declaration of the San Francisco Public Utilities Commission (SFPUC) pursuant to Administrative Code, Section 6.60, to replace and repair fences on SFPUC watershed land in Alameda watershed damaged by the SCU Lightning Complex Fire, with a total cost not to exceed \$4,500,000. (Public Utilities Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 210009 [Contract Agreement - Retroactive - HealthRIGHT 360 - Fiscal Intermediary Check-Writing Services - Not to Exceed \$93,056,085]**  
Resolution retroactively approving a contract agreement between HealthRIGHT 360 and the Department of Public Health for fiscal intermediary check-writing services, in an amount not to exceed \$93,056,085 for a contract term of five years from January 1, 2021, through December 31, 2025. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 210010 [Performance Contract Agreement - Retroactive - California Department of Health Care Services - Mental Health Services Act and Various Programs]**  
Resolution retroactively authorizing the Department of Public Health to enter into Performance Contract No. 18-95270, with the California Department of Health Care Services, incorporating the Mental Health Services Act, Lanterman-Petris-Short Act, Projects for Assistance in Transition from Homelessness, Community Mental Health Services Block Grant, Substance Abuse Treatment and Prevention Block Grant, and Crisis Counseling Assistance and Training Program for the period of July 1, 2018, through June 30, 2021. (Public Health Department). RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Clerk to Act - January 5, 2021**

**No Board Meeting Minutes were approved.**

**Requests Granted**

From: Supervisor Stefani

To: District Attorney; Chief Scott; Sheriff Miyamoto; Chief Fletcher; Chief Miller

Requesting/Inquiring: Please See Attached

**In Memoriam**

Judy Yung - Supervisor Peskin

Hanako Abe - President Yee

Elizabeth Platt - President Yee

Member, Board of Supervisors  
District 2



City and County of San Francisco

## CATHERINE STEFANI

January 5, 2021

Dear District Attorney Boudin, Chief Scott, Sheriff Miyamoto, Chief Fletcher, and Chief Miller:

I am writing to you all in response to recent reports of serial repeat offenders whose release from custody precipitated dangerous incidents in which innocent bystanders were killed.

In the most egregious example, this past New Year's Eve, Hanako Abe and Elizabeth Platt were struck and killed by an individual who was arrested for serious offenses in April, June, August, October, November, and December of last year.

The District Attorney has indicated that the suspect in this case was referred to parole, rather than being charged with additional offenses, because that was reportedly the most likely avenue for intervention to occur, yet the individual appears to have been referred to parole several times in the past year without intervention.

The public needs to understand exactly what happens when an individual on parole is arrested for new offenses. I am formally requesting data on the number of individuals who are arrested while on parole and whether any charges were filed for these individuals over the past three years. I would also like to better understand what policies or recent policy changes have governed these decisions.

In June, Kelvin Chew was shot and killed during an attempted robbery. During the preceding months, his assailant was arrested and booked on a number of serious firearms charges before being released.

I would also like to formally request data on the rearrest rates in San Francisco. Of all arrests that have been made over the past three years, how many individuals had previously been arrested? Additionally, what percentage of the individuals involved in these arrests resided outside of San Francisco? I would like this information to include burglary, motor vehicle theft, arson, drug sales, and drug possession for sales.

Each of you, as leaders of our public safety departments, has a part in collecting and maintaining this information and, more importantly, in working together to advance the goals of public safety, including equity, fairness, and transparency. The lack of clarity around these cases and who is ultimately responsible for their outcomes has undermined public confidence in our ability to meaningfully preserve San Franciscans' health and safety. Those responsible for violence should be held accountable to the fullest extent of the law.

In addition to this letter, I have called for a hearing at the Board of Supervisors to review and discuss your responses publicly, and I will likewise invite the California Department of Corrections and Rehabilitation to present or provide a response.

Thank you for your cooperation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Catherine Stefani".

Catherine Stefani  
Member, Board of Supervisors

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