

Board of Supervisors



City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tel. No. 415-554-5184
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Legislation Introduced at Roll Call

Tuesday, January 30, 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

240086 [Appropriation - Refunding General Obligation Bond Proceeds - Controller's Reserve - \$644,675,000 - FY2023-2024]

Sponsor: Mayor

Ordinance appropriating \$644,675,000 from the issuance of one or more series of Refunding General Obligation Bonds; and placing such amounts on Controller's reserve in Fiscal Year (FY) 2023-2024. ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

240087 [Pier 70 - Street and Public Infrastructure Acceptance - Establishing Official Sidewalk Widths and Street Grades]

Sponsors: Mayor; Walton

Ordinance accepting irrevocable offers of public infrastructure associated with the Pier 70 Project, 28-acre site Phase 1, including improvements located within portions of 20th, 21st, 22nd, Illinois, Louisiana, and Maryland Streets; dedicating this infrastructure to public use; designating this public infrastructure for street and roadway purposes, as applicable; accepting the public infrastructure for City maintenance and liability purposes, subject to specified limitations; establishing official public right-of-way widths and street grades; amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to establish official sidewalk width on 20th, 21st, 22nd, Louisiana, and Maryland Streets; accepting a Public Works Order recommending various actions in regard to the public infrastructure improvements; delegating limited authority to the Public Works Director to accept specified infrastructure; authorizing official acts, as defined, in connection with this Ordinance; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

240088 [Administrative Code - Legacy Business Assistance Program]

Sponsors: Mayor; Peskin

Ordinance amending the Administrative Code to create the Legacy Business Assistance Program. ASSIGNED UNDER 30 DAY RULE to Rules Committee.

- 240089 [Planning Code - Landmark Designation - San Francisco Fire Station No. 44]**
Sponsors: Walton; Peskin
Ordinance amending the Planning Code to designate San Francisco Fire Station No. 44, located at 1298 Girard Street, Assessor's Parcel Block No. 6194, Lot No. 010, 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. ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

RESOLUTIONS

- 240091 [Authorizing Expenditures - SoMa Community Stabilization Fund - \$200,000]**
Sponsor: Mayor
Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund dollars in the amount of \$200,000 to address various impacts of destabilization on residents and businesses in SoMa for a term to commence effective upon approval this Resolution through June 30, 2026. (Mayor's Office of Housing and Community Development). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 240092 [Loan Amendment - Octavia RSU Associates, L.P. - 100% Affordable Housing at 78 Haight Street - Not to Exceed \$35,306,233]**
Sponsors: Mayor; Dorsey
Resolution approving and authorizing 1) the execution of a First Amendment to the Amended and Restated Loan Agreement with Octavia RSU Associates, L.P., a California limited partnership, to increase the loan amount by up to \$8,559,766 for a new total loan amount not to exceed \$35,306,233 to finance additional costs related to a 100% affordable, 63-unit multifamily rental housing development affordable to low-income households, including 32 units for Transitional Age Youth who are homeless or at-risk of homelessness, and including up to 3,200 square feet of commercial space located at 78 Haight 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.
- 240093 [Amended and Restated Real Property Lease - YMCA SF - Building 49 - 701 Illinois Street - Crane Cove Park]**
Sponsors: Mayor; Walton
Resolution approving and authorizing the execution, delivery, and performance of Amended and Restated Lease No. 17134 for Building 49, located at 701 Illinois Street within Crane Cove Park between the Port of San Francisco and the Young Men's Christian Association of San Francisco (YMCA SF) that would among other things, reduce the seismic improvements described in the Existing Lease, eliminate all rent credits for any seismic work performed by the YMCA SF, require the YMCA SF to open the public restrooms no later than July 1, 2024, delay the rent commencement date to no later than October 1, 2024, as defined in the Amended and Restated Lease; affirming prior findings under the California Environmental Quality Act; and authorizing the Executive Director of the Port to enter into any additions, amendments or other modifications to the Amended and Restated Lease that do not materially increase the obligations or liabilities of the City or Port and are necessary or advisable to complete the transactions which this Resolution contemplates and effectuate the purpose and intent of this Resolution. (Port). RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 240100 [Lunar New Year 2024]**
Sponsors: Chan; Peskin
 Resolution celebrating 2024 as Year of the Dragon and recognizing February 10, 2024, as the start of Lunar New Year 4722. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 240094 [Recognizing the Twentieth Anniversary of the “Winter of Love” in San Francisco]**
Sponsors: Dorsey; Mandelman, Engardio, Peskin, Safai, Walton, Preston, Stefani, Chan, Ronen and Melgar
 Resolution commemorating the twentieth anniversary of the “Winter of Love” in San Francisco on February 12, 2024; recognizing then-Mayor Gavin Newsom for his bold and history-making decision to issue marriage licenses to same-sex couples; and recognizing the panoply of city officials and their staffs, community-based advocacy and legal organizations and their members, couples and their families, friends and loved ones for courageous and united advocacy that both affirmed San Francisco's enduring commitment to LGBTQ+ equality, and that ultimately made history by invalidating discriminatory marriage laws in California, and setting the stage for the landmark United States (U.S.) Supreme Court decision in 2015 securing marriage equality nationwide. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 240095 [Supporting the UPTE-CWA 9119 Optometrists’ Strike]**
Sponsors: Mandelman; Preston, Melgar, Chan, Ronen and Walton
 Resolution supporting the University Professional & Technical Employees-Communications Workers of America Local 9119 (UPTE-CWA 9119) optometrists’ strike; and urging the University of California administration to reach a fair agreement recognizing their essential labor for San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 240096 [Agreement - Owners' Association for Administration/Management of San Francisco Tourism Improvement District]**
Sponsor: Peskin
 Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established business-based business improvement district known as the “San Francisco Tourism Improvement District,” pursuant to the California Streets and Highways Code, Section 36651, for a period effective upon approval of this Resolution through December 31, 2038. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 240097 [Urging State of California to Restore Proposed Cuts to Affordable Housing Programs]**
Sponsors: Preston; Peskin, Walton, Ronen and Chan
 Resolution urging Governor Gavin Newsom to reinstate, and state legislators to reject, a proposed \$1,200,000,000 in cuts to affordable housing programs and to fulfill Fair Housing mandates for California residents. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 240101 [Niners Day - February 11, 2024]**
Sponsors: Walton; Preston, Mandelman, Melgar, Engardio, Ronen, Dorsey, Safai, Stefani, Chan and Peskin
 Resolution declaring February 11, 2024, also known as Super Bowl Sunday, as Niners Day and San Francisco 49ers Day in the City and County of San Francisco. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

MOTION

240072 [Appointment, Park, Recreation, and Open Space Advisory Committee - Sarah Lartigue]

Motion appointing Sarah Lartigue, term ending February 1, 2026, to the Park, Recreation, and Open Space Advisory Committee. (Clerk of the Board). REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

REQUESTS FOR HEARING

240098 [Hearing - Business Interruption Funds for San Francisco Businesses Impacted by Housing Construction]

Sponsors: Melgar; Stefani

Hearing on possible goals, design options, administrative costs, and feasibility of a residential construction mitigation program providing support to small businesses impacted by construction; and requesting the Office of Economic and Workforce Development, Planning Department, and Controller's Office to report. RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

240099 [Hearing - Status of UCSF's Proposed Acquisition of Dignity Health's Clinical Presence in San Francisco]

Sponsor: Safai

Hearing on the status of University of California San Francisco's (UCSF) proposed acquisition of Dignity Health's clinical presence, including but not limited to St. Mary's Medical Center and St. Francis Memorial Hospital, and the impact of the proposed merger on staffing plans and patient care; and requesting the Department of Public Health and UCSF 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

240047 [General Plan - Potrero Bus Yard Project]

Ordinance amending the Urban Design Element of the General Plan to facilitate the Potrero Bus Yard 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 340. (Planning Commission). ASSIGNED to Land Use and Transportation Committee.

- 240048 [Administrative Code - Surveillance Technology Policy - Human Services Agency - Call Recording Technology]**
Ordinance approving Surveillance Technology Policy for Human Services Agency use of Call Recording Technology. (Human Services Agency). ASSIGNED UNDER 30 DAY RULE to Rules Committee.

PROPOSED RESOLUTIONS

- 240049 [COVID-19 Lease Extension Program for Certain Airport Food and Beverage, Retail, and Service Concessions Tenants]**
Resolution approving the COVID-19 Lease Extension Program for Certain Airport Food and Beverage, Retail, and Service Concession Tenants, allowing the Airport to offer lease extensions of up to three and one-half years to eligible concessionaires. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 240050 [Tolling Agreement - Lyft, Inc. - Gross Receipts, Homelessness Gross Receipts, and Payroll Expense Tax Dispute - \$5,156,634]**
Resolution approving a Tolling Agreement to extend the statute of limitations for Lyft, Inc. to bring potential litigation against the City and County of San Francisco for a refund of \$5,156,634 of gross receipts, homelessness gross receipts, and payroll expense taxes to allow for possible resolution of the matter without litigation. (City Attorney). RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 240051 [Airport Professional Services Agreement Modification - PGH Wong & Partners JV - Project Management Support Services for the Courtyard 3 Connector Project - Further Modifications Not to Exceed \$45,400,000]**
Resolution approving Modification No. 11 to Airport Contract No. 10072.41, Project Management Support Services for the San Francisco International Airport, Courtyard 3 Connector Project with PGH Wong & Partners JV, a joint venture consisting of PGH Wong Engineering, Inc., and Avila and Associates Consulting Engineers, Inc., to increase the Contract amount by \$20,400,000 for a new not to exceed the amount of \$45,400,000 for services with no change to the term, pursuant to Charter, Section 9.118(b); and making findings under the California Environmental Quality Act. (Airport Commission). RECEIVED AND ASSIGNED to Budget and Finance Committee.

Clerk to Act – January 30, 2024

No Regular Board Meeting Minutes were approved.

Requests Granted

From: President Aaron Peskin

To: City Attorney

Requests: Requesting the City Attorney's Office to draft legislation amending the Campaign and Finance Code and Police Code respectively:

- Require a campaign finance disclaimer on any piece of political mail, tv or radio ad, or 501c3 or 501c4 mailer that is linked to a person or persons who have been found by the City to have made credible and documented threats on the safety or physical well-being of public officials or anyone exercising their First Amendment rights to participate in our democracy and engage in civic discourse that says just that.
- Require a minimum fine of \$1 per person in the offender's community for the first offense, \$10 for the second offense and \$100 for the third offense of violent speech. Those who cannot pay will be required to perform community service here in San Francisco.

From: Supervisors Dean Preston and Shamann Walton

To: Mayor's Office of Housing and Community Development (MOHCD)

Requests: Requesting information regarding the implementation of the Senior Home Repair Program. (see attached)

From: Supervisor Rafael Mandelman

To: City College of San Francisco Board of Trustees

Requests: Requesting information regarding the Accrediting Commission for Community and Junior Colleges (ACCJC) warning sanction against City College of San Francisco (CCSF) and the departure of CCSF Chancellor, David Martin. (see attached).

In Memoriam

Lena Farrell – Supervisor Catherine Stefani

Member, Board of Supervisors
District 5



City and County of San Francisco

DEAN PRESTON

January 30, 2024

Director Daniel Adams
Mayor's Office of Housing and Community Development
1 Van Ness Ave # 5
San Francisco, CA 94103

Re: Letter of Inquiry Regarding Senior Home Repair Program

Dear Director Adams:

Joined by Supervisor Walton, I am issuing this Letter of Inquiry regarding the Senior Home Repair Program (SHRP). Predating your recent appointment to lead the Mayor's Office of Housing and Community Development, the Senior Home Repair Program (SHRP) was created in January 2022 with the stated purpose to provide assistance up to \$50,000, in the form of a forgivable loan, to low-to-moderate-income senior/disabled homeowners residing in historically distressed and underserved neighborhoods in San Francisco. We applaud this goal, but are deeply concerned with the implementation of this program.

On December 18, 2023, Joe Eskenazi of Mission Local published an article detailing constituent experiences with the SHRP. According to the article, in nearly two years, the program has repaired only three homes. The coverage also quotes applicants of the program stating they "wouldn't recommend this program to their friends and loved ones" because of excessive delays and other issues in the application process.

Other jurisdictions with similar programs don't appear to have the same experience. Washington, D.C. has a program similar to MOHCD's program. According to Mission Local, D.C. provides larger loans of \$75K and has completed 50 projects a year.

Today, with Supervisor Walton, I am issuing this Letter of Inquiry regarding the program. We appreciate the good intentions behind the creation of this program, and strongly believe in its goals, but are deeply concerned about how it is being implemented. Many seniors in our community, including many Black seniors who faced a history of housing discrimination and exclusion, could benefit from this program, so we are eager to get clarity about the program and collaborate with you to get this on track.

Letter of Inquiry: Senior Home Repair Program

January 30, 2024

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Pursuant to our power of inquiry under the San Francisco Charter, we request responses within 30 days to the following questions:

1. How many applications have been submitted to the Senior Home Repair Program? Of those, how many have been approved, rejected, or are awaiting a determination?
2. What is the average time from when a SHRP application is submitted to when it is processed?
3. What is the average time between submitting a SHRP application and having a home repaired?
4. Since the program's creation in January 2022, what is the total amount of funds that have been allocated to this program per fiscal year? What is the total amount that has been spent by fiscal year? What is the total amount of remaining funds for this program in the current fiscal year?
5. Does MOHCD intend to fully fund this program in the upcoming fiscal year? What is the fiscal year budget to fund and operate the SHRP program?
6. According to Mission Local, in December 2023, MOHCD provided a new update that 10 homes were underway. What is the status of those applications/grants/repairs?
7. Describe the role of the nonprofit Rebuilding Together in administering this program, how they were selected, how they have performed, and how much they have been paid.
8. Please explain the process by which funds are disbursed to those whose applications are approved.
 - a. Do the seniors receive funds directly from MOHCD or from Rebuilding Together?
 - b. Are the seniors provided an up front grant or reimbursed for expenses incurred?
 - c. Does MOHCD and/or Rebuilding Together contract with those carrying out the repairs directly or is it up to the applicant to coordinate with the contractor?
9. How many staff and FTEs does MOHCD have working on this program? Please explain their roles.
10. How does MOHCD evaluate success rates for this program? Please share any metrics that MOHCD uses to evaluate this program.
11. Please share the total number of applicants, location, and demographic information for all applicants of the SHRP program, including a breakdown by application status.
12. How many total applicants have benefited from funding for this program?

Sincerely,



Dean Preston

Supervisor, District 5



Shamann Walton

Supervisor, District 10



Member, Board of Supervisors
District 8

City and County of San Francisco

RAFAEL MANDELMAN

January 30, 2024

City College of San Francisco Board of Trustees
Attn: President Alan Wong
50 Frida Kahlo Way
San Francisco, CA 94112

Dear President Wong:

I am writing to request information regarding seemingly troubling developments at the City College of San Francisco. As a former President of the City College Board of Trustees, I was deeply involved in addressing City College's previous accreditation crisis.

This last decade has been a rough one for the College, but City College has made great progress to stay open, accredited, and free to City residents. After a prolonged period of declining enrollment and financial uncertainty, City College today has a balanced \$314 million budget and, for the first time since 2017, has increased enrollment and is adding new classes. It is my understanding that all current construction projects are on time and on budget, including the widely anticipated STEAM building, and all five unions affiliated with the College are under multi-year contracts.

Although this is good news, I am nonetheless concerned by troubling evidence that some of the very same governance failures that drove City College into a ditch a decade ago are now re-emerging.

The College's Chancellor, David Martin, has announced that he is leaving after just over two years, apparently in the wake of public conflicts among Board members and between Board members and the Chancellor. When Martin started in the role in 2021, some of us had hoped that his background as City College's Chief Financial Officer would help the College to finally address its budgetary challenges and ongoing enrollment decline.

And in fact, those hopes appear to have been fulfilled. So I am concerned that he is leaving, and I am concerned that the College appears to only now be beginning its search for a replacement, four months after the Chancellor announced his departure.

These concerns are further exacerbated by the findings of the Accrediting Commission for Community and Junior Colleges (ACCJC), which days ago released a damning accreditation report finding the Board in violation of the following standards:

- Standard III.D.11: which requires that the Governing Board consider the College's long-range fiscal implications when making financial decisions to assure financial stability.
- Standard IV.C.7: which requires that the Governing Board act in a manner consistent with its policies and bylaws.
- Standard IV.C.12: which requires that the Governing Board allow the Chancellor to implement and administer Board policies without Board interference.

Based on these violations, the College was issued a warning sanction by the ACCJC. At the Commission's meeting this month where it reaffirmed accreditation for nine other community colleges, City College was one of two to receive sanctions.

City College will now have to prepare a follow-up report by March 2025 describing how it will address the issues ACCJC has raised and ultimately reach alignment with the commission's standards by 2027.

The City and County of San Francisco, as well as San Francisco taxpayers, have invested and continue to invest significant sums of local dollars to support City College's stability and success. The City has allocated \$16.8 million from our General Fund to support the Free City College program this fiscal year and paid \$2.1 million last year to clear student debt. Other major local sources of revenue include approximately \$14 million in sales tax and \$19.6 million in parcel taxes. Few, if any, other community college districts in California, receive this level of local support. This Board of Supervisors, and the communities we represent, have a strong interest in ensuring that City College is being governed in a manner that promotes its long-term financial stability and success in providing an accessible and high quality education.

By this Letter of Inquiry, I am requesting that by February 13th, 2024, the Board of Trustees provide more information regarding these issues.

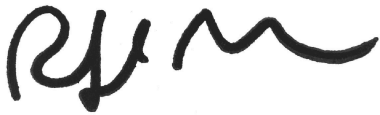
Specifically, I am requesting:

1. A response to the concerns about governance raised in the ACCJC's January 16th report and an explanation of how the members of the Board intend to address those concerns
2. An explanation of the Board's understanding of the reasons for Chancellor Martin's departure, its plans and timeline for finding a permanent replacement and its plans for proceeding should the College not be able to identify a suitable replacement prior to his departure on June 30th

Finally, it is my understanding that Vice President Anita Martinez individually sent a letter to the ACCJC in response to the visiting team's visit and preliminary findings announced in October. I do not know the contents of the Vice President's letter, but in my experience, any such individual communication from a trustee to the accreditor would be highly unusual and likely to raise concern. I request that a copy of this letter be provided with the College's response to this Letter of Inquiry.

I am looking forward to hearing from the City College Board of Trustees on this matter and continuing to work together to support City College's students.

Sincerely,

A handwritten signature in black ink, appearing to read 'RJM', with a stylized flourish at the end.

Rafael Mandelman
District 8 Supervisor

cc: Vice President Anita Martinez
Aliya Chisti, Trustee
Murrell Green, Trustee
Susan Solomon, Trustee
Vick Van Chung, Trustee
Shanell Williams, Trustee
Heather Brandt, Student Trustee